

**BOROUGH OF BARROW-IN-FURNESS**  
**LICENSING REGULATORY COMMITTEE**

Special Meeting, Wednesday 21st February, 2018  
at 10.00 a.m. (Drawing Room)

**A G E N D A**

**PART ONE**

1. To note any items which the Chairman considers to be of an urgent nature.
2. To receive notice from Members who may wish to move any delegated matter non-delegated and which will be decided by a majority of Members present and voting at the meeting.

3. **Admission of Public and Press**

To consider whether the public and press should be excluded from the meeting during consideration of any of the items on the agenda.

4. Declarations of Interest.

To receive declarations by Members and/or co-optees of interests in respect of items on this Agenda.

Members are reminded that, in accordance with the revised Code of Conduct, they are required to declare any disclosable pecuniary interests or other registrable interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Members may however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests which they have already declared in the Register, as well as any other registrable or other interests.

5. Apologies for Absence/Attendance of Substitute Members.

**FOR DECISION**

- (D) 6. Pet Animals Act 1951 – Living World, Dalton Road, Barrow-in-Furness Licence Application.

**NOTE (D) - Delegated  
(R) - For Referral to Council**

## **Membership of Committee**

Councillors Callister (Chairman)  
Seward (Vice-Chairman)  
Biggins  
Barlow  
Cassells  
Derbyshire  
Gill  
Heath  
W. McClure  
Proffitt  
L. Roberts  
Wall

### **For queries regarding this agenda, please contact:**

Sharron Rushton  
Democratic Services Officer  
Tel: 01229 876321  
Email: [srushton@barrowbc.gov.uk](mailto:srushton@barrowbc.gov.uk)

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<b>LICENSING REGULATORY COMMITTEE</b>		<b>Part One (D) Agenda Item 6</b>
<b>Date of Meeting:</b>	<b>21st February, 2018</b>	
<b>Reporting Officer:</b>	<b>Principal Environmental Health Officer</b>	
<p><b>Title: Pet Animals Act 1951 – Living World, Dalton Road, Barrow-in-Furness - Licence Application</b></p> <p><b>Report Summary:</b></p> <ul style="list-style-type: none"> <li>• Living World, 238 Dalton Road, Barrow-in-Furness, LA14 1PN is a pet shop business owned by Mr Wayne Moffatt;</li> <li>• Mr Moffatt’s Pet Shop Licence, ref 021279, expired on 31st December 2017;</li> <li>• Mr Moffatt’s application form and fee for 2018 were received on 2nd January 2018;</li> <li>• Living World was inspected by council officers and an experienced exotic vet on 9th November 2016, 10th August 2017 and 30th November 2017;</li> <li>• A number of licence conditions that should have been complied with during 2017 have remained outstanding.</li> <li>• The Council’s Veterinary Advisor has advised that Mr Moffatt is failing to provide for the welfare needs of the animal as required by the Animal Welfare Act 2006; and</li> <li>• It is the Reporting Officer’s view that the issues cannot be addressed by the imposition of conditions on the licence.</li> <li>• Officers are therefore recommending the refusal of the application for a Pet Shop Licence.</li> </ul>		

## **1. Background**

- 1.1. Mr. Wayne Moffatt has held Pet Shop Licence, (Ref No: 021279) to operate a pet shop known as Living World of 228 Dalton Road, Barrow-in-Furness, Cumbria, pursuant to Section 1 of the Pet Animals Act 1951 (‘the Act’) since 2014.
- 1.2. Pet shop licences are granted for a period of up to 12 months and run from 1<sup>st</sup> January until 31<sup>st</sup> December, each year.

- 1.3. Mr. Moffatt's 2017 licence was effective 1<sup>st</sup> January 2017 and expired on 31<sup>st</sup> December 2017. A copy of the licence is attached at **APPENDIX 1**.
- 1.4. The licence conditions are based on the Chartered Institute of Environmental Health (CIEH) Model Conditions and include guidance to aid compliance.
- 1.5. The conditions and the guidance are free to download from the Chartered Institute's Website.
- 1.6. In addition the Council have relied upon Mrs Vicky Temple BVMS, CertAVP(ZM), MRCVS, RCVS Advanced Practitioner in Zoological Medicine of the Millcroft Veterinary Group as an experienced exotic vet to determine suitable conditions for the exotic pets held by Mr Moffat such, a Caiman, and large number of snakes and lizards.
- 1.7. Section 1(3) of the Act states:

(3) In determining whether to grant a licence for the keeping of a pet shop by any person at any premises, a local authority shall in particular (but without prejudice to their discretion to withhold a licence on other grounds) have regard to the need for securing—

  - (a) that animals will at all times be kept in accommodation suitable as respects size, temperature, lighting, ventilation and cleanliness;
  - (b) that animals will be adequately supplied with suitable food and drink and (so far as necessary) visited at suitable intervals;
  - (c) that animals, being mammals, will not be sold at too early an age;
  - (d) that all reasonable precautions will be taken to prevent the spread among animals of infectious diseases;
  - (e) that appropriate steps will be taken in case of fire or other emergency;

and shall specify such conditions in the licence, if granted by them, as appear to the local authority necessary or expedient in the particular case for securing all or any of the objects specified in paragraphs (a) to (e) of this subsection.
- 1.8. In 2016 concerns were raised by the RSPCA about the conditions in which some of the animals were housed. In reaction to those concerns the premises where inspected on **9<sup>th</sup> November 2016**
- 1.9. The Inspectors at that time were
  - Mrs Vicky Temple *BVMS, CertAVP(ZM), MRCVS, RCVS Advanced Practitioner in Zoological Medicine* of the Millcroft Veterinary Group
  - Mrs Tracy Howard, Consultant Environmental Health Officer
  - and Mr Graham Barker Principal Environmental Protection & Licensing Officer (Barrow Borough Council)

- 1.10 Mrs Temple's report following that inspection is attached at **Appendix 2**.
- 1.11 Following the inspection of Living World on 9<sup>th</sup> November 2016 Mr. Moffatt was notified of the proposed conditions of his licence in anticipation of his application for the 2017 by email on 16<sup>th</sup> December 2016.
- 1.12 On 3<sup>rd</sup> January 2017 Mr Moffatt made an application to operate in 2017.
- 1.13 On 24<sup>th</sup> January 2017, a licence was issued effective from 1<sup>st</sup> January 2017.

## **2. Inspection Findings**

- 2.1. Living World was inspected on **10<sup>th</sup> August 2017** by
  - 2.1.1. Mrs Vicky Temple BVMS, CertAVP(ZM), MRCVS, RCVS Advanced Practitioner in Zoological Medicine of the Millcroft Veterinary Group – the Council's appointed veterinary advisor;
  - 2.1.2. Mrs Sue Carey, Enforcement Officer
  - 2.1.3. Mr Graham Barker Principal Environmental Protection & Licensing Officer (Barrow Borough Council)
- 2.2. A copy of that report is attached at **Appendix 3**.
- 2.3. In concluding her report Mrs Temple states on page 3 "It is my opinion that the failure of Mr Moffatt to acknowledge the scientific basis of these requirements and to act upon them is negatively impacting on the animal welfare in Living World pet shop. By continuing to allow him to trade as a pet shop, he is not only likely to cause animal suffering but is projecting this as an acceptable way to keep animals for the adults and children that visit this establishment.
- 2.4. In preparation of receiving Mr Moffatt's renewal application an inspection Living World was undertaken on **30<sup>th</sup> November 2017**. The inspectors were:
  - Mrs Vicky Temple *BVMS, CertAVP(ZM), MRCVS, RCVS Advanced Practitioner in Zoological Medicine* of the Millcroft Veterinary Group – the Council's appointed veterinary advisor;
  - Mr Graham Barker – Principal Environmental Protection & Licensing Officer (Barrow Borough Council); and
  - Mr Richard Garnett – Principal Environmental Health Officer (Commercial) (Barrow Borough Council).
- 2.5. The inspection and report concentrated on the welfare and living conditions of the exotic animals.
- 2.6. Mrs Temple's inspection report dated 4<sup>th</sup> December 2017 is attached at **Appendix 4**

2.7. Mrs Temple states in her report:

*“Despite adequate time being given, Mr Moffatt had still failed to improve many of the areas required of him as condition of his license. The visit concentrated on the welfare of the animals within the shop with the following significant findings having been made.....*

*It is my professional opinion that Mr Moffatt is failing to acknowledge recognised scientific requirements for the appropriate environment and diet of many of the animals under his care. By doing so he is also failing to provide for the welfare needs of many of his animals as required by law in Section 9 of the Animal Welfare Act (2006). As per my previous report, by continuing to allow Mr Moffatt to trade in animals, he is not only likely to cause further animal suffering but project this as an acceptable way to keep animals for the adults and children that visit this establishment.”*

### 3. Non-Compliance with Licence Conditions

3.1. The inspections of Living World by Mrs Temple alongside Council Officers have demonstrated that Mr Moffatt has not complied with a number of licence conditions that have been imposed.

<b>Condition 6</b>	<b>Health, Disease, and Acclimatisation</b>
<b>Condition 6.2</b>	Any sick or injured animal must receive appropriate care and treatment without delay Inexperienced staff must not treat sick animals unless under appropriately experienced supervision. They can only be treated by appropriately competent staff or veterinary surgeons. Evidence must be provided or registration with a veterinary surgeon that is experienced in treating all species listed on the licence and who will visit the premises in the case of animals requiring a Dangerous Wild Animal Licence.
<b>Compliance Date</b>	Within 1 month – by 1 <sup>st</sup> February 2017

**Report - 9<sup>th</sup> November 2016** A suitable, experienced veterinarian who is available to provide 24-hour veterinary care needs to be sought for both the caiman and the marmosets, in addition to the other species held. The current veterinary practice named by Mr. Moffatt at the time of the inspection does not have the pet shop registered and is not prepared to have them as a client. **This needs to be done immediately as there is**

**no one currently available to provide treatment to these animals in case of illness or injury.**

**Report – 10<sup>th</sup> August 2017** Following my report dated 18th November 2016, I re-attended Living World pet shop on Thursday 10<sup>th</sup> August 2017 with representatives of Barrow Borough Council Sue Carey and Graham Barker.

Following discussion with Mr Moffatt, inspection of the premises and animals, it was determined that many of the conditions of his licence had not been met despite him having been given adequate time to do so.

These included Condition 6.2: Failure to register with a suitably qualified local veterinary surgeon willing and able to treat all the species present at Living World. This means that in the case of illness or disease, there are animals which would be caused to suffer due to the inability to obtain suitable veterinary attention.

**Officer Comment:** No evidence has been provided by Mr. Moffat that he is registered with a local practice.

<b>Condition 7</b>	<b>Food and Drink</b>
<b>Condition 7.1</b>	Animals must be supplied with amounts of food and drink, appropriate to their needs and at suitable intervals
<b>Condition 7.2</b>	All food must be suitable for the species concerned

**Report – 9<sup>th</sup> November 2016** The marmosets' enclosure (Figure 1) is just smaller than the recommended size of 3m2 x 2.5 m high. However, they make good use of the size available to them. The solid sides provide a good barrier decreasing the risk of both stress and disease transmission. The enrichment provided also meets the criteria required. The diet has potential to be deficient in Vitamin D3 which can lead to metabolic bone disease. Examples of more suitable diets are available in the EAZA Husbandry Guidelines of Callitrichidae – 2010 [available online at:

[http://www.marmosetcare.com/downloads/EAZA\\_HusbandryGuidelines.pdf](http://www.marmosetcare.com/downloads/EAZA_HusbandryGuidelines.pdf)].

**Report – 10<sup>th</sup> August 2017** Condition 7: Failure to provide water in enough quantity and/ or in suitable containers for snakes. *Water is a basic requirement for life. Many species will bathe in water as a cooling mechanism and bathing allows water ingress through the vent, ensuring the animal does not become dehydrated.*

*Because of this, snakes should be provided with large, shallow water containers which allow them to bathe fully.*

*Failure to provide a suitable diet is an offence under Section 9, 2(b) of the Animal Welfare Act 2006. Failure to allow an animal to exhibit normal behaviour patterns is an offence under Section 9, 2 (c) of the Animal Welfare Act 2006*

**Report – 30<sup>th</sup> November 2017** **Common marmosets** –Although liquid feedstuffs were provided, there was no clean water in this enclosure.

**Cockatoo** – the feeding bowl in this cage was on the floor and contaminated with faeces from the bird when sitting on the perch above. The seed at the time of the inspection showed evidence of having been fed from (open husks) despite there being faeces present. Mr Moffatt reported that the bird was cleaned out every 3 days.



**Snakes** - Water was still not being offered in containers that would allow the snakes to drink or bathe appropriately.



**Lizards** - The vivaria containing the crested geckos were of a suitable temperature but there were large numbers of discarded fruit-feed pots and fruit flies which are associated with decaying vegetable matter.

The vivaria containing the day geckos was not able to be opened to check temperatures ... the crickets in the vivarium were too large causing a risk of injury to the geckos (crickets can cause bite wounds in thin-skinned lizards such as geckos which can lead to infection)



**Officer Comment** It is not appropriate for a premises holding a pet shop licence to fail in maintaining a healthy diet, including the provision of clean water. Premises holding this licence must not only adhere to the highest standards of animal welfare, but should also demonstrate that care for potential owners.

<b>Condition 10</b>	<b>Disposal of Waste</b>
<b>Condition 10.4</b>	There shall be appropriate arrangements in place for removal of dead animals

<b>Compliance Date</b>	1 month
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**Report – 9<sup>th</sup> November 2016** There were no arrangements to dispose of dead animals. Therefore it is necessary to ensure appropriate arrangements are put in place.

**Report – 10<sup>th</sup> August 2017** Following my reports dated 18th November 2016, I re-attended Living World pet shop on Thursday 10<sup>th</sup> August 2017 with representatives of Barrow Borough Council Sue Carey and Graham Barker. Following discussion with Mr Moffatt, inspection of the premises and animals, it was determined that many of the conditions of his licence had not been met despite him having been given adequate time to do so.

These included: Condition 10.4: Failure to arrange appropriate disposal of dead animals.

**Officer Comment:** The compliance date for this condition was one month from the date of the licence which was issued on 24<sup>th</sup> January and therefore should have been complied with by 24<sup>th</sup> February 2017. There is still no evidence of suitable arrangements being put in place.

<b>Condition 13</b>	<b>Dangerous Wild Animals as Defined by the Dangerous Wild Animal Act 1976</b>
<b>Condition 13.1</b>	When Dangerous wild animals are kept the cages must be of secure construction appropriate to the species. A fine wire mesh, glass, or plastic safety barrier must be incorporated into the cage system and kept locked
<b>Compliance Date</b>	1 <sup>st</sup> July 2017

**Report - 9<sup>th</sup> November 2016** The enclosure for the caiman is both unsuitable for its size and for the requirements of a Dangerous Wild Animal License. Although no license is required for a pet shop, it is expected that the same criteria are met, especially to ensure public safety.

The enclosure needs to be securely locked (removable vivarium locks are not appropriate) and the animal needs to be in a locked room (which could have a glass/Perspex viewing area) in case of escape. Ideally this should be fire-proof so as to

minimise risk of problems in the case of a basement fire. The keys both for the room and enclosure need to be kept in a secure place (e.g. a safe) which is only accessible by Mr. Wayne Moffatt and Mr. Ian Henry.



A written contingency plan is required in case of emergency, for example fire, flood, animal escape or injury to the keeper. A secure transport crate will be required to be available in case of an emergency situation.

These changes need to be made within the next six months. It is essential that both staff and public safety is maintained during any alterations or moving of the caiman.

Although the green cat-eyed snake (*Boiga cyanea*) does not require a DWA license, it would be prudent to ensure that this vivarium is kept locked and the keys stored in the same way as those for the caiman to prevent accidental bites from occurring. This needs to be done immediately to ensure public safety

**Report – 10<sup>th</sup> August 2017** Following my report dated 18th November 2016, I re-attended Living World pet shop on Thursday 10<sup>th</sup> August 2017 with representatives of Barrow Borough Council Sue Carey and Graham Barker.

Following discussion with Mr Moffatt, inspection of the premises and animals, it was determined that many of the conditions of his licence had not been met despite him having been given adequate time to do so.

These included Condition 13.1 and 16.1: Failure to improve the enclosure and for the caiman specifically. Failure to provide a suitable environment for an animal is an offence under Section 9, 2(a and c) of the Animal Welfare Act 2006. Failure to ensure that the enclosure is securely locked with suitable non-tamper locks and kept in a locked room poses a risk to human safety. Failure to provide a suitable emergency plan in the event of a fire places both animal welfare and human safety at risk

**Report – 30<sup>th</sup> November 2017 Caiman** - the enclosure was unchanged. It is considerably smaller than the recommended The locks securing the enclosure were poor.

**Snakes** –It was possible to move the glass so as to put fingers in the vivarium of the back-fanged, mildly venomous cat-eyed snake.



**Officer Comments:** Living World has been given specific and expert advice on securing the vivaria housing the Caiman and the Cat Eyed Snake but has not undertaken the work that has been required of them.

<b>Condition 16</b>	<b>Fire and Other Emergency Precautions</b>
<b>Condition 16.1</b>	Suitable emergency precautions and written procedures must exist and be made known to all staff, including arrangements for evacuation of livestock
<b>Compliance Date</b>	Immediate

**Report – 9<sup>th</sup> November 2016** There were no emergency procedures in place for dealing with the caiman. These shall be put in place and include how this animal is dealt with in the case of an emergency. The Emergency Services i.e. Fire Service and Police shall be notified of this “Dangerous Wild Animal” being kept on site.

**Report – 10<sup>th</sup> August 2017** Following my report dated 18th November 2016, I re-attended Living World pet shop on Thursday 10<sup>th</sup> August 2017 with representatives of Barrow Borough Council Sue Carey and Graham Barker.

Following discussion with Mr Moffatt, inspection of the premises and animals, it was determined that many of the conditions of his licence had not been met despite him having been given adequate time to do so.

These included: SCHEDULE A Condition 13.1 and 16.1: Failure to provide a suitable emergency plan in the event of a fire places both animal welfare and human safety at risk

**Officer Comment:** Living World have failed to put in place the required steps to notify the emergency services of the presence of either the Caiman or the Cat Eyed Snake.

<b>Schedule H</b>	<b>Additional Conditions – Reptiles and Amphibians</b>
<b>Condition 2</b>	The enclosure size must be appropriate to the species and adjusted according to its size
<b>Compliance Date</b>	Within 3 months by 1 <sup>st</sup> April 2017

**Report – 9<sup>th</sup> November 2016** **Caiman:** The enclosure for the caiman is both unsuitable for its size and for the requirements of a Dangerous Wild Animal. The enclosure shall be at least 200cm long by 1.5 metres deep and 1 metre high for the 90cm caiman specimen that is currently present.

If the animal is not sold within the next six months the accommodation shall be made large enough to accommodate the specimen for the next 1-2 years. Its potential size in this time may increase to 130 metres (sic) [130 cm]. For this size, an enclosure of 260cm wide by 260cm long and a height of 1.5cm (sic) [1.5m] will be required.

The animal must be able to bask in a warm area, cool off in a cool area, swim and fully submerge in the water. A range of substrates shall be provided on the land area. The water: land ratio shall be 1:2 or 2:3. The water needs to be tested daily and changed regularly as it can harbour disease. The enclosure shall be easily drained, refilled and disposed off to the satisfaction of the Licensing Authority. The enclosure needs to be spot-cleaned regularly of faecal matter and food and disposed of correctly. There shall be no loose fittings, heaters, electric lights within the enclosure as Caiman are strong able to both climb and dig well.

The enclosure needs to be securely locked (removable vivarium locks are not appropriate) and the animal needs to be within a locked room in case of escape. The keys both for the room and the enclosure needs to be kept in a secure place (i.e. safe) which is only accessible by Mr Wayne Moffatt or other suitably trained and competent person experienced in the care of caiman. Temperatures must be monitored and recorded daily. A temperature gradient of 22°C-32°C (including water temperature), extending to 38°C in basking areas as well as a full spectrum lighting shall be provided.

The room shall also be fire-proof so as to minimise the risks of a basement fire. A written contingency plan is required in the case of an emergency, for example fire, flood, animals escape or injury to a member of staff/public.

**Compliance Deadline: by 01/07/17.** NB It is essential that both staff and public safety is maintained during any alterations or moving the caiman.

**Report 10<sup>th</sup> August 2017** Following my report dated 18th November 2016, I re-attended Living World pet shop on Thursday 10<sup>th</sup> August 2017 with representatives of Barrow Borough Council Sue Carey and Graham Barker.

Following discussion with Mr Moffatt, inspection of the premises and animals, it was determined that many of the conditions of his licence had not been met despite him having been given adequate time to do so.

These included: Failure to provide adequate housing for animals that have been present at the pet shop for a period in excess of six months and are in my opinion either not for sale (Mr Moffatt's pets) or are unlikely to sell due to lack of demand (e.g. the caiman requiring a DWA license, adult snakes such as pythons and boas and adult bearded dragons [juveniles are generally preferred]).

**Report 30<sup>th</sup> November 2017**     **Caiman** - the enclosure was unchanged. It is considerably smaller than the recommended (L) 2m x(W) 1.5m x (H) 1m for a caiman of this size. The temperature of the water and basking areas were measured at 25°C which although is within the low part of a caiman's optimal temperature zone, would not satisfy the need to reach their preferred body temperature range of 30 - 38°C. The water quality was poor with a green-brown tinge. The locks securing the enclosure were poor.





**Officer Comment** Premises holding a pet shop licence should house its animals in suitable accommodation given the size and environmental demands of the species. This is to ensure that the animal's welfare is looked after but also to give a positive demonstration to potential customers. Living World has ignored the expert advice given in these respects.

Schedule H	Additional Conditions – Reptiles and Amphibians
Condition 3	All reptiles: Temperature, humidity, lighting, photoperiod, UV and Ventilation requirements must be appropriate to the species for the time of year.
Compliance Date	Within 1 month by 1 <sup>st</sup> February 2017

**Report – 9<sup>th</sup> November 2016** As a member of the British Veterinary Zoological Society, I base my recommendations on their guidelines which have been compiled to ensure good animal welfare, compliance with legal and statutory requirements and ensure safety to the public and staff. From these recommendations, for Living World to continue to trade as a pet shop, I recommend that the following criteria must be met:



### Health Management:

Records of daily stock inspection including maximum and minimum temperatures and relative humidity for all amphibians, reptiles and exotic mammals

The photoperiod must be appropriate for the species

### Reptiles

Although it is not ideal, juveniles can be kept in smaller containers as long as the temperature, heat and lighting requirements can be met for a maximum period of 6 weeks.

Temperature, humidity, lighting, photoperiod and UV-V requirement must be appropriate for the species and time of year

All species require ventilation to remove the build-up of gasses such as ammonia from their enclosure and subsequently the room they are in.

### Amphibians

Temperature, humidity, lighting, photoperiod and UV-V requirement must be appropriate for the species and time of year

All species require ventilation to remove the build-up of gasses such as ammonia from their enclosure and subsequently the room they are in.

**Report – 10<sup>th</sup> August 2017** The ambient temperature during the visit in August 2017 was higher than in November 2016 and this had had a positive effect on the temperatures in the vivaria however I am still concerned that these will fall with the background temperature without intervention.

The vivaria are poorly ventilated and a strong smell of ammonia is present both within the shop and within the vivaria when they are opened to inspect.

Reptiles are poikilothermic and rely on a temperature within their optimal temperature zone (references are available for these for each species) for normal physiological processes such as digestion and maintenance of immunity. The failure to provide a suitable environment as specified by the guidelines is an offence under Section 9, 2(a) of the Animal Welfare Act 2006. Ammonia is a product of protein breakdown and is commonly found in urine and faeces. Ammonia is an irritant to the respiratory tract of both animals and humans causing irritation and an increased susceptibility to infection.

As per the visit in November 2016, many of the lizards with UV-B requirements were not provided with any or adequate UV-B lighting. UV-B is required for many daytime lizard species to maintain normal blood calcium levels.

**Report – 30<sup>th</sup> November 2017 Snakes** The temperatures of the enclosures were at the low end of the range (see table below) for most of the species. Many of the snakes did not have hide areas to enable them to escape from view when stressed.

Extract from Table (page 2 of 8)

Species	Temperature °c	Recommended Daytime Temperature Range °c
Boa sp	26	24-30
King snake	21	21-30
Albino boa	26	24-30
Royal python	23	28-40
King snake	22	21-30
Royal python (colour morph)	22	28-40
3 corn snakes	21	24-31

**Lizards** – As per the last visit, there were a number of concerns with the lizards kept at Living World:

- 3.1.1. 2 Juvenile Yemen chameleons: the temperature in this enclosure was measured with a gradient of 16°C minimum and 22°C maximum. This is well below the established recommended guideline of minimum background temperature of 25-35°C and basking area of 35-40°C.
- 3.1.2. Single juvenile Yemen chameleon: the temperature in this enclosure ranged between 14°C and 22°C – see above for guidelines.
- 3.1.3. Inland bearded dragons there was a very crowded enclosure containing five adult bearded dragons which can be aggressive when housed together. In this vivarium the sand temperature under the spotlight measured 63°C – very much in excess of the basking requirement of a maximum of 45°C. UV-B light was provided.
- 3.1.4. The enclosure containing the green basilisk lizard had no lighting. There was a dripper water system but despite this the humidity was low. The temperature exceeded the recommended range being measured at 23-29°C (range 23-26). This species has a high requirement for UVB lighting to prevent disease. This lizard had evidence of damage to the front of its face and necrosis of the first digit on its right foreleg. **See pictures 4 and 5.**

- 3.1.5. The vivaria containing the day geckos was not able to be opened to check temperatures but the other vivaria in the block were all below the recommended temperature of 25-31°C. There was no UV-B provision (a requirement at a lower level in this species but still required to ensure normal health)
- 3.1.6. The enclosure containing the blue tongued skinks had a temperature of 23-25°C which is within the recommended range of 22-28°C. No UV-B was provided for this species for which it is a requirement to prevent illness and disease.
- 3.1.7. The enclosure containing the black tree monitor lizard had a temperature of between 22- 27°C lower than the required 28-30°C. It was not possible to ascertain whether the light provided UV-B.
- 3.1.8. The enclosure containing the savannah monitor lizard was too small with a maximum temperature of 21°C well below the recommended temperature of 28-35°C. There was no UV-B light provided for this species which requires it to prevent illness and disease.
- 3.1.9. The enclosure containing the Cuban (knight) anole lizards had a suitable temperature within the recommended range of 25-35°C but there was no UV-B provision for this species which requires it to prevent illness and disease.

**Officer Comment** Premises holding a pet shop licence should house its animals in suitable accommodation given the size and environmental demands of the species. This is to ensure that the animal's welfare is looked after but also to give a positive demonstration to potential customers. Living World has ignored the expert advice given in these respects.

#### **4. Application for 2018**

- 4.1. In accordance with Section 1(2) of the Act

The Council may, on application being made to them for that purpose, by a person who is not for the time being disqualified from keeping a pet shop, and on payment of such fee as may be determined by the local authority, grant a licence to that person to keep a pet shop at such premises in their area as may be specified in the application and subject to compliance with such conditions as may be specified in the licence.

- 4.2. Mr Moffatt was reminded by letter to apply to renew his Pet Shop Licence on
- Friday 10th November 2017;
  - Monday 20th November 2017; and

- Friday 24th November 2017.

4.3. Mr Moffatt applied for a new licence and paid the required fee on 2<sup>nd</sup> January 2018. A copy of his application is attached at **APPENDIX 5**

## **5. Representation**

5.1. In relation to Mr Moffatt's application for a Pet Shop Licence, proposed conditions have not been prepared.

5.2. It is the Reporting Officer's view that the issues at Living World cannot be addressed by conditions being placed on the licence.

5.3. Mr Moffatt has been given an opportunity to comply with the deadlines given since the engagement of Mrs Temple in November 2016 and there are still outstanding issues.

5.4. Mr Moffatt has been invited to attend today's hearing and has been informed that he may be represented legally or otherwise in support of his application and appearance before the Licensing Regulatory Committee.

## **6. Officers Report**

6.1. Owners of pet shops are expected to know about the welfare standards required for the animals that they sell in order that they can advise the public. They must also provide a suitable environment for the animals under their care.

6.2. They are expected to demonstrate best practice in caring for the animals in their charge in order that they can educate those who choose to buy such animals.

6.3. Section 1(3) of the Pet Animals Act 1951 relates to the grant or refusal of licences. It is reproduced in full below and under each section are the relevant findings covering the Veterinary reports from 9<sup>th</sup> November 2016, 10<sup>th</sup> August 2017, and 30<sup>th</sup> November 2017.

### **PET ANIMALS ACT 1951**

Section 1(3) In determining whether to grant a licence for the keeping of a pet shop by any person at any premises, a local authority shall in particular (but without prejudice to their discretion to withhold a licence on other grounds) have regard to the need for securing:

(a)	that animals will at all times be kept in accommodation suitable as respects size, temperature, lighting, ventilation and cleanliness;
<b>Evidence</b>	Condition 2.1 of the Pet Shop Licence requires that animals must, at all times, be kept in accommodation and environment suitable to their species with respect to situation, size, temperature, lighting, ventilation and cleanliness. This is further re-iterated In Schedule H Conditions 2 and 3 in respect to Reptiles and Amphibians This report compiles together three veterinary visits and at each one issue are being raised. Certain accommodation, such as the caiman, has had a deadline set for the improvement of the accommodation, which has passed and not been complied with. The veterinary reports go into detail about the temperature range required for the good health of the reptiles and how the results from Living World are frequently below those figures.
(b)	that animals will be adequately supplied with suitable food and drink and (so far as necessary) visited at suitable intervals;
<b>Evidence</b>	During the inspection on 30 <sup>th</sup> November 2017 Issues were found with contaminated feed bowls, inappropriate sized food being presented to a lizard, and an enclosure littered with old and mouldy fruit cups.
(c)	that animals, being mammals, will not be sold at too early an age;
<b>Evidence</b>	Nothing has been raised in this respect.
(d)	that all reasonable precautions will be taken to prevent the spread among animals of infectious diseases;
<b>Evidence</b>	Inspection findings on 9 <sup>th</sup> November 2016 resulted in a condition being placed on the licence to ensure that Living World was registered with a suitably qualified veterinary surgery that is willing to treat exotic species such as the caiman, the marmosets and the green cat-eyed snake. The compliance deadline: within 1 month by 1st February 2017 and to date no registration with a veterinary surgeon has been produced.
(e)	that appropriate steps will be taken in case of fire or other emergency;
<b>Evidence</b>	Inspection findings on 9 <sup>th</sup> November 2016 resulted in a condition to provide an emergency plan for the basement and the reptiles housed within, including the caiman. The condition required the basement be fire-proof so as to minimise the risks of a basement fire. A written contingency plan was also required in the case of an emergency, for example fire, flood, animals escape or injury to a member of staff/public. The Compliance Deadline given was 01/07/17 and there is no evidence that any steps have been taken to comply with this condition.

## 7. Recommendation

- 7.1 The Officer's Recommendation is that Licensing Regulatory Committee: **REFUSE** to grant Mr Wayne Moffatt a pet shop licence for Living World, 228 Dalton Road, Barrow-in-Furness.

## 8. Reason for Recommendation

- 8.1. Inspection reports from 9<sup>th</sup> November 2016, 10<sup>th</sup> August 2017, and 30<sup>th</sup> November 2017 all demonstrate that animals housed at Living World are not being housed in conditions that provide for optimum conditions for that animal in terms of space, temperature, and UV light exposure.
- 8.2. In addition to housing animals appropriately inspections over the last 18 months have found deficiencies in Feeding, and in Water availability.
- 8.3. In terms of emergency care the premises remain unregistered with a local vet capable of looking after the species provided and there appears to be no emergency plan for the animals.
- 8.4. A pet shop should not only house its own animals in the highest standards practicable, but should be able to demonstrate those standards to potential customers. In this respect Living World has consistently failed to comply with the requirements of the Council's Vet.
- 8.5. There has been no indication from Mr Moffatt that he is prepared to accept that his premises and practices must be improved.

## 9. Options

The options available to Members are:

1. To **ACCEPT** the Officer recommendation and **refuse** to grant Mr Wayne Moffatt with a licence pursuant to Section 1(3) of the Pet Animals Act 1951.
2. To **NOT ACCEPT** the Officer recommendation and **issue** Mr Wayne Moffatt with a Pet Shop Licence under section 1(2) of the Pet Animals Act 1951 for the calendar year of 2018 with or without proposed conditions.

## 10. Considerations

### (i) Legal Implications

#### **Pet Animals Act 1951 Section 1 Licensing of pet shops.**

- (1) No person shall keep a pet shop except under the authority of a licence granted in accordance with the provisions of this Act.
- (2) Every local authority may, on application being made to them for that purpose by a person who is not for the time being disqualified from keeping a pet shop, and on payment of such fee as may be determined by the local authority, grant a licence to that person to keep a pet shop at such premises in their area as may be specified in the application and subject to compliance with such conditions as may be specified in the licence.

- (2A) Where a person is for the time being disqualified under section 28F(1) and (2) of the Animal Health Act 1981 (c. 22), or section 40(1) and (2) of the Animal Health and Welfare (Scotland) Act 2006 (asp 11), notwithstanding subsection (2), a local authority shall not grant a licence to keep a pet shop to that person.
- (3) In determining whether to grant a licence for the keeping of a pet shop by any person at any premises, a local authority shall in particular (but without prejudice to their discretion to withhold a licence on other grounds) have regard to the need for securing—
- (a) that animals will at all times be kept in accommodation suitable as respects size, temperature, lighting, ventilation and cleanliness;
  - (b) that animals will be adequately supplied with suitable food and drink and (so far as necessary) visited at suitable intervals;
  - (c) that animals, being mammals, will not be sold at too early an age;
  - (d) that all reasonable precautions will be taken to prevent the spread among animals of infectious diseases;
  - (e) that appropriate steps will be taken in case of fire or other emergency;
- and shall specify such conditions in the licence, if granted by them, as appear to the local authority necessary or expedient in the particular case for securing all or any of the objects specified in paragraphs (a) to (e) of this subsection.
- (4) Any person aggrieved by the refusal of a local authority to grant such a licence, or by any condition subject to which such a licence is proposed to be granted, may appeal to a court of summary jurisdiction having jurisdiction in the place in which the premises are situated; and the court may on such an appeal give such directions with respect to the issue of a licence or, as the case may be, with respect to the conditions subject to which a licence is to be granted as they think proper.
- (5) Any such licence shall (according to the applicants' requirements) relate to the year in which it is granted or to the next following year. In the former case, the licence shall come into force at the beginning of the day on which it is granted, and in the latter case it shall come into force at the beginning of the next following year.
- (7) Any person who contravenes the provisions of subsection (1) of this section shall be guilty of an offence; and if any condition subject to which a licence is granted in accordance with the provisions of this Act is contravened or not complied with the person to whom the licence was granted shall be guilty of an offence.

(ii) Risk Assessment

Not Applicable.

(iii) Financial Implications

INSERT

(iv) Key Priorities or Corporate Aims

Service Delivery – the Council strives to provide good quality, efficient and effective services while reducing overall expenditure.

(v) Equality and Diversity

There are no equality and diversity implications.

(vi) Other Human Rights

Any action undertaken by the Council, that could have an effect upon another person's human rights, must be taken having regard to the principle of proportionality - the need to balance the rights of the individual with the rights of the community as a whole.

Any action taken by the Council which affect another's' rights must be no more onerous than is necessary in a democratic society.

The matter set out in this report must be considered in light of those obligations.

(vii) Health and Well-being Implications

Many of the Licensing regimes can affect the health and wellbeing of the service user in some way.

## **Background Papers**

**Appendix 1** Living World Licence Conditions

**Appendix 2** Veterinary Report on Living World 9<sup>th</sup> November 2016

**Appendix 3** Veterinary Report on Living World 10<sup>th</sup> August 2017

**Appendix 4** Veterinary Report on Living World 30<sup>th</sup> November 2017

**Appendix 5** Application form from Mr Wayne Moffat received 2<sup>nd</sup> January 2018

**Appendix 6** Dangerous Wild Animals Act 1976: Guidance on the keeping of Crocodilians - Wildlife Licensing and Registration Service Animal Health

**Appendix 7** Model Conditions for Pet Vending Licensing CIEH 2013

**ISBN:** 978-1-906989-73-6



## Document Tracking

	<b>Signed</b>	<b>Date</b>
<b>Assistant Director</b>		
<b>Environmental Health Manager</b>		
<b>Principal Officer</b>		
<b>Reporting Officer</b>		
<b>Legal Advisor</b>		
<b>Monitoring Officer</b>		



**BOROUGH OF  
BARROW IN  
FURNESS**

**Barrow Borough Council  
Licensing Section**

Barrow Borough Council  
Town Hall, Duke Street  
Barrow-in-Furness Cumbria  
LA14 2LD

Tel: 01229 876543

Fax 01229 876411

Email: [commercial@barrowbc.gov.uk](mailto:commercial@barrowbc.gov.uk)

[www.barrowbc.gov.uk/licensing](http://www.barrowbc.gov.uk/licensing)

## PET ANIMAL ACT 1951

**Pet Shop Licence**

**021279**

**Premises Name and Address**

*Living World*

*228 Dalton Road, Barrow-In-Furness, Cumbria, LA14 1PN*

**Proprietor(s)**

*Mr Wayne Moffatt*

Licence Valid from 01/01/2017

**Expires**

**31/12/2017**

There are total stocking density numbers

The Number of animals accommodated at the establishment at any one time shall not exceed:

Rabbits/Cavies	12
Hamsters	6
Rats/Mice/Gerbils	6
Chinchillas & degus	6
Marmosets	4
Tortoises	15
Snakes/Lizards	100
Caimen	1
Fish - Tropical	50
Fish – Marine	50
Fish – Coldwater	50
Parrots	10
Budgies/finches/etc	40

**IMPORTANT NOTES**

This licence is issued under the above Act for the premises named above subject to the conditions endorsed hereon.

Standard Conditions and any Special Conditions attached to this licence are attached or printed on the reverse.

ENVIRONMENTAL HEALTH MANAGER

# BARROW BOROUGH COUNCIL

## CONDITIONS ATTACHED TO THE ISSUE OF A PET SHOP LICENCE

### THE PET ANIMALS ACT 1951 STANDARD LICENCE CONDITIONS (AMENDED 1999)

**LICENCE NO: PS 21279**

**Licence valid from: 01/01/2017**

**Expires: 31/12/2017**

**Licensee: Wayne Moffatt**

**Living World, 228 Dalton Road, Barrow-in-Furness, Cumbria LA14 1PN**

#### **1. GENERAL INFORMATION**

The following conditions are based on the Model Conditions for Pet Vending Licensing 2013 issued by Chartered Institute of Environmental Health. The conditions are minimum standards considered necessary by this Authority to ensure the health, safety and welfare of animals in pet shops. Other conditions from other local authorities have been used as a comparison to bench mark against to ensure consistent and proportionate regulation within these standards.

Local authorities in England, Scotland and Wales issue licences to proprietors of pet shops and other pet vendors under the provisions of the Pet Animals Act (1951) as amended. Before granting a licence the local authority must be satisfied that the animals are kept in accommodation that is suitable; that they are supplied with appropriate food and drink; and are adequately protected from disease and fire.

A local authority may attach conditions to the licence, may inspect the licensed premises at all reasonable times and may refuse a licence if the standards at the premises are unsatisfactory or if the terms of the licence are not being complied with.

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

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

During the inspection process, prior to the issue of a licence, it is important that the five needs as outlined above are considered and assessed by the Authority. DEFRA have produced various Codes of Practice under the Animal Welfare Acts, which outline in more detail certain species' needs that can be referred to for guidance.

Other recognised guidelines issued by the British Veterinary Zoological Society, BIAZA and EAZA may be used to set licensing conditions for exotic animals and reptiles that are not normally recognised as common pets. These guidelines detail husbandry standards for particular species. Conditions can also be applied to animals and reptiles kept as 'exhibits' within the pet shop which are not intended for sale but fall into the Dangerous Wild Animal definition.

Issues specific to pet shops and other pet vendors are covered in this document.

## 2. HEALTH AND WELFARE

Where there is concern for the health and welfare of any animals of the licensed premises, veterinary advice will be sought by this Authority.

## 3. INSPECTION OF ESTABLISHMENTS

Upon application for a licence, the premises must be inspected by local authority authorised officer. This Authority reserves the right for a veterinary surgeon to accompany the officer if it is deemed necessary and charge the applicant as appropriate to cover the cost. This is primarily where the types of animals to be sold require expert knowledge for the inspection for example exotic mammals such as primates, reptiles and snakes. A report, following inspection, shall be considered by the local authority before determining whether or not to grant a licence. Those applications where new conditions need to be applied will be heard by LRC when there is challenge from the applicant and mutual agreement cannot be sought between them and the authorised officer.

It is recommended that inspections are carried out well before the licence date for renewal to allow for any repairs and/or maintenance to be completed before the licence expires. Existing licence holders are encouraged to apply for their licence at least three months before the current expiry date.

Once a licence has been granted, regular inspections may be carried out during the licence period (12 months) to protect the health and welfare of the animals. Routine inspections would normally take place once or twice a year, but inspections may also be unannounced.

## 4. COMMENCEMENT AND DURATION OF THE LICENCE

The duration of the licence is for one year (normally running from 1<sup>st</sup> January and ending on 31<sup>st</sup> December), and is effective from either the day stated in the application or the day the licence is granted, whichever is the later.

When considering any application for a pet shop licence the Council must be satisfied that the applicant is a 'suitable' person to hold such a licence. As a result the Council has approved a statement of policy concerning the relevance of criminal convictions relating to the determination of application, renewal or transfer of animal licences. The policy is available on request or can be downloaded from the Council website - <http://www.barrowbc.gov.uk/business/licensing/other-licensing/>

The aim of the policy is to:-

- provide the decision making body, the Licensing Regulatory Committee, with a reference document that allows for consistency to be demonstrated in how applications, etc. are processed; and
- ensure applicants understand how their convictions may affect their applications; and
- give the applicant's confidence that his/her application is being dealt with effectively and fairly even if the outcome is not to his/her satisfaction.

The relevant section from the policy relating to pet shops is as follows:

### ***Licence to Run a Pet Shop***

### ***Pet Animals Act 1951***

*Owners of pet shops are expected to understand and implement the highest welfare standards required for the animals that they sell in order that they can demonstrate this and advise the public. They must always provide a suitable environment for the animals under their care.*

*Under the Pet Animals Act 1951 a Court may cancel any licence and/or disqualify a person from holding such a licence.*

*Therefore any of the following may result in an application being refused*

- *An unspent conviction under the Pet Animals Act 1951,*
- *An unspent conviction for any offence of animal cruelty listed in Annex 1.*
- *An unspent conviction for any offence listed in Annex 2*
- *A Court ordered disqualification from holding such a licence during the period of any disqualification.*
- *A Court ordered ban of animal ownership during period of any ban.*

NB: The application form for a pet shop licence requires the applicant to sign a declaration that they do not have the above convictions. The Disclosure and Barring Scheme does not hold information on these convictions.

## **5. PETS TO BE LICENSED FOR SALE**

The Local Authority receives applications to vend a variety of animals covered by the Pet Animals Act 1951 as amended.

All applications for the sale of puppies, dogs, kittens, cats and exotic mammals such as primates will go before the Licensing Regulatory Committee for a decision as to whether they are granted or not.

## **6. PLANNING PERMISSION**

It is the responsibility of the proprietor to ensure that they have the relevant planning permission for the business that is intended for the site.

## **7. INSURANCE**

Employers Liability Insurance is mandatory for employers under the Employers Liability (Compulsory Insurance) Act 1969. Therefore if the business employs any staff then this insurance is required.

It is recommended that Public Liability Insurance is considered when operating a breeding establishment. Whilst this is not compulsory, it would provide cover for the business should for example an accident occur to a member of the public whilst on the property.

Insurance may be considered for matters such as veterinary fees.

Certificates of Insurance must be prominently displayed at the licenced premises.

## **8. OTHER LEGISLATION/ORDERS THAT ARE RELEVANT**

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

# CONDITIONS – PET SHOP LICENCE

## Schedule A – General Conditions

### 1. LICENCE DISPLAY

#### 1.1 Condition

The licence, or copy of the licence, shall be suitably displayed to the public in a prominent position.

N.B. For security reasons, the licence shall not display the licence holder's home address.

### 2. ACCOMMODATION

#### 2.1 Condition

Animals must, at all times, be kept in accommodation and environment suitable to their species with respect to situation, size, temperature, lighting, ventilation and cleanliness, not exposed to draughts and avoid over-exposure to direct sunlight. All accommodation must be kept in good repair.

##### Guidance

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

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

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

#### 2.2 Condition

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

##### Guidance

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

#### 2.3 Condition

Housing must be constructed of nonporous durable materials or be appropriately treated.

##### Guidance

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

#### 2.4 Condition

All livestock for sale must be readily accessible and easy to inspect, with cages sited so that the floor of the cage is readily visible.

## **2.5 Condition**

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

## **2.6 Condition**

Where accommodation is on a tiered system, water, food or other droppings must not be allowed to enter the lower housing. This will prevent contamination of the lower cages. This does not apply to centrifuged fish systems or aviaries where perching and ground birds are housed together.

## **2.7 Condition**

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

### **Guidance**

To stimulate natural behaviours.

## **2.8 Condition**

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

### **Guidance**

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

N.B. When designing accommodation, consideration should be given to using systems which would allow removal of the animals in the case of emergency. This provision would not usually apply to aquariums and ponds.

## **3. EXERCISE FACILITIES**

### **3.1 Condition**

Suitable and sufficient exercise facilities must be available where appropriate.

### **Guidance**

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

N.B. For puppies, where required, a covered exercise area of at least 2.46 sq. meters (26 sq. ft.) should be provided. Exercise areas should have a minimum height of 1.8 metres (6ft) to facilitate adequate access by staff for cleaning.

## **4. REGISTER OF ANIMALS**

### **4.1 Condition**

A livestock purchase register must be maintained for **all** livestock. A sales register must also be maintained for:

- 4.1.1 puppies;
- 4.1.2 kittens;
- 4.1.3 psittacines;
- 4.1.4 species contained in the Schedule to the Dangerous Wild Animals Act 1976 (as modified)

## **Guidance**

This can be cross referenced to an invoice file. The purpose of the register is to ascertain the source of livestock and for emergency contact or purchase. The name, address and telephone number of the purchaser should be obtained.

### **4.2 Condition**

Animals under veterinary treatment must be identifiable.

## **5. STOCKING NUMBERS AND DENSITIES**

### **5.1 Condition**

No animals etc. other than those specified in the licence, may be stocked. The licence conditions shall clearly state the numbers for each species or species group that may be kept on the premises, except fish. Please refer to Schedules for individual species for more details.

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

## **Guidance**

The maximum numbers of animals to be stocked on the premises will be governed by the accommodation available, as stated in the stocking density lists detailed in the schedules attached to these licence conditions. No other animals, other than those specified in the licence, may be stocked without prior written approval from the licensing authority. These stocking densities are provided for guidance and recommendation only.

### **5.2 Condition**

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

## **Guidance**

To ensure good animal welfare and reduce stress. Details can be found in the relevant schedules and DEFRA Guidance.

## **6. HEALTH, DISEASE AND ACCLIMATISATION**

### **6.1 Condition**

All stock for sale must be in good health and free from obvious illness or parasitic infection as far as can be reasonably determined without veterinary inspection.

## **Guidance**

Vendors and staff are responsible for providing the animals' needs including good health care. Illness and obvious parasitic infection should be addressed before the animal is sold. Veterinary advice should be sought in any case of doubt. Transport and the introduction to a novel environment are stressful and animals should be allowed to acclimatise before being further stressed by being offered for sale. Where animals are obtained for sale to a specific client it may be acceptable for the animal to be sold immediately. All animals should receive appropriate vaccination where required for the species, as advised by the retailer's veterinary surgeon. Veterinary advice must be sought whenever necessary. A Record of Treatment should be provided to the purchaser. Vaccination courses should begin at the appropriate age for each species.



## **6.2 Condition**

Any sick or injured animal must receive appropriate care and treatment without delay. Inexperienced staff must not treat sick animals unless under appropriately experienced supervision. They can only be treated by appropriately competent staff or veterinary surgeons. Evidence must be provided of registration with a veterinary surgery that is experienced in treating all species listed on the licence and who will visit the premises in the case of animals requiring a Dangerous Wild Animal Licence.

### ***Inspection findings 09/11/16***

*Ensure that you are registered with a suitably qualified veterinary surgery that is willing to treat exotic species such as the caiman, the marmosets and the green cat-eyed snake.*

*The inventory of the species and sub-species held on your licence shall be provided to the veterinary surgery that you are registered with so that they are aware of the type of species animals on-site.*

**Compliance deadline: within 1 month by 1<sup>st</sup> February 2017**

### **Guidance**

"Care and treatment" may include euthanasia but under no circumstances may an animal be euthanised other than in a humane and effective manner. Veterinary advice/treatment must be sought for all animals (excluding fish).

## **6.3 Condition**

Facilities must be provided to isolate sick animals.

### **Guidance**

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

## **6.4 Condition**

All animals must receive appropriate inoculations where required for the species, as advised by the veterinary surgeon. Veterinary advice must be sought whenever necessary.

## **6.5 Condition**

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

### **Guidance**

Information on any known conditions not defined as significant abnormalities or disease should be provided to the new owner.

## **6.6 Condition**

All animals must be allowed a suitable acclimatisation period before sale to maintain good animal health and wellbeing.

## **6.7 Condition**

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

### **Guidance**

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

## **6.8 Condition**

Individual litters of puppies and kittens must be kept separate from other litters.

## **6.9 Condition**

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

### **Guidance**

"Rodent" and "insect" excludes livestock for sale or for feeding.

## **7. FOOD AND DRINK**

### **7.1 Condition**

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

### **7.2 Condition**

All food must be suitable for the species concerned.

### **Guidance**

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

### **7.3 Condition**

Food and drink receptacles must be constructed and positioned to minimise faecal contamination and spillage.

### **Guidance**

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

## 8. FOOD STORAGE

### 8.1 Condition

All food, excluding live foods intended for feeding to livestock on the premises, must be stored in impervious closed containers. The containers and equipment used for feeding must be kept in a clean and sound condition. Daily temperature checks and periodic recording shall be undertaken for fridges and freezers to ensure that food is kept fresh where appropriate.

## 9. OBSERVATION

### 9.1 Condition

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

#### Guidance

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

## 10. DISPOSAL OF WASTE

### 10.1 Condition

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

### 10.2 Condition

Excreta and soiled bedding must 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.

### 10.3 Condition

All containers must be kept in a clean condition.

#### Guidance

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

### 10.4 Condition

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

#### ***Inspection findings 09/11/16***

*There were no arrangements to dispose of dead animals. Therefore it is necessary to ensure appropriate arrangements are put in place.*

***Compliance Deadline: 1 month.***

## **11. TRANSPORTATION**

### **11.1 Condition**

When receiving animals, the licensee must make reasonable effort to ensure that they are transported in a suitable manner. The registration number of vehicles transporting livestock must be recorded.

### **11.2 Condition**

Any livestock received or consigned shall be transported according to the regulations laid down in current legislation; such as the Welfare of Animals (Transport) Order 1997.

### **11.3 Condition**

Livestock must be transported or handed to purchasers in suitable containers.

#### **Guidance**

Buyers should be advised how to transport animals home so as to minimise stress. For air transportation, the IATA live animals regulations must be followed as a minimum legal standard.

## **12. SALE OF LIVESTOCK**

### **12.1 Condition**

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

#### **Guidance**

Young mammals require nutritional and behavioural support from their mothers.

### **12.2 Condition**

All non-mammals must be capable of feeding themselves.

### **12.3 Condition**

No animal shall be sold to any person under the age of 16 years who is unknown to the retailer unless that person is accompanied by a parent or legal guardian or provides appropriate written consent. Subsequent sales to a juvenile less than 16 years (but over 12 years) of age who is known to the retailer can be carried out in the absence of a parent or legal guardian or appropriate written consent, provided that the retailer is satisfied as far as possible that:

- a) The parent/guardian would not object to the acquisition.
- b) The juvenile is sufficiently knowledgeable as to the needs, care and nature of the species acquired.
- c) The juvenile's intention towards the acquisition is consistent with the well-being of the animal concerned.

### **12.4 Condition**

Licensees selling primates must request a documented pet care plan from the purchaser on how they plan to care for the animals and be satisfied that the future care and accommodation is appropriate for the animals.

## 12.5 Condition (New)

Animals that are longer term residents possibly due to a reduced demand (over 6 months) shall be considered as a 'display' animal and shall be housed accordingly. Suitable guidelines are available from the European Association of Zoos and Aquaria (EAZA). If these criteria cannot be met then the animals shall be rehomed.

### **Inspection findings 09/11/16**

*There are a number of snakes, the caiman and the marmosets on the pet shop premises that will be required to meet this condition.*

*See specific conditions later on in this licence for more information and timescales*

## **13. DANGEROUS WILD ANIMALS AS DEFINED BY THE DANGEROUS WILD ANIMAL ACT 1976**

### **13.1 Condition**

When dangerous wild animals are kept, the cages must be of a secure construction appropriate to the species. A fine wire mesh, glass or plastic safety barrier must be incorporated into the cage system and kept locked.

#### **Inspection findings 09/11/16 - Caiman**

*The enclosure for the caiman is both unsuitable for its size and for the requirements of a Dangerous Wild Animal. The enclosure shall be at least 200cm long by 1.5 metres deep and 1 metre high for the 90cm caiman specimen that is currently present. If the animal is not sold within the next six months the accommodation shall be made large enough to accommodate the specimen for the next 1-2 years. Its potential size in this time may increase to 130 metres. For this size, an enclosure of 260cm wide by 260 cm long and a height of 1.5cm will be required.*

*The animal must be able to bask in a warm area, cool off in a cool area, swim and fully submerge in the water.*

*A range of substrates shall be provided on the land area.*

*The water: land ratio shall be 1:2 or 2:3. The water needs to be tested daily and changed regularly as it can harbour disease. The enclosure shall be easily drained, refilled and disposed off to the satisfaction of the Licensing Authority.*

*The enclosure needs to be spot-cleaned regularly of faecal matter and food and disposed of correctly.*

*There shall be no loose fittings, heaters, electric lights within the enclosure as Caiman are strong able to both climb and dig well.*

*The enclosure needs to be securely locked (removable vivarium locks are not appropriate) and the animal needs to be within a locked room in case of escape. The keys both for the room and the enclosure needs to be kept in a secure place (i.e. safe) which is only accessible by Mr Wayne Moffatt or other suitably trained and competent person experienced in the care of caiman.*

*Temperatures must be monitored and recorded daily. A temperature gradient of 22°C-32°C (including water temperature), extending to 38°C in basking areas as well as a full spectrum lighting shall be provided.*

*The room shall also be fire-proof so as to minimise the risks of a basement fire. A written contingency plan is required in the case of an emergency, for example fire, flood, animals escape or injury to a member of staff/public.*

**Compliance Deadline: by 01/07/17.** NB It is essential that both staff and public safety is maintained during any alterations or moving the caiman.

### **Guidance**

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

### **13.2 Condition**

The local authority shall be notified in the event that the pet shop wishes to offer for sale, for the first time, any animal on the Schedule to the Dangerous Wild Animals Act. Although it is acknowledged that there is an exemption contained within the Act in relation to pet shops, it is recommended that consideration shall be given to complying with any special requirement(s) specified in the Act for the safe accommodation or care of the animal.

### **13.3 Condition**

Licensees selling animals on the Schedule to the Dangerous Wild Animals Act 1976 shall inspect the purchaser's licence to keep such an animal, and inform the issuing authority of the details of the purchase.

### **Guidance**

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

Licensees should take note of the latest guidance from DEFRA.

## **14. PET CARE ADVICE**

### **14.1 Condition**

Pet care leaflets or other similar written instructions must be made available to customers free of charge at the time of purchase, in addition to any offer to purchase pet care books or leaflets.

### **14.2 Condition**

Purchasers must be given proper advice on the care of the animal and, where necessary, on the maintenance and use of any accessories.

### **14.3 Condition**

Appropriate reference materials must always be available for use by staff.

## **15. STAFF TRAINING AND LIVESTOCK KNOWLEDGE**

### **15.1 Condition**

No animal shall be stocked or sold unless the staff (or at least one member of the staff) is familiar with the care and welfare of the animals stocked and has a recognised qualification or suitable experience.

**15.2** In respect of new applications from 2017 onwards (not renewals), at least one member of staff working at the licensed premises must hold the City and Guilds Pet Store Management Certificate, or some other appropriate qualification; or must be in the course of training, and obtain the qualification within two years of the licence being granted.

## Guidance

Qualifications should be City & Guilds or National Vocational Qualification (NVQ) Level 3 equivalent and appropriate to the species kept.

### 15.3 Condition

The licensee must formulate a written training policy for all permanent staff, and will be required to demonstrate that systematic training is carried out.

### 15.4 Condition

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

## Guidance

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

### 15.5 Condition

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

## Guidance

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

## 16. FIRE AND OTHER EMERGENCY PRECAUTIONS

### 16.1 Condition

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

#### ***Inspection findings 09/11/16***

*There were no emergency procedures in place for dealing with the caiman. These shall be put in place and include how this animal is dealt with in the case of an emergency. The Emergency Services i.e. Fire Service and Police shall be notified of this 'Dangerous Wild Animal' being kept on site.*

***Compliance deadline: Immediate by making emergency arrangements and documenting them.***

## Guidance

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

### 16.2 Condition

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

## **Guidance**

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

### **16.3 Condition**

Suitable firefighting equipment must be provided, maintained, regularly serviced and sited as advised by the local Fire Protection/Prevention Officer and in consultation with the local authority.

## **Guidance**

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

### **16.4 Condition**

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

## **Guidance**

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

### **16.5 Condition**

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

### **16.6 Condition**

In the interests of animal welfare, the following notice must be displayed at the front of the shop. "In case of emergency, dial 999". The number of the local police station shall also be displayed.

### **16.7 Condition**

When Pet Shops are sited within other premises, the licensee or key holders must have access at all times to the premises containing the livestock.

## **Guidance**

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

### **16.8 Condition**

All electrical installations and appliances must be maintained in a safe condition and subject to Portable Appliance Testing where appropriate.

### **16.9 Condition**

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

## **Guidance**

Some species are very sensitive to temperature fluctuation.



## **17 PERSON OR PERSONS RUNNING THE BUSINESS**

### **17.1 Condition**

No person who has been disqualified by a court from dealing in animals, owning them, keeping them, participating in keeping them or involved with the transporting them, will be granted a licence for a pet vending business or permitted to have any involvement whatsoever in the running of said business.

### **17.2 Condition**

It is the responsibility of the licence holder to ensure that any persons that they may employ to assist them with the running of the business, either by means of a contract of employment, or on a voluntary basis, is not disqualified as described in section 4.0 above.

## **18. BOARDING OF ANIMALS**

### **18.1 Condition**

No pet shop shall be used for the purpose of boarding any species of animal for which they are not licensed to sell. If boarding is undertaken suitable and sufficient accommodation must be provided away from the animals for sale and not in contact with any animals in quarantine to prevent the spread of disease. Hand-washing and disinfecting facilities need to be available in areas where boarders are kept to prevent the spread of disease, including zoonotic risks.

Even though they are on your licence you must not board caiman or marmosets.

## **19. ADDITIONAL SCHEDULES OF CONDITIONS WHICH MAY BE ATTACHED TO A LICENCE**

Schedule B – Dogs – not applicable to this licence

Schedule C – Cats – not applicable to this licence

Schedule D – Rabbits and Guinea Pigs – not applicable to this licence

Schedule E – Other small mammals – included on this licence

Schedule F – Ferrets – not applicable to this licence

Schedule G – Birds – included on this licence

Schedule H - Reptiles and Amphibians – included on this licence

Schedule I – Fish – included on this licence

## Schedule E – Additional Conditions- Other Small Mammals

### 1. Condition

All small mammals must be correctly sexed and housed in single sex groups unless a solitary species (or sold as a breeding pair). Primates may need to be sold as a pair for social reasons.

#### **Inspection findings 09/11/16**

*The female Marmoset mother and any female off-spring shall be prevented from inbreeding and a standard operating procedure shall be put in place regarding contraception.*

**Compliance deadline** - within 1 month by 1<sup>st</sup> February 2017

#### **Guidance**

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

### 2. Condition

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

#### **Inspection findings 09/11/16 - Marmoset accommodation**

*The Marmosets' enclosure is just smaller than the recommended size of 3m<sup>2</sup> x 2.5m high. For this reason only 4 Marmosets can be kept in this enclosure.*

*A further nest box and bigger enclosure will be required for an increase in numbers and permission sought from the Licensing Authority on the suitability of the enclosure design.*

*The marmosets shall be protected from having direct contact with the UV-B light and wiring within the roof area by fitting a protective barrier.*

*The temperature of the Marmoset enclosure needs to be suitable for the species and at the inspection the heating was inadequate. Therefore appropriate heating needs to be installed.*

**Compliance deadline:** within 3 months by 1<sup>st</sup> April 2017

#### **Guidance**

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

#### **Minimum accommodation requirements – small rodents**

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

### 3. Condition

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

## **Guidance**

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

### **4. Condition**

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

## **Guidance**

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

### **5. Condition**

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

## **Guidance**

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

### **6. Condition**

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

## **Guidance**

Water for small animals is usually provided in sturdy ceramic bowls, clean gravity fill drinking bottles, (which should be of a suitable size for the species) or automatic or semi – automatic drinking systems. Fresh water should be available at all times, or as appropriate to the species. Bottles should be kept clean and free from algae.

Some desert-dwelling species such as jerboas [family Dipodidae] should not be given water ad- lib. Bottles should be kept clean and free from algae.

### **7. Condition**

All small mammals must be fed a suitable diet, ad lib and have free access to hay where required. The diet for marmosets shall be suitable to protect against metabolic bone disease by having sufficient amounts of Vitamin D in their food.

## **Guidance**

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

### **8. Condition**

All small mammals must be fully weaned on admission

## Schedule G – Additional Conditions - Birds

### 1. Condition

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

#### Guidance

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

### 2. Condition

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

### 3. Condition

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

#### Guidance

Birds are more sensitive to high temperatures.

### 4. Condition

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

#### Guidance

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

### 5. Condition

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

#### Guidance

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

## 6. Condition

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

### Guidance

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

## 7. Condition

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

### Guidance

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

### Stocking Densities for Birds in Cages

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

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

\*2. It is recommended that, wherever possible, these species are displayed for sale in aviaries or flights if more than two birds are housed together.

\*3. The extra-linear centimetre per additional bird, is intended to refer to an increase in either width or length or a combination of the two i.e., a 20cm increase could refer to 20cm width, 20cm length or say 10cm width combined with 10cm length.

### Stocking Densities for Birds in Aviaries and Flights

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

# Schedule H – Additional Conditions - Reptiles and Amphibians

## 1. Condition

Stocking and density must be appropriate to the species.

### Guidance

Most reptiles and amphibians are not social and may, therefore, be kept individually.

Communal enclosures should not be stocked as to appear overcrowded, common sense should be observed.

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

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

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

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

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

**Newts and Salamanders:** only species of similar size and from similar geographical areas should be kept together. Generally mixed taxa [e.g. lizards and tortoises] are not recommended, although paludaria which combine fish with small reptiles and/ or amphibians of appropriate species are acceptable.

## 2. Condition

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

### ***Inspection findings 09/11/16***

*Some of the larger snakes and lizards are kept at the premises are in unsuitably-sized vivarium's and require larger spaced housing. Appropriately sized housing/accommodation shall be provided.*

***Compliance deadline - within 3 months by 1<sup>st</sup> April 2017.***

## Guidance

**Snakes:** As a minimum, the requirement for snakes is that the snake must be able to stretch out fully in one dimension (e.g. across the diagonal).

**Lizards:** the length of the enclosure should be three times the full length of the lizard, or larger. For chelonian, the enclosure must be four times the length of the animal. Juveniles can be kept in smaller containers as long as the temperature, heat and lighting requirements can be met for a maximum period of 6 weeks.

**Amphibians:** The enclosure of 30cm x 30cm x 30cm or three times the length of the animal whichever is larger unless it is a sedentary species. Water depth must be four times the depth of the animal if an aquatic species.

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

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

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

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

### 3. Condition

**All reptiles:** Temperature, humidity, lighting, photoperiod, UV-V and ventilation requirements must be appropriate to the species for the time of year.

#### ***Inspection findings 09/11/16***

*The temperature of the snakes and lizards was generally inadequate with animals seeking heat against the glass or heat pad of the vivarium and by the lizards seeking heat through spreading their digits. The Leopard Tortoise was exposed to draughts in the open enclosure where it was housed in a pen on the floor. Most vivaria lacked ventilation and this needs to be provided.*

*Take all necessary steps to provide housing/accommodation with appropriate temperatures and ventilation with reference to the above issues.*

**Compliance deadline - within 1 month by 1<sup>st</sup> February 2017.**



## Guidance

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

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

## 4. Condition

Lighting must be appropriate to the species.

### ***Inspection findings 09/11/16***

*The Bosc monitor lizards did not have appropriate UVB lighting and this must be provided. Bulb changes must also be recorded.*

*Some of the snakes had no lighting and this must be provided. Bulb changes must also be recorded.*

**Compliance deadline:** *within 1 month by 1<sup>st</sup> February 2017.*

## Guidance

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

## 5. Condition

Substrate must be easily cleaned and appropriate to the species must be present.

## Guidance

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

## 6. Condition

Enrichment must be provided appropriate to the species.

### ***Inspection findings 09/11/16***

*The level of enrichment shall be improved where there is little or no enrichment within the vivaria.*

**Compliance deadline:** *within 1 month by 1<sup>st</sup> February 2017.*

## **Guidance**

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

## **7. Condition**

Food and water must be provided in the appropriate manner for the species. Water must be provided in a suitable container to allow bathing of the full body or records of regular misting or bathing must be kept for the species where this is more appropriate.

### ***Inspection findings 09/11/16***

*Water provision for the snakes was inadequate and not large enough to immerse in. Provide suitable water containers.*

**Compliance deadline:** *within 1 month by 1<sup>st</sup> February 2017.*

## **Guidance**

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

## **8. Condition**

Hygiene: enclosures must be cleaned appropriately.

## **Guidance**

Spoiled food stuffs should be removed at appropriate time periods, at least daily. Substrates should be replaced as appropriate, and spot cleaned daily. Décor should be sanitised as appropriate. Enclosures should be disinfected with appropriate disinfectant as necessary and always between different batches of animals. Disinfectant should be appropriate for the contaminants likely to be encountered. Disinfectant hand gels should be available for staff to use between animals, to prevent the external environment being contaminated. Water bowls should be cleaned as appropriate and disinfected at least weekly. Slough [shed skins] should be removed daily.

## **9. Condition**

Handling must be kept to a minimum at all times.

## **Guidance**

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

As reptiles are carriers of salmonella, hand-washing facilities must be available and easily accessible for members of the public who have handled animals. Amphibians should not be handled by anyone other than the staff wearing appropriate gloves to prevent disease risk spread and damage to the protective mucus layer of the amphibian.

## **10. Condition**

### ***Inspection findings 09/11/16***

*The vivarium enclosure for the green cat-eyed snake (Boiga cyanea) needs to be securely locked (removable vivarium locks are not appropriate). The keys both for the room and the enclosure need to be kept in a secure place (i.e. safe) which is only accessible by the licensee or other suitably trained and competent person experienced in the care of this species.*

***Compliance deadline: immediate.***

## **Guidance**

To prevent accidental bites from occurring and to protect public safety.

# Schedule I – Additional Conditions - Fish

## 1. Condition

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

**Minimum water standards must be:**

### 1) Cold Water Species

Free Ammonia max 0.02mg/l

Nitrite max 0.2mg/l

Dissolved Oxygen min 6mg/l

Nitrate max 50mg/l above ambient tap water

### 2) Tropical Freshwater Species

Free Ammonia max 0.02mg/l

Nitrite max 0.2mg/l

Dissolved Oxygen min 6mg/l

Nitrate max 50mg/l above ambient tap water

### 3) Tropical Marine Species

Free Ammonia max 0.01mg/l

Nitrite max 0.125mg/l

Nitrate max 100mg/l

pH min 8.1

Dissolved Oxygen min 4.0 mg/l

## Guidance

It is virtually impossible to determine the quantity of aquatic organisms to be kept in a system purely on a weight or number of aquatic organisms per unit, volume, or water surface area. The variation in holding system used, the quality of husbandry and the types of aquatic organisms stocked vary so greatly that it would render any such system too complicated to be practical or too simple to be useful. The maintenance of water quality standards can be used to determine working stocking densities. The water quality standards should not be met at the expense of a correct feeding regime. Exceptions to these standards might occur e.g. when aquatic organisms are diseased, after transport or other stress. However in these cases appropriate remedial actions e.g. treatment, acclimatisation or isolation should be undertaken. Sea water holds less oxygen than fresh water. The recommended level is 5.5 mg/l so extra care is needed to ensure that levels do not routinely fall below this.

## 2. Condition

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

### ***Inspection findings 09/11/16***

*No records of water quality checks were being kept therefore an appropriate recording system needs to be put in place.*

**Compliance deadline:** *immediate.*

### **Guidance**

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

## 3. Condition

Holding systems must be cleaned and checked regularly.

### **Guidance**

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

## 4. Condition

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

### **Guidance**

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

## **Further Information**

### **Register of Wild Animals and Endangered Species**

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

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

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



Friday 18<sup>th</sup> November 2016

**Re: Living World Pet shop, 228, Dalton Road, Barrow In Furness.**

To Whom It May Concern:

I visited this pet shop on 9<sup>th</sup> November 2016 in conjunction with Graham Barker and Tracy Howard as representatives of Barrow Borough Council.

Generally the animals in were in good condition with clean enclosures. Mr Wayne Moffatt and [REDACTED] although lacking in formal qualifications are experienced and enthusiastic reptile keepers.

As a member of the British Veterinary Zoological Society, I base my recommendations on their guidelines which have been compiled to ensure good animal welfare, compliance with legal and statutory requirements and ensure safety to the public and staff. From these recommendations, for Living World to continue to trade as a pet shop, I recommend that the following criteria must be met:

**Health Management:**

- Safe systems of work should be established to inform and protect members of staff against bites, scratches and zoonotic disease
- Suitable quarantine facilities must be provided and set up to ensure that the appropriate environmental conditions can be met for all species on the license

**Stock Management:**

- Records of purchases, sales (including details of the purchaser) and breeding must be kept in an easily accessible format
- Records of daily stock inspection including maximum and minimum temperatures and relative humidity for all amphibians, reptiles and exotic mammals
- Evidence must be provided of registration with a veterinary surgery who is both happy and experienced in treating all the species on the license, including visiting the premises in the case of animals requiring a Dangerous Wild Animal License (see below)

### Sale of Animals:

- Care sheets including the minimum of the animal's common name, scientific name, country of origin, social requirements, dietary requirements and environmental requirements including temperature, humidity and lighting (photoperiod and spectrum) must be available for all the species on the license and available to view by any potential purchasers.

### Food management:

- Facilities to wash fruit and vegetables, food and water dishes must be easily accessible
- Daily maximum and minimum temperature recording should be undertaken for both fridges and freezers to ensure that the food is kept fresh.

### Legislation:

- Waste disposal should be compliant with the requirements from Barrow Borough Council and Environmental health
- Portable appliance testing certificates should be provided annually including inspection of all electrical extension leads, heating and lighting equipment.
- The landlord and local emergency services should be informed of any species on the property requiring a Dangerous Wild Animal Licence to ensure safety in an emergency situation.
- Adequate commercial insurance should be in place.
- Public liability insurance must be in place

### Animal Care:

For all short-term animals the following criteria must be met for the species currently held:

- Birds
  - Cages should allow the bird to fully stretch their wings in all directions however an aviary setup adhering to the stocking density below as a maximum would be preferable

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

Type	Length of Bird (cm)	Number of Birds per 'Standard' Aviary (1.8 x 0.9 x 1.8 m)
Budgerigar		18
Canary		18
Cochin		8
Fishes	less than 12.5	24
	12.5 – 17.5	18
	more than 17.5	12
Parakeets and Lovebirds **	less than 25	10
	25-35	6
	more than 35	4
Purels	less than 30	10
	30 – 35	6
	more than 35	4
Chickens		4 (min height 0.9m)
Bonanzas		6 (min height 0.9m)
Quail		8 (min height 0.9m)



- Food must be appropriate for the species and provide adequate vitamin and mineral levels
- The photoperiod must be appropriate for the species
- An area must be available for the bird(s) to have some privacy e.g. a nest box or covered area
- Reptiles
  - The size of the enclosure must be appropriate for the species. As a minimum, the requirement for snakes is that the snake must be able to stretch out fully in one dimension (e.g. across a diagonal). For lizards, the enclosure must be three times the full length of the lizard. For chelonia, the enclosure must be four times the length of the animal
    - Although it is not ideal, juveniles can be kept in smaller containers as long as the temperature, heat and lighting requirements can be met for a maximum period of 6 weeks.
  - Temperature, humidity, lighting, photoperiod and UV-V requirement must be appropriate for the species and time of year
  - All species require ventilation to remove the build-up of gasses such as ammonia from their enclosure and subsequently the room they are in.
  - Water must be provided in a suitable container to allow bathing of the full body or records of regular misting or bathing must be kept for species where this is more appropriate.
  - Substrate must be easily cleaned and appropriate for the species.
  - **A number of the reptiles are not meeting the minimum criteria (see Figs 6-14). This must be addressed within the next 6 weeks for welfare reasons.**
- Amphibians
  - The enclosure of 30cm x 30cm x 30cm or three times the length of the animal whichever is larger unless it is a sedentary species.
  - Water depth must be four times the depth of the animal if an aquatic species.
  - Temperature, humidity, lighting, photoperiod and UV-V requirement must be appropriate for the species and time of year
  - All species require ventilation to remove the build-up of gasses such as ammonia from their enclosure and subsequently the room they are in.
  - Water must be provided in a suitable container to allow bathing of the full body or records of regular misting or bathing must be kept for species where this is more appropriate.
  - Substrate must be easily cleaned and appropriate for the species.

- Fish
  - Water quality is a key determinant of fish welfare. To assess it, levels of ammonia and nitrite must be checked first. Only if such measurements exceed the recommended standards below, or there is an unexplained problem, is there any need to proceed further. Minimum water standards must be:
    - Cold Water Species:
      - Free Ammonia max 0.02mg/l
      - Nitrite max 0.2mg/l
      - Dissolved Oxygen min 6mg/l
      - Nitrate max 50mg/l above ambient tap water
    - Tropical Freshwater Species
      - Free Ammonia max 0.02mg/l
      - Nitrite max 0.2mg/l
      - Dissolved Oxygen min 6mg/l
      - Nitrate max 50mg/l above ambient tap water
    - Tropical Marine Species
      - Free Ammonia max 0.01mg/l
      - Nitrite max 0.125mg/l
      - Nitrate max 100mg/l
      - pH min 8.1
      - Dissolved Oxygen min 4.0 mg/l
  - It is virtually impossible to determine the quantity of aquatic organisms to be kept in a system purely on a weight or number of aquatic organisms per unit, volume, or water surface area. The variation in holding system used, the quality of husbandry and the types of aquatic organisms stocked vary so greatly that it would render any such system too complicated to be practical or too simple to be useful. The maintenance of water quality standards can be used to determine working stocking densities. The water quality standards should not be met at the expense of a correct feeding regime. Exceptions to these standards might occur e.g. when aquatic organisms are diseased, after transport or other stress. However in these cases appropriate remedial actions e.g. treatment, acclimatisation or isolation should be undertaken. Sea water holds less oxygen than fresh water. The recommended level is 5.5 mg/l so extra care is needed to ensure that levels do not routinely fall below this.
  - Water quality must be checked regularly and records kept of all tests. Centralised systems must be tested weekly. 10% of individually filtered tanks or vat must be tested weekly On aquaria or vats in which visual inspection indicates unusual behaviour or deaths, water quality inspections should be undertaken.
  - One test is representative of all the water in the system of centralised systems. Standalone systems must each be tested. Poor water quality is often the underlying cause of problems presenting as disease or mortalities.
  - Holding systems must be cleaned and checked regularly.

- Aquaria must be checked daily and cleaned as often as is necessary to maintain good hygiene standards, consistent with the rate of stock turnover and consequent stocking densities.
- No aquatic organisms should be exposed to excessive light or heat, or lack of adequate warmth. No fish or other aquatic organism should be subject to rapid fluctuation in light (lights should be on dimmers if automated), temperature and chemical composition of their water, other than for the controlled treatment of disease or as part of a controlled breeding programme. There are in excess of 4000 fish species in trade and thus the acceptable conditions may vary substantially and often counter intuitively. In case of doubt expert advice should always be sought

**For any animal which has been or is likely to be present for in excess of six months**

The above requirements are minimum requirements for animals that are to be sold. Animals that are longer term residents should be considered more as 'display' animals and should be housed accordingly. Suitable guidelines are available from the European Association of Zoos and Aquaria (EAZA). If these criteria can not be met then the animals should be rehomed. Enrichment should be provided (as it already is in the marmosets) where appropriate.

Within Living World, there are a number of snakes, the caiman and marmosets that will be required to meet these criteria.

The marmosets' enclosure (Figure 1) is just smaller than the recommended size of 3m<sup>2</sup> x 2.5 m high. However, they make good use of the size available to them. The solid sides provide a good barrier decreasing the risk of both stress and disease transmission. The enrichment provided also meets the criteria required. The diet has potential to be deficient in Vitamin D3 which can lead to metabolic bone disease. Examples of more suitable diets are available in the EAZA Husbandry Guidelines of Callitrichidae – 2010 [available online at:

[http://www.marmosetcare.com/downloads/EAZA\\_HusbandryGuidelines.pdf](http://www.marmosetcare.com/downloads/EAZA_HusbandryGuidelines.pdf)]. A further nest box would be required if the numbers increased over 4 individuals and a larger sized enclosure would be required if there were over 5 individuals. There are concerns over the roof area of the enclosure as the marmosets can have direct contact with the light and can reach through the wire to the UV-B striplight. **The temperature in the enclosure was too low for the species and both this and the lighting situations need to be addressed within the next 6 weeks.**

In addition, a standard operating procedure needs to be put in place regarding contraception in the situation where a female offspring is bred to prevent inbreeding.

The enclosure for the caiman (Fig 2-5) is both unsuitable for its size and for the requirements of a Dangerous Wild Animal License. Although no license is required for a pet shop, it is expected that the same criteria are met, especially to ensure public safety. As the specimen seen was in the region of 90cm, its current requirement would be of an enclosure at least 200 cm long by 1.5 metres deep and 1 metre high. However, as it is unlikely that this animal is to be sold within the next six months, it would be more suitable to give it a larger enclosure which could accommodate it for the next 1-2 years. This

would see it potentially growing to a size of up to 130 metres. For this size, an enclosure of 260 cm wide by 260 cm long and a height of 1.5m is more appropriate. The animal must be able to bask in a hot area, cool off in a cool area, swim and fully submerge in the water. A range of substrates should be provided on the land area. There should be a land: water ratio of 1:2 – 2:3. The water needs to be tested daily and changed regularly as it will easily harbour disease. It is important that the enclosure can be easily drained, refilled and disposed of in accordance to the requirements from Environmental Health. 'Spot cleaning' of food debris and faecal material must also be done regularly and disposed of appropriately. As is currently employed, a way to exclude the caiman securely from the area being cleared is required. There should be no loose fittings, heaters, electric lights, wires etc. within the enclosure given that caimans are strong and able to both climb and dig well. The enclosure needs to be securely locked (removable vivarium locks are not appropriate) and the animal needs to be in a locked room (which could have a glass/ Perspex viewing area) in case of escape. Ideally this should be fire-proof so as to minimise risk of problems in the case of a basement fire. The keys both for the room and enclosure need to be kept in a secure place (e.g. a safe) which is only accessible by Mr. Wayne Moffatt and [REDACTED]. Temperatures must be monitored and recorded daily and ensure a temperature gradient of 22c – 32c (including water temperature), extending up to 38c in basking areas. Full spectrum lighting should be provided.

A written contingency plan is required in case of emergency, for example fire, flood, animal escape or injury to the keeper. A secure transport crate will be required to be available in case of an emergency situation.

**These changes need to be made within the next six months. It is essential that both staff and public safety is maintained during any alterations or moving of the caiman.**

Although the green cat-eyed snake (*Boiga cyanea*) does not require a DWA license, it would be prudent to ensure that this vivarium is kept locked and the keys stored in the same way as those for the caiman to prevent accidental bites from occurring.

**This needs to be done immediately to ensure public safety.**

A suitable, experienced veterinarian who is available to provide 24-hour veterinary care needs to be sought for both the caiman and the marmosets, in addition to the other species held. The current veterinary practice named by Mr. Moffatt at the time of the inspection does not have the pet shop registered and is not prepared to have them as a client. **This needs to be done immediately as there is no one currently available to provide treatment to these animals in case of illness or injury.**

The public liability insurance must specifically include the caiman in addition to the other species held.

**Boarding:**

- The pet shop can only offer boarding of the species listed on the license.
- Established enclosures need to be present, away from the animals for sale and not in contact with any animals in quarantine to prevent spread of disease.

- Hand-washing and disinfecting facilities need to be available in the area where boarders are kept to prevent the spread of disease, including zoonotic risks.

**Hand-washing facilities:**

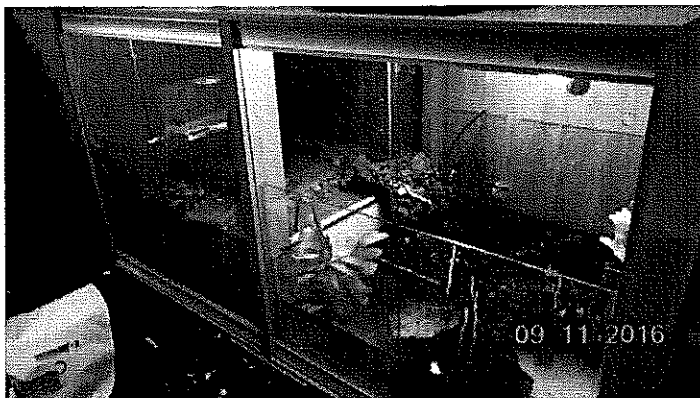
- As reptiles recognised carriers of Salmonella, hand-washing facilities must be available and easily accessible for any members of the public who have handled animals.
- Amphibians should not be handled by anyone other than the staff wearing appropriate gloves to prevent disease risk spread and damage to the protective mucus layer of the amphibian.

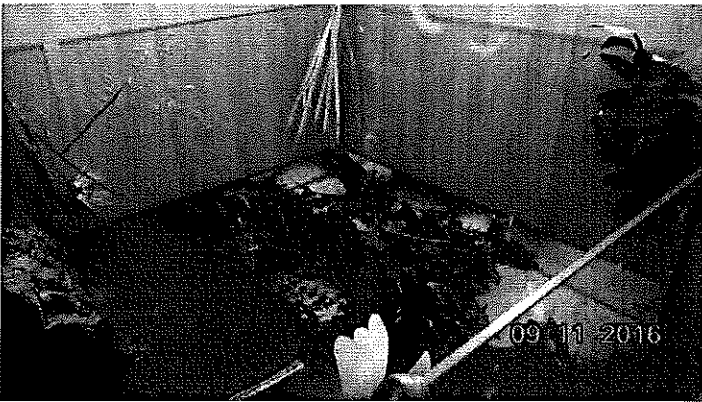
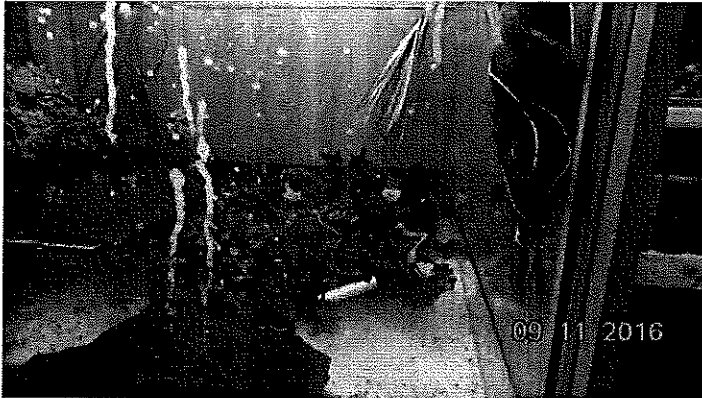
**Figures:**

**1) Marmoset enclosure**

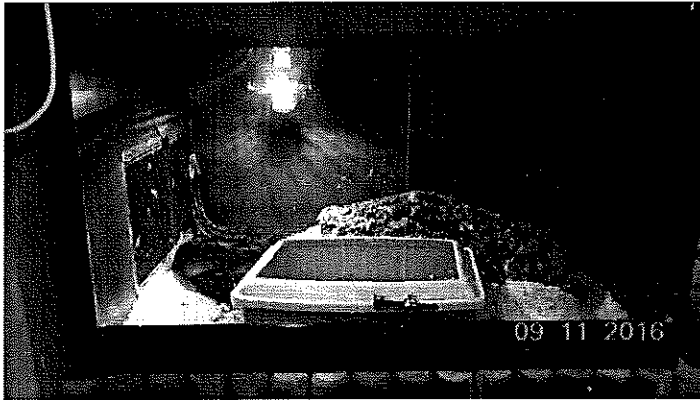


**2-5) Caiman enclosure**

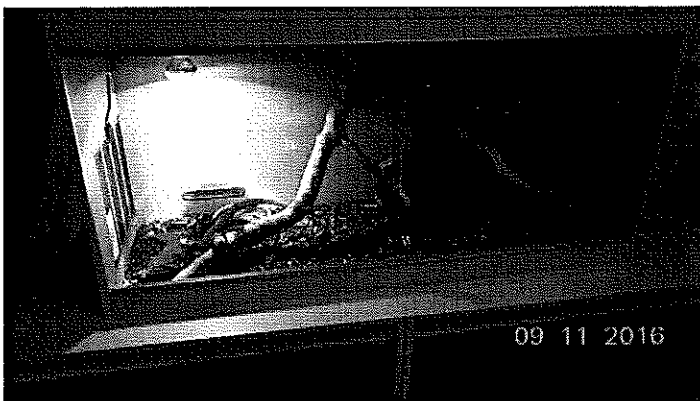




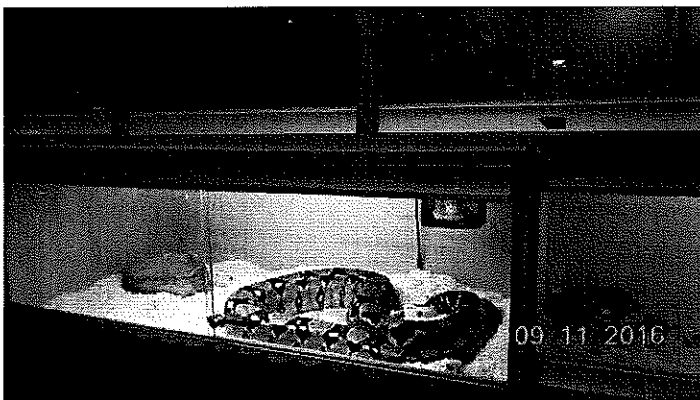
6) Snake showing heat-seeking behaviour next to heat mat due to inadequate temperatures



7) Picture showing lizard with heating and lighting provision however the vivarium size is not as specified above.



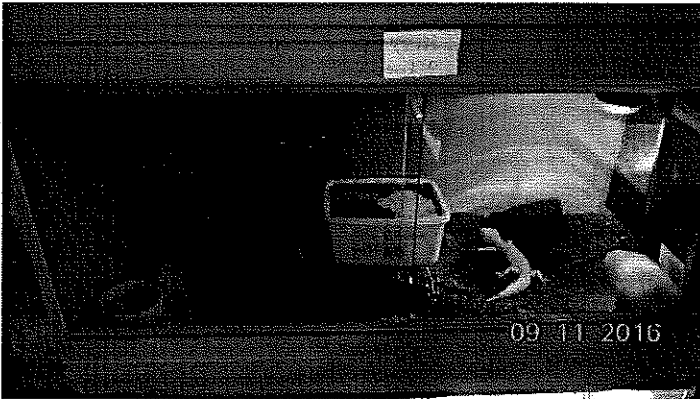
9) Picture showing snake in inadequate-sized vivarium with inappropriate water provision.



10) Picture showing lack of light provision for snake



11) Gecko vivarium fulfilling required criteria



12) Bosc monitor lizard heat seeking against the heat pad due to inadequate temperatures. The enclosure is much too small for this animal.

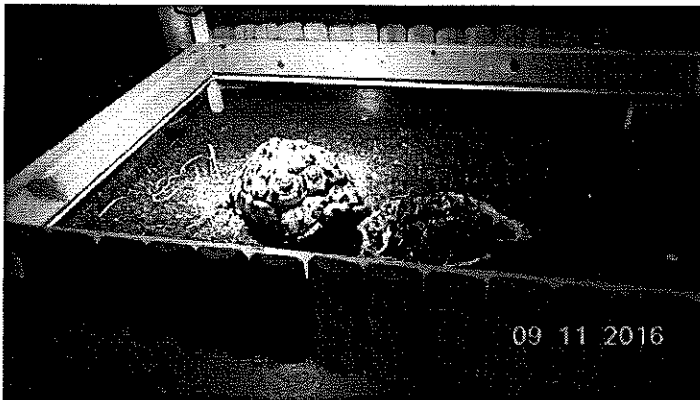




13) Spiny-tailed iguanas in good example of an enclosure



14) Leopard tortoise in an open enclosure with public access. Inadequate temperatures.



15) Juvenile snake rearing accommodation



16-17) General layout of basement area



**References:**

BVZS (2013) **Guidance on the keeping of Crocodillians** [online]. Available at: <http://www.bvzs.org/members/dwaa> [Accessed 24th November 2016]

BVZS (2013) **DWAA Advice to BVZS Members** [online]. Available at: <http://www.bvzs.org/members/dwaa> [Accessed 24th November 2016]

Jepson L. (2015) Inspecting Pet Shops. **In Practice**. 2015 (37): pp 333-346

EAZA husbandry Guidelines for Callitrichidae. 2<sup>nd</sup> Edition. 2010

Chartered Institute of Environmental Health (2013) **Model Conditions for Pet Vending Licensing**. London:CIEH



Friday 11<sup>th</sup> August 2017

**Re: Living World Pet shop, 228, Dalton Road, Barrow In Furness.**

To Whom It May Concern:

Following my reports dated 18<sup>th</sup> November 2016, I re-attended Living World pet shop on Thursday 10<sup>th</sup> August 2017 with representatives of Barrow Borough Council Sue Carey and Graham Barker.

Following discussion with Mr Moffatt, inspection of the premises and animals, it was determined that many of the conditions of his licence had not been met despite him having been given adequate time to do so.

These included:

**SCHEDULE A**

- Condition 6.2: Failure to register with a suitably qualified local veterinary surgeon willing and able to treat all the species present at Living World. *This means that in the case of illness or disease, there are animals which would be caused to suffer due to the inability to obtain suitable veterinary attention.*
- Condition 10.4: Failure to arrange appropriate disposal of dead animals.
- Condition 12.5: Failure to provide adequate housing for animals that have been present at the pet shop for a period in excess of six months and are in my opinion either not for sale (Mr Moffatt's pets) or are unlikely to sell due to lack of demand (e.g. the caiman requiring a DWA license, adult snakes such as pythons and boas and adult bearded dragons [juveniles are generally preferred]). *Failure to provide a suitable environment for an animal is an offence under Section 9, 2(a and c) of the Animal Welfare Act 2006.*
- Condition 13.1 and 16.1: Failure to improve the enclosure and for the caiman specifically. *Failure to provide a suitable environment for an animal is an offence under Section 9, 2(a and c) of the Animal Welfare Act 2006. Failure to ensure that the enclosure is securely locked with suitable non-tamper locks and kept in a locked room poses a risk to human safety. Failure to provide a suitable emergency plan in the event of a fire places both animal welfare and human safety at risk.*

#### SCHEDULE E

- Condition 1: No protocol has been put in to place to prevent inbreeding within the group. *There remains the potential for in-breeding and therefore inherited disease within offspring.*

#### SCHEDULE H

- Condition 2: The snakes are not being housed in adequately-sized accommodation. *The failure to provide a suitable environment as specified by the guidelines is an offence under Section 9, 2(b and c) of the Animal Welfare Act 2006.*
- Condition 3: The ambient temperature during the visit in August 2017 was higher than in November 2016 and this had had a positive effect on the temperatures in the vivaria however I am still concerned that these will fall with the background temperature without intervention. The vivaria are poorly ventilated and a strong smell of ammonia is present both within the shop and within the vivaria when they are opened to inspect. *Reptiles are poikilothermic and rely on a temperature within their optimal temperature zone (references are available for these for each species) for normal physiological processes such as digestion and maintenance of immunity. The failure to provide a suitable environment as specified by the guidelines is an offence under Section 9, 2(a) of the Animal Welfare Act 2006. Ammonia is a product of protein breakdown and is commonly found in urine and faeces. Ammonia is an irritant to the respiratory tract of both animals and humans causing irritation and an increased susceptibility to infection.*
- Condition 4: As per the visit in November 2016, many of the lizards with UV-B requirements were not provided with any or adequate UV-B lighting. *UV-B is required for many daytime lizard species to maintain normal blood calcium levels. The failure to provide a suitable environment as specified by the guidelines is an offence under Section 9, 2(a) of the Animal Welfare Act 2006.*
- Condition 6: Environmental enrichment enhances the welfare of animals in captivity. Hides are not provided for many of the animals on display. *Although more basic than enrichment, all animals have a requirement to be able to move away from the threat of predators. As reptiles and other non-traditional companion animals are non-domesticated species, they view humans as a threat and the inability to be able to hide from them leads to continued stress. Failure to protect an animal's freedom from suffering is an offence under Section 9, 2(e) of the Animal Welfare Act 2006.*
- Condition 7: Failure to provide water in enough quantity and/ or in suitable containers for snakes. *Water is a basic requirement for life. Many species will bathe in water as a cooling mechanism and bathing allows water ingress through the vent, ensuring the animal does not become dehydrated. Because of this, snakes should be provided with large, shallow water containers which allow them to bathe fully. Failure to provide a suitable diet is an offence under Section 9, 2(b) of the Animal Welfare Act 2006. Failure to allow an animal to exhibit normal behaviour patterns is an offence under Section 9, 2 (c) of the Animal Welfare Act 2006.*

## SCHEDULE 1

- Condition 2: No records of water quality checks are kept. *Water quality is important in fish; high levels of waste products such as droppings and uneaten food predispose fish to disease. Failure to protect the animal's freedom from disease is an offence under Section 9, 2(e) of the Animal Welfare Act 2006.*

Overall, although the number of reptiles had declined from the visit in November 2016 to August 2017, the general state of cleanliness was poorer. Many of the animals had drinking and bathing water contaminated with faeces.

There are now degus kept at the pet shop. These were housed in a small, glass enclosure by the door. They were overcrowded with no area to escape public view. *Degus are a non-domesticated species. Although they can be desensitised to humans, they still view them as a threat. Failure to provide an area for them to hide leads to chronic stress. Failure to protect an animal's freedom from suffering is an offence under Section 9, 2(e) of the Animal Welfare Act 2006.*

As a member of the British Veterinary Zoological Society, I base my recommendations on their guidelines which have been compiled to ensure good animal welfare, compliance with legal and statutory requirements and ensure safety to the public and staff.

It is my opinion that the failure of Mr Moffatt to acknowledge the scientific basis of these requirements and to act upon them is negatively impacting on the animal welfare in Living World pet shop. By continuing to allow him to trade as a pet shop, he is not only likely to cause animal suffering but is projecting this as an acceptable way to keep animals for the adults and children that visit this establishment.

Yours faithfully,

[REDACTED]

[REDACTED]

RCVS Advanced Practitioner in Zoological Medicine

Millcroft Veterinary Group

**References:**

BVZS (2013) **Guidance on the keeping of Crocodylians** [online]. Available at:  
<http://www.bvzs.org/members/dwaa> [Accessed 24th November 2016]

BVZS (2013) **DWAA Advice to BVZS Members** [online]. Available at:  
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EAZA husbandry Guidelines for Callitrichidae. 2<sup>nd</sup> Edition. 2010

Chartered Institute of Environmental Health (2013) **Model Conditions for Pet Vending Licensing**.  
London:CIEH



Monday 4<sup>th</sup> December 2017

**Re: Living World Pet Shop, 228, Dalton Road, Barrow in Furness**

To Whom It May Concern:

Following my reports of November 2016 and August 2017, I re-attended Living World pet shop on Thursday 30<sup>th</sup> November 2017 with representatives of Barrow Borough Council Graham Barker and Richard Garner.

Despite adequate time being given, Mr Moffatt had still failed to improve many of the areas required of him as condition of his license. The visit concentrated on the welfare of the animals within the shop with the following significant findings having been made:

**Common marmosets** – This enclosure had poor ventilation which was evident when the enclosure door was opened and a strong smell of ammonia (from urine) was noted. The temperature was measured at 15-17°C, including in the basking area which below the minimum requirement of 18° and not providing suitable heat for warming up in the basking area. Although liquid feedstuffs were provided. There was no clean water in this enclosure.

**Cockatoo** – the feeding bowl in this cage was on the floor and contaminated with faeces from the bird when sitting on the perch above. The seed at the time of the inspection showed evidence of having been fed from (open husks) despite there being faeces present. Mr Moffatt reported that the bird was cleaned out every 3 days. **See picture 1**

**Caiman** - the enclosure was unchanged. It is considerably smaller than the recommended (L) 2m x (W) 1.5m x (H) 1m for a caiman of this size. The temperature of the water and basking areas were measured at 25°C which although is within the low part of a caiman's optimal temperature zone, would not satisfy the need to reach their preferred body temperature range of 30 - 38°C. The water quality was poor with a green-brown tinge. The locks securing the enclosure were poor. **See picture 2**

**Snakes** – as previously described, many of the snakes are in enclosures considerably smaller than is recommended as a minimum size by the Model Conditions for Pet Vending Licensing 2013 which specifies the length of the enclosure should not be less than two-thirds the overall length of the snake. Water was still not being offered in containers that would allow the snakes to drink or bathe appropriately. The temperatures of the enclosures were at the low end of the range (see table below) for most of the species. Many of the snakes did not have hide areas to enable them to escape from view when stressed. It was possible to move the glass so as to put fingers in the vivarium of the back-fanged, mildly venomous cat-eyed snake. **See pictures 3**

Species	Temperature °c	Recommended Daytime Temperature Range °c
Boa sp	26	24-30
King snake	21	21-30
Albino boa	26	24-30
Royal python	23	28-40
King snake	22	21-30
Royal python (colour morph)	22	28-40
3 corn snakes	21	24-31
Boa sp.	22	24-30
Royal python (colour morph)	Unable to measure	
Dwarf Boa	Unable to measure	
Corn snake	24	24-31
Boa sp.	25 (glass temperature)	24-30
Boa sp.	24 (glass temperature)	24-30
2 royal pythons	27 (glass temperature)	28-40
Corn snake	22	24-31
Red Tailed boa	21.7	24-30
Corn snake	22	24-31
Red tailed boa	19.6-21	24-30
Corn snake	22 (glass temperature)	24-31
King snake	21	21-30
Royal python juvenile	21	28-40
Texas rat snake	23	23-29
Python sp.	24	28-40
Green cat-eyed snake	21	26-32



**Lizards** – As per the last visit, there were a number of concerns with the lizards kept at Living World:

- 2 Juvenile Yemen chameleons: the temperature in this enclosure was measured with a gradient of 16°C minimum and 22°C maximum. This is well below the established recommended guideline of minimum background temperature of 25-35°C and basking area of 35-40°C.
- Single juvenile Yemen chameleon: the temperature in this enclosure ranged between 14°C and 22°C – see above for guidelines.
- The vivaria containing the crested geckos were of a suitable temperature but there were large numbers of discarded fruit-feed pots and fruit flies which are associated with decaying vegetable matter.
- Inland bearded dragons there was a very crowded enclosure containing five adult bearded dragons which can be aggressive when housed together. In this vivarium the sand temperature under the spotlight measured 63°C – very much in excess of the basking requirement of a maximum of 45°C. UV-B light was provided.
- The enclosure containing the green basilisk lizard had no lighting. There was a dripper water system but despite this the humidity was low. The temperature exceeded the recommended range being measured at 23-29°C (range 23-26). This species has a high requirement for UV-B lighting to prevent disease. This lizard had evidence of damage to the front of its face and necrosis of the first digit on its right foreleg. **See pictures 4 and 5.**
- The vivaria containing the day geckos was not able to be opened to check temperatures but the other vivaria in the block were all below the recommended temperature of 25-31°C. There was no UV-B provision (a requirement at a lower level in this species but still required to ensure normal health) and the crickets in the vivarium were too large causing a risk of injury to the geckos (crickets can cause bite wounds in thin-skinned lizards such as geckos which can lead to infection). **See picture 6.**
- The enclosure containing the blue tongued skinks had a temperature of 23-25°C which is within the recommended range of 22-28°C. No UV-B was provided for this species for which it is a requirement to prevent illness and disease.
- The enclosure containing the black tree monitor lizard had a temperature of between 22-27°C lower than the required 28-30°C. It was not possible to ascertain whether the light provided UV-B.
- The enclosure containing the savannah monitor lizard was too small with a maximum temperature of 21°C well below the recommended temperature of 28-35°C. There was no UV-B light provided for this species which requires it to prevent illness and disease.
- The enclosure containing the Cuban (knight) anole lizards had a suitable temperature within the recommended range of 25-35°C but there was no UV-B provision for this species which requires it to prevent illness and disease.



It is my professional opinion that Mr Moffatt is failing to acknowledge recognised scientific requirements for the appropriate environment and diet of many of the animals under his care. By doing so he is also failing to provide for the welfare needs of many of his animals as required by law in Section 9 of the Animal Welfare Act (2006). As per my previous report, by continuing to allow Mr Moffatt to trade in animals, he is not only likely to cause further animal suffering but project this as an acceptable way to keep animals for the adults and children that visit this establishment.

As you will be aware, without a Pet Shop Licence, Mr Moffatt would require a licence under the Dangerous Wild Animal Act (1976) for the caiman to remain under his care. I would recommend refusal of a DWA License on the grounds of animal welfare as he has been unable to show suitable care for this animal whilst in the pet shop. I would strongly recommend that Mr Moffatt be able to show written proof that the caiman has been sold or rehomed that will prove without doubt that it is not being kept illegally.

If the pet shop is closed but the animals remain on the premises, it should be noted that the accommodation sizes that are acceptable for the temporary housing of animals for a minimal period while awaiting sale are not appropriate as permanent enclosures and continuing to keep them in this way would again breach Section 9 of the Animal Welfare Act (2006).

Please do not hesitate to contact me if you wish to discuss any of the points in this letter further.

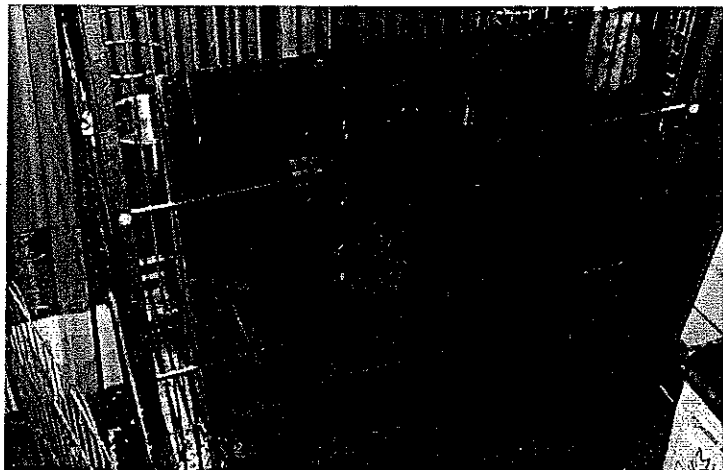
Yours faithfully,

[Redacted signature]

RCVS Advanced Practitioner in Zoological Medicine

**Pictures:**

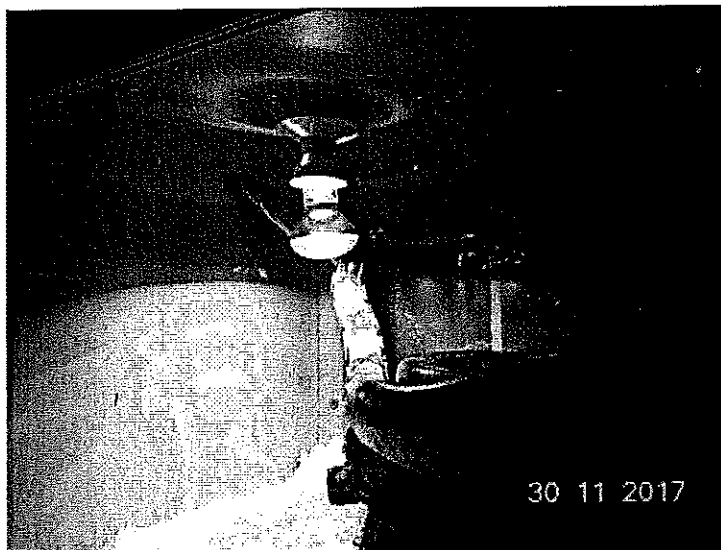
1) Cockatoo cage Showing dirty feed bowl (through perspex on cage)



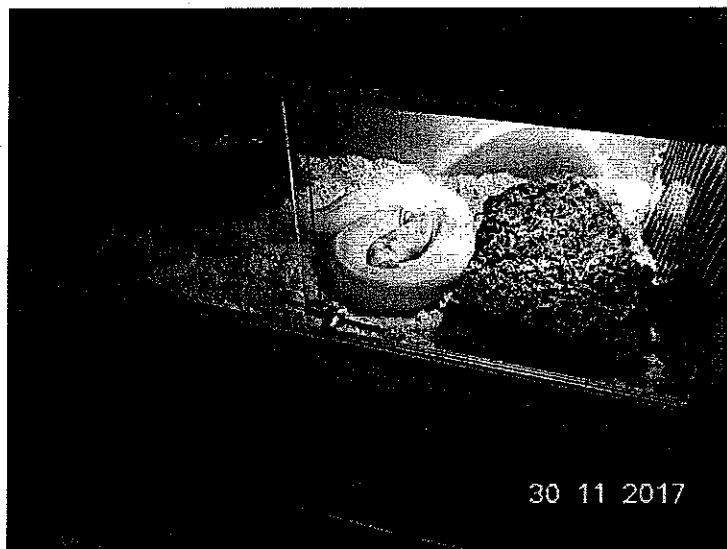
2) Caiman enclosure



3) Snakes showing examples of inappropriate vivarium size and inappropriate water provision



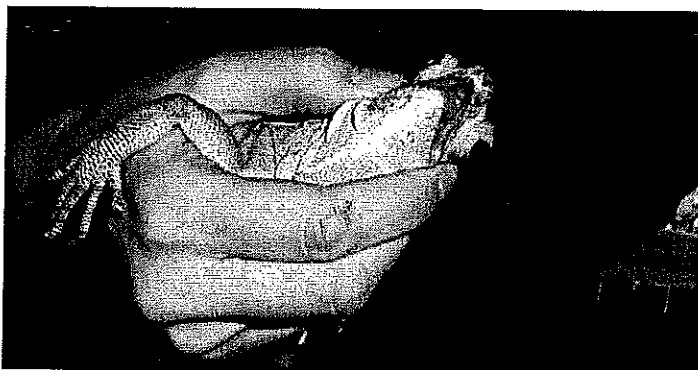
**MILLCROFT**  
VETERINARY GROUP



4) Basilisk lizard enclosure with no functional lighting.



5) Basilisk lizard showing damage to face and injured toe.



6) Picture showing inappropriately-sized crickets in with day geckos



Commercial Services Team,  
 Environmental Health Department  
 Town Hall, Duke Street, Barrow-in-Furness,  
 Cumbria, LA14 2LD  
 Tel: 01229 876543, Fax: 01229 876411  
 Email [envhealth@barrowbc.gov.uk](mailto:envhealth@barrowbc.gov.uk)



## Pet Animals Act 1951 as amended

### Application for a licence to keep a Pet Shop

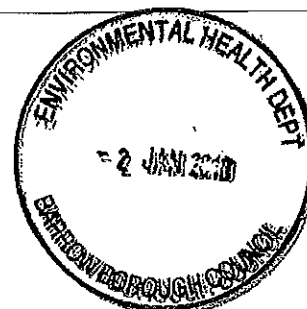
<p><b>I am applying for a:</b> (Circle one)                  See notes 1 and 2.</p>	<p>(a) New licence (valid for the remainder of the current calendar year)</p> <p>(b) New licence (valid for the whole of the next calendar year)</p> <p><input checked="" type="radio"/> (c) Renewal of a licence (valid for the whole of the next calendar year)</p> <p>(d) Variation of licence conditions (including change to number of animals)</p>
---	--

Please write legibly in **block capitals**, and ensure that your answers are inside the boxes and written in **black ink**. All questions must be answered. Incomplete applications will not be processed. If you need any assistance, please contact the above department.

Before completing, please read the guidance notes at the end of the form. You may wish to keep a copy of the completed form for your records.

<b>Section 1: Current licence</b> (This section should be left blank on new licence applications)			
Licence number:	021279	Expiry date of current licence:	31 December 2017

<b>Section 2: Pet shop details</b>	
Trading name (if any):	LIVING WORLD
Full address: (including postcode)	228 DAFTON RD LA14 1PN
Telephone number (s):	01229 870932
Business Website (if any):	
Nature of premises: (Circle one)	<input checked="" type="radio"/> (a) Commercial/ retail unit <input type="radio"/> (b) Private Dwelling <input type="radio"/> (c) Other (please describe)
Has the premises been granted planning permission for this use (or has it been confirmed that planning permission is not required?)	<input checked="" type="radio"/> a) Yes - permission granted <input checked="" type="radio"/> b) Yes - permission not required <input type="radio"/> c) No



Please give details of person responsible for day to day management of the premises:  
(We will contact this person to arrange the pre-licensing inspection, and for any enforcement or compliance issues)

Full name:	WAYNE MOFFATT
Daytime telephone number:	[REDACTED]
Email address: (if any)	

Section 3: Licence Holder/Applicant(s) details		
The application is made by: (Circle one)	(a) A single individual (b) Multiple individuals (c) A limited company	Please give details in part A Please give details in parts A & B Please give details in part C

<b>Part A: First individual applicant (Circle one)</b>	<input checked="" type="radio"/> Mr    Mrs    Ms    Miss    Dr    Other
Full names:	WAYNE MOFFATT
Home address:	[REDACTED]
Date of birth:	[REDACTED]
Daytime telephone number:	[REDACTED]
Email address:	

<b>Part B: Second individual applicant (Circle one)</b>	Mr    Mrs    Ms    Miss    Dr    Other
Full names:	
Home address:	
Date of birth:	
Daytime telephone number:	
Email address:	
If there are more than two individual applicants, continue on page 7 or a separate sheet.	

Part C: Limited Company applicant	
Registered name:	
Registered office address:	
Company registration number:	(a) UK: Companies House (b) Other
Daytime telephone number:	
Email address:	
List of Company Directors	



**Section 4: Animals to be sold** See note 3

Please give details of the animals which are (proposed to be) sold from the pet shop, including the maximum number of each type to be stocked at any one time, the minimum age at which animals will be sold, and the accommodation provided at the premises. Please continue on page 7 or a separate sheet.

Type of animal	To be sold?	Maximum number stocked	Minimum age at which sold	Details of accommodation, including construction, size and temperature
----------------	-------------	------------------------	---------------------------	--

**Large mammals**

Dogs & puppies	(a) Yes (b) No			
Cats & kittens	(a) Yes (b) No			
Other:				

**Small mammals**

Hamsters	(a) Yes (b) No	6	8 wks	CAGES
Guinea pigs (cavies)	(a) Yes (b) No	6	8 wks	CAGES
Rabbits	(a) Yes (b) No	6	8 wks	CAGES
Rats, mice, gerbils	(a) Yes (b) No	6	8 wks	CAGES
Chinchillas & degus	(a) Yes (b) No	6	8 wk	CAGES
Other: MARMOSETS		4	6 month	ROOM

Section 4: Animals to be sold (continued)				
Type of animal	To be sold?	Maximum number stock	Minimum age at which sold	Details of accommodation, including construction, size and temperature
<b>Reptiles</b>				
Tortoises & turtles	(a) Yes (b) No	15	8 wk	VIVS
Snakes & lizards	(a) Yes (b) No	100	8 wk	VIVS
Other:				
<b>Birds</b>				
Budgerigars, finches & other birds	(a) Yes (b) No	40	8 wk	CAGES
Parrots, parakeets & macaws	(a) Yes (b) No	10	12 wk	CAGE
Pigeons	(a) Yes (b) No			
Other large birds	(a) Yes (b) No			
	Please specify species:			
Other:				

Section 4: Animals to be sold (continued)				
Type of animal	To be sold?	Maximum number stock	Minimum age at which sold	Details of accommodation, including construction, size and temperature
<b>Fish</b>				
Tropical fish (fresh water)	(a) Yes (b) No	50		TANKS
Marine fish	(a) Yes (b) No	50		TANKS
Coldwater fish	(a) Yes (b) No	50		TANKS
Other:	(a) Yes (b) No			
<b>Any other species (please specify)</b>				
	(a) Yes (b) No			
	(a) Yes (b) No			
	(a) Yes (b) No			

Section 5: Accommodation and animal husbandry	See note 4
What steps do you intend to take to ensure that animals will at all times be kept in accommodation suitable in lighting, ventilation and cleanliness?	
Number of rooms to be licensed: 2	
Ventilation: AIR CONDITIONING + EXTRACTOR FANS	
Lighting (inc. Natural/Artificial): ARTIFICIAL UV + HEAT LIGHTS	

Security locks: YES

Disposal of excreta:

BAGGED & DISPOSED OF

Cleaning schedules:

DAILY

What steps do you intend to take to ensure that animals will be adequately supplied with food and drink, and (so far as necessary) will be visited at regular intervals?

Feeding & watering rota:

DAILY

Food storage:

FREEZER/FRIDGE + CONTAINERS

Food suppliers:

What steps do you intend to take to manage weaning of animals and suitability of sales?

ALL FEEDING VOLUNTARILY

What precautions will be taken to prevent the spread of infectious or contagious diseases among animals, including the provision of isolation/quarantine facilities for each type of animal stocked?

ONLY BUY CAPTIVE BREED  
KEEP EYE ON ANIMALS  
TAKE TO VET IF NECESSARY

Please describe the procedures in the event of a fire or other emergency at the premises, including details of any fire prevention, detection and suppression equipment in use:

FIRE ALARM  
FIRE EXTINGUISHERS  
PHONE NUMBER IN WINDOW

For any of the above questions please continue on page 7 or an additional sheet. Relevant documentation (e.g. operating policies) may be submitted in support of your answers.

**APPLICANTS ADDITIONAL NOTES**

**Section 6: Liability insurance details**

See note 5

Please detail any relevant liability insurance policies held in respect of your business:

Type	Held? (Circle one)	Name of insurer(s)	Amount insured	Policy expiry date
Public liability	(a) Yes (b) No	COVERA INSURANCE	£ [REDACTED]	25/2/18
Employer's liability	(a) Yes (b) No	COVERA INSURANCE	£ [REDACTED]	25/2/18
Other:	(a) Yes (b) No		£	

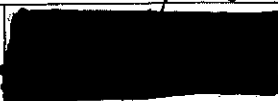
**Section 7: Offences, disqualifications, etc.**

Convictions or cautions which are considered "spent" under the Rehabilitation of Offenders Act 1974 need not be disclosed.

Is the applicant (or are any of the applicants, or any of the directors/officers of a limited company) currently disqualified: (Circle one)

- 1) From keeping a pet shop, under the Pet Animals Act 1951 as amended? (a) Yes (b)  No
- 2) From having the custody of animals, under the Protection of Animals (Amendment) Act 1954? (a) Yes (b)  No
- 3) Under section 32(2), (3) or (4) of the Animal Welfare Act 2006? (a) Yes (b)  No
- 4) Under section 40(1) of the Animal Health and Welfare (Scotland) Act 2006? (a) Yes (b)  No
- Has the applicant (or have any of the applicants, or any of the directors/officers of a limited company applicant) been convicted or cautioned for an offence under the above-mentioned legislation or any similar welfare legislation? (a) Yes (b)  No
- Is the applicant (or are of the applicants, or any of the directors/officers of a limited company applicant) currently subject to legal proceedings for an offence of any type mentioned above? (a) Yes (b)  No
- Has the applicant (or have any of the applicants, or any of the directors/company officers of a limited company applicant) ever been refused a pet shop licence, by this or any other authority, or had such a licence cancelled? (a) Yes (b)  No

If any of the above questions have been answered "yes," please provide further details in respect of those matters:

<b>Section 8: Licence conditions</b>			
Barrow-in-Furness Borough Council has pet shop licence application forms, model conditions and details of the Boroughs licensed pet shops, which can be viewed or downloaded from our website: <a href="http://www.barrowbc.gov.uk">www.barrowbc.gov.uk</a>			
Does the business you intend to operate satisfy the relevant pet shop licence conditions for the type(s) of business operated?			(Circle one) (a) Yes (b) No
If no, please detail any conditions below which you would not be able to satisfy:			
<b>Please note:</b> The Council may, at its discretion, vary or substitute any of the standard conditions, or impose any other condition it considers necessary to achieve the aims set out in the Act. In such cases, the applicant will be advised of any proposed conditions prior to the grant of any licence.			
<b>Section 9: Enclosures</b>			
<b>Scale plan</b>			
I enclose a scale plan, showing the layout of the premises ( <i>see guidance notes</i> ) Yes/No			
<b>Application fee</b>			
You can make payment:- At Town Hall – Cheque or credit/debit card By telephoning 01229 876543 – Credit/debit card Post to Barrow Borough Council – cheque only			
I enclose a cheque for £231 <sup>00</sup> , payable to Barrow Borough Council.			
<b>Section 10: Declaration and signatures</b>			Every applicant must sign the form
<ul style="list-style-type: none"> <li>I/We hereby apply for a licence to keep a pet shop under the Pet Animals Act 1951 as amended, and declare that to the best of my/our knowledge and belief, the above particulars are true in every respect.</li> <li>I/We understand that a licence may be refused if I am/We are found to have knowingly or recklessly made a false statement or omitted any material particular in giving information required in this form.</li> <li>I/We understand that the above-mentioned premises will be inspected by an authorised officer of the authority, an authorised veterinary surgeon or practitioner, or both, prior to any decision being made in respect of this application, and agree to facilitate this.</li> <li>I/We have read the applicable standard licence conditions and undertake in the event of a licence being granted to observe and adhere to such conditions.</li> <li>I/We understand that we will be notified of any other condition that the Council may propose to grant a licence subject prior to the making of such a decision, and that we may appeal against such a proposal to a Magistrates Court prior to the issue of a licence.</li> <li>I consent to the information supplied on this application form to be divulged to the Police and other agencies involved in the prevention of fraud.</li> </ul>			
Signed:		Print name:	W. MOFFATT
			Date: 18/12/17
Signed:		Print name:	
			Date:
If there are more than two applicants, a copy of this page should be taken to allow all applicants to sign. Where the application is made by a limited company, the form should be signed by an officer of the company.			

Completed application forms should be submitted, along with payments of the appropriate fee(s) and a scale plan of the premises (see guidance notes), to;

**Commercial Services Team, Environmental Health Department, Town Hall, Duke Street, Barrow-in-Furness, Cumbria, LA14 2LD**

<b>Office use only</b>			
Date received:		Fee received:	£
Received by:		Receipt number:	
Application complete:		Lic. Approved:	
Plans received: (New & Change to premise layout)		Inspection Date	
Licence valid from:		Inspecting Officer:	
Lic. Expires:			



Guidance on the keeping of

**Crocodylians**

**Explanatory Notes**

These notes have been produced to provide people wishing to keep dangerous wild animals with guidance on the minimum requirements they will have to meet. In determining whether or not a licence should be issued, the local authority will consider the information provided by the applicant when applying for a licence. The authority will also arrange for a suitably qualified person to carry out an inspection of the premises at which the animal or animals will be kept and the inspector's report will also be taken into consideration. These notes are not a definitive guide and it will be at the authority's discretion, based on advice from the inspector, whether further requirements need to be addressed prior to a licence being granted. The authority also has the discretion to include any other conditions which in the opinion of the authority are necessary or desirable to ensure the welfare of the animals, as specified in paragraphs (c) to (f) of Section 1, subsection (3) of the Act.

- 1. Species Covered**

<p>All species in the following families:                      Family <i>Alligatoridae</i>                      Family <i>Crocodylidae</i>                      Family <i>Gavialidae</i></p>	<p>Alligators and caimans                      Crocodiles and the false gharial                      The gharial (also known as the gavial)</p>
--	---
  
- 2. Additional information**

This guidance provides basic safety and husbandry information for the group, however it is recommended that keepers research species-specific husbandry information before applying for a licence.
  
- 3. Conservation status**

Most crocodylian species are classified as Annex A species under EC Regulation 338/97 (relating to the Convention on Trade in Endangered Species (CITES)).

Special permits must be obtained to buy, sell, breed or use Annex A species for any commercial purpose.
  
- 4. Housing overview**

Crocodylians require an indoor enclosure with fresh water, dry land, appropriate heating and of adequate size. Most crocodylians grow longer than 2 metres, and require sufficient water to be able to submerge themselves.

The enclosures must be heated and a comfortable temperature gradient provided for the crocodylians to regulate their temperature through their behaviour.

Keepers should be able to show that they have adequate space for fully-grown members of the species they plan to keep.
  
- 5. Keeping experience**

In order to protect the public and provide good welfare of these animals, keepers must be able to demonstrate a good knowledge of husbandry and handling of the species they wish to keep.

There must be a second named person nominated and *included on the licence* who is competent to care for the animals should the owner be absent or incapacitated.

# Housing Recommendations

- 6. Construction**
- A tank with a lid is suitable for hatchlings, however this is only temporary housing and will not remain appropriate for long. Juvenile and adult crocodylians will require a secure enclosure with both water and land.
- Crocodylians are strong, and can climb and dig well and provisions for these behaviours must be made. There should be no loose fittings and heaters, electric cables, lights etc. need to be outside the enclosure or securely fitted.
- Any concrete or artificial flooring used should be non-slip.
- Outdoor enclosures are not suitable for crocodylians in England and Wales.
- 7. Fencing**
- Fencing or walls of enclosures must be strong enough to withstand the weight of the reptiles climbing on it or jumping against it. If mesh is used, its size used must be small enough to prevent the animals becoming entangled. Fence or wall height must be of an adequate height to stop the reptile getting out. Fences must be a minimum of 1-1.2m for the average crocodylian and 1.5 m for the larger species. An inward slant/overhang will prevent the escape of all but the largest specimens.
- The fencing or walls should be set into concrete foundations to prevent the reptiles digging, or pushing underneath.
- 7. Enclosure contents**
- All enclosures should have a pool of some variety. Ponds should have a variety of exits of different gradients. This is particularly important when more than one individual is being kept in the same enclosure.
- All enclosures should have an area where the crocodylian(s) can be separated off to ensure safe entry of the keeper for cleaning, to separate individually and permit veterinary treatment if necessary. Larger enclosures should have the facility to separate individuals on a more permanent basis. It is recommended that the door mechanisms for partitions should be operable from outside the enclosure.
- Territorial and group species: the land and pool area should be designed for more than one to be in the pond or on the land at the same time and not able to see each other.
- 8. Size**
- The minimum space required for crocodylians is determined by the size of each animal.
- For crocodylians less than 40cm long, an enclosure of at least 80cm x 60cm x 60cm is recommended.
  - For crocodylians between 40-80cm long, an enclosure of at least 150cm x 80cm x 80cm is recommended.
  - For crocodylians between 80-100cm long, an enclosure of at least 2m x 1.5m x 1m is recommended.
  - For crocodylians over 1m long, it is recommended that the minimum length and width of the enclosure should be twice the entire length of the longest crocodile. An extra 20-30% of area should be added for each additional animal.
- The land:water ratio will depend on the species but generally will be in the region of 1:3 to 2:3.
- The enclosure should be large enough to allow the reptiles to turn around in both the land and water areas, walk around, dry themselves, bask in a hot spot, cool off, submerge themselves and swim. However, it is the quality of the enclosure rather than the size that is paramount. A range of substrates should be used to encourage a range of behaviours.

- 9. Temperature and Shelter** Temperature of the air and water in the enclosure should range from 22°C to 32°C. Hotspots will provide a temperature gradient that will enable crocodilians to reach their preferred body temperature range of between 30° and 38°C.
- American and Chinese Alligators can tolerate lower temperatures, but are comfortable at the lower end of the range listed.
- 10. Lighting** Crocodilians require a day-light cycle with 10-12 hours of light. Natural lighting through windows and clear roofs is recommended, however if this is not feasible, full-spectrum light bulbs are recommended. A spotlight for basking should be provided.
- 11. Ventilation** Enclosed holding quarters should have a suitable form of ventilation.
- 12. Drainage** The drainage must be capable of rapidly removing all excess water, and to prevent flooding of the pool. Drains should be designed to avoid injury to the animals. Any open drains, other than those carrying surface water, should be outside the enclosure. Any faecal material must be disposed of in an environmentally sound manner.
- 13. Cleanliness** Enclosures should be maintained in a clean state, with faeces and food debris being removed on a regular basis. A water filtration system or management regime appropriate to the size of the water pool and animal stock is necessary to keep the water clean.
- Water quality should be tested regularly to prevent ammonia build-up, and appropriate measures should be taken to maintain a reasonable water quality.
- A separate holding enclosure should be incorporated that allows the keeper to enter safely to clean and maintain the main enclosure.
- 14. Social dynamics and behavioural considerations** Caiman and other crocodilians can be kept in groups, however it is important to have enough room for the whole group. Species should not be mixed.
- In the wild, these reptiles will form loose social groups, often dominated by one male that excludes other males.
- If more than one animal is kept, some provision should be made to separate them if necessary. This would normally be in the form of a divider in the holding enclosure.
- 15. Security** Crocodilians can climb well, so if the fencing is not smooth, provision must be made to ensure they cannot climb out. Items in the enclosure must be placed far enough away from the walls that they cannot be used as steps.
- Crocodilians can move surprisingly quickly over land. It is therefore strongly recommended that keepers do not enter the enclosure on their own, or without some way of fending off the reptiles.
- If pools are deep enough, crocodilians can leap up several metres, therefore there must be nothing hanging over these areas, including human access.
- 16. Food, drink and bedding** These reptiles require a meat diet. Fish can also be fed, but must be supplemented appropriately with vitamins. Whole prey items should preferably be fed, including the skin and bones, however chicken portions including the bones are suitable. Adult crocodilians do not require feeding every day. If food is left uneaten, it should be removed from the enclosure.
- Over feeding, inappropriate diet and little exercise can lead to muscle wasting in limbs and tail resulting in the crocodilian being unable to walk.
- Bedding material for these animals is not normally required.

- |     |  |  |
|-----|--|--|
| 17. | <b>Visiting interval</b>   | The animals must be monitored at appropriate intervals, normally at least once every 24 hours.   |
| 18. | <b>Exercise and enrichment</b>   | Crocodylians tend not to be very active, particularly in cooler temperatures. However, sufficient pool space must be available to allow the animals to swim, and sufficient land space to allow the animals to bask and to move around.  |
| 19. | <b>Provision for capture and transportation</b>  | <p>For large crocodylians, there should be some method of confining the animals to allow the safe cleaning of the enclosure and the administration of veterinary treatment.</p> <p>Specially constructed transport crates will be required.</p> <p>A licence, issued for the keeping of these animals at a specified location, will state that movement of animals, except in an emergency, is prohibited.</p>   |
| 20. | <b>Emergency planning</b>  | There should be a written contingency plan in place to be used in the event of an emergency, for example fire, flood, animal escape or injury to the keeper.   |
| 21. | <b>Veterinary provision including prevention and control of spread of infectious disease</b> | <p>Some provision should be made to allow the separation of sick or injured animals if a group is kept. Veterinary treatment should be provided on-site.</p> <p>The keeper should provide details of their veterinary arrangements with a practice prepared to treat these animals. A schedule of veterinary care, including routine parasite control is required, and the keeping of records of veterinary attention is essential.</p> <p>There are no transmissible diseases carried by these animals that pose a risk to the general public if they do not directly handle the animals or their by-products. Keepers should be aware of the risk of salmonellosis from handling reptiles, which they in turn could pass on to family members if good hygiene is not observed. Thorough hand washing following the handling or cleaning out of any reptile is recommended.</p> |

## Contact Information

Wildlife Licensing and Registration Service  
 Animal Health  
 1/17 Temple Quay House  
 2, The Square  
 Temple Quay  
 Bristol  
 BS1 6EB  
 Tel: +44 (0) 117 372 8774  
 Fax: +44 (0) 117 372 8206  
 Email: [wildlife.licensing@animalhealth.gsi.gov.uk](mailto:wildlife.licensing@animalhealth.gsi.gov.uk)

### Refs used –

- 1) **DWA northern Ireland guidance**
- 2) **Minimum Requirements for the Appropriate Husbandry of Crocodylians in Private Holdings and Zoological Institutions** by  
 Dr. Bernd Jensch, Dr. Markus Baur, Dr. Frank Brandstätter, Tobias Friz, Fabian Schmidt,  
 Dr. Thomas Kölpin, Karl-Heinz Voigt & Ralf Sommerlad
- 3) **Specialist keepers**



# Model Conditions for Pet Vending Licensing 2013



September 2013

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

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## Introduction

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

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

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

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

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

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

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

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

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

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

<sup>1</sup> [www.defra.gov.uk/foodfarm/farmanimal/welfare/act](http://www.defra.gov.uk/foodfarm/farmanimal/welfare/act)

<sup>2</sup> [www.oqps.gov.uk/legislation/acts/acts2006/pdf/asp\\_20060011\\_en.pdf](http://www.oqps.gov.uk/legislation/acts/acts2006/pdf/asp_20060011_en.pdf)



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

#### England

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

#### Scotland

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

#### Wales

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

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

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

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

**The groups consulted included:**

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

**Special thanks also to:**

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

**Definition of terms**

\*\* A batch should be defined as a group of animals arriving from the same supplier, at the same time

\*\*m<sup>2</sup> is a measurement of area. One m<sup>2</sup> measures one metre by one metre. Consequently two m<sup>2</sup> measures 2 metres by 1 metre. (4 square metres measures 2 metres by 2 metres).

## Schedule A – General conditions

### 1. Licence Display

#### 1.1 Condition

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

#### Guidance

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

### 2. Accommodation

#### 2.1 Condition

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

#### Guidance

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

#### 2.2 Condition

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

#### Guidance

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

#### 2.3 Condition

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

#### Guidance

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

#### 2.4 Condition

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

#### Guidance

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

#### 2.5 Condition

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

#### Guidance

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

#### 2.6 Condition

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

#### Guidance

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

## 2.7 Condition

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

### Guidance

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

## 2.8 Condition

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

### Guidance

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

## 2.9 Condition

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

### Guidance

To stimulate the performance of natural behaviours.

## 3. Exercise Facilities

### 3.1 Condition

Suitable and sufficient facilities must be available where appropriate.

### Guidance

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

## 4. Register of Animals

### 4.1 Condition

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

### Guidance

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

### 4.2 Condition:

A sales register must be maintained for:

### 4.2.1 Dogs

### 4.2.2 Cats

### 4.2.3 Psittacines

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

#### Guidance

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

### 4.3 Condition

Animals under veterinary treatment must be identifiable.

## 5. Stocking Numbers and Densities

### 5.1 Condition

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

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

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

### 5.2 Condition

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

### Guidance

Details can be found in the relevant schedules.

## 6. Health Disease and Acclimatisation

### 6.1 Condition

All animals for sale must be in good health

### Guidance

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

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

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

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

#### **6.2 Condition**

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

##### **Guidance**

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

#### **6.3 Condition**

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

##### **Guidance**

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

#### **6.4 Condition**

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

##### **Guidance**

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

#### **6.5 Condition**

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

##### **Guidance**

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

#### **6.6 Condition**

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

##### **Guidance**

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

### **7. Food and Drink**

#### **7.1 Condition**

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

##### **Guidance**

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

## **7.2 Condition**

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

### **Guidance**

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

## **8. Food Storage**

### **8.1 Condition**

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

### **Guidance**

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

### **8.2 Condition**

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

### **Guidance**

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

## **9. Observation**

### **9.1 Condition**

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

### **Guidance**

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

A system of recording observation should be maintained.

## **10. Disposal of Waste**

### **10.1 Condition**

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

### **Guidance**

This is important for biosecurity and odour reduction.

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

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

## **11. Transportation to the Premises**

### **11.1 Condition**

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

### **11.2 Condition**

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

### **11.3 Condition**

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

### **Guidance**

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

## **12. Sale of Animals**

### **12.1 Condition**

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

### **Guidance**

Young mammals require nutritional and behavioural support from their mothers.

### **12.2 Condition**

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

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

#### **13.1 Condition**

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

#### **Guidance**

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

#### **13.2 Condition**

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

#### **Guidance**

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

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

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

### **14. Pet care advice, staff training and knowledge**

#### **Condition**

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

#### **Guidance**

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

#### **14.1 Condition**

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

#### **Guidance**

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

#### **14.2 Condition**

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

#### **Guidance**

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

#### **14.3 Condition**

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

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

#### **14.4 Condition**

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

#### **Guidance**

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

## **15. Fire and other emergency precautions**

### **15.1 Condition**

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

#### **Guidance**

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

### **15.2 Condition**

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

#### **Guidance**

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

### **15.3 Condition**

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

#### **Guidance**

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

### **15.4 Condition**

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

#### **Guidance**

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

### **15.5 Condition**

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

#### **Guidance**

For contact in cases of emergency.

### **15.6 Condition**

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

#### **Guidance**

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

### **15.7 Condition**

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

#### **Guidance**

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

### **15.8 Condition:**

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

#### **Guidance**

For health and safety of staff and animals.

### **15.9 Condition**

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

#### **Guidance**

Some species are very sensitive to temperature fluctuation.



## Schedule B – Dogs

### 1. Condition

Puppies must be weaned before leaving the mother.

#### Guidance

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

### 2. Condition

The minimum kennel size must be:

2.1 For a batch of small breed puppies – max 6 pups – 1.5m<sup>2</sup> for sleeping, plus 2m<sup>2</sup> for exercise

2.2 For a batch of medium breed puppies – max 4 pups – 2m<sup>2</sup> for sleeping, plus 2m<sup>2</sup> for exercise

2.3 For a batch of large breed puppies – max 2 pups – 2m<sup>2</sup> for sleeping, plus 2m<sup>2</sup> for exercise

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

#### Guidance

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

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

### 3. Condition

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

### 4. Condition

Extreme temperatures must be avoided.

#### Guidance

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

### 5. Condition

General bedding must include an adequate amount of absorbent material.

#### Guidance

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

### 6. Condition

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

#### Guidance

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

### 7. Condition

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

#### Guidance

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

### 8. Condition

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

#### Guidance

The diet should be appropriate for puppies.

## 9. Condition

Puppies must have frequent, quality contact time with staff.

### Guidance

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

## 10. Condition

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

### Guidance

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

## 11. Condition

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

### Guidance

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

## 12. Condition

There must be environmental enrichment in all kennels.

### Guidance

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

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

## Schedule C – Cats

### 1. Condition

Kittens must be weaned before leaving the mother.

#### Guidance

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

### 2. Condition

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

#### Guidance

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

### 3. Condition

Extreme temperatures must be avoided.

#### Guidance

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

### 4. Condition

Disposable or washable bedding must be provided and kept clean.

#### Guidance

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

### 5. Condition

A litter tray and appropriate litter must be available at all times and cleaned and disinfected at least once daily with an

appropriate disinfectant which is safe for use with cats and cleaned as appropriate. The disinfectant should be anti-viral and used in accordance with manufacturers' instructions, as some disinfectants are toxic to cats.

### 6. Condition

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

#### Guidance

The diet should be appropriate for kittens.

### 7. Condition

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

#### Guidance

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

### 8. Condition

Kittens must have frequent, quality contact time with staff.

#### Guidance

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

### 9. Condition

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

#### Guidance

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

## Schedule D – Rabbits

### 1. Condition

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

#### Guidance

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

### 2. Condition

The minimum enclosure size must be:

0.4m<sup>2</sup> for up to 4 standard juvenile rabbits and a height of 0.4m. 0.5m<sup>2</sup> for up to 2 giant breed juvenile rabbits and a height of 0.5m.

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

#### Guidance

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

### 3. Condition

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

#### Guidance

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

### 4. Condition

Extreme temperatures must be avoided.

#### Guidance

Ambient temperature should not normally go lower than 12°C or exceed 26°C. Providing cool water, cool packs in their bedding, air movement and air conditioning may each help to avoid the stress caused to rabbits by high environmental temperatures.

### 5. Condition

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

#### Guidance

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

### 6. Condition

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

#### Guidance

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

### 7. Condition

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

#### Guidance

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

## 8. Condition

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

### Guidance

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

## 9 Condition

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

### Guidance

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

## Schedule E – Other small mammals

### 1. Condition

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

#### Guidance

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

### 2. Condition

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

#### Guidance

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

### 3. Condition

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

#### Guidance

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

### 4. Condition

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

#### Guidance

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

### 5. Condition

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

#### Guidance

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

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

### 6. Condition

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

#### Guidance

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

### 7. Condition

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

#### Guidance

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

### 8. Condition

All rodents must be fully weaned on admission.

## Minimum accommodation requirements – small rodents

### Area in square metres

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

## Schedule F – Ferrets

### 1. Condition

Ferrets must be at least eight weeks old

#### Guidance

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

### 2. Condition

Ferrets must be housed with batch companions

#### Guidance

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

### 3. Condition

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

#### Guidance

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

### 4. Condition

Batches of ferrets must not be mixed.

#### Guidance

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

### 5. Condition

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

#### Guidance

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

### 6. Condition

Sleeping quarters must be draught free and dark.

#### Guidance

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

### 7. Condition

Ferrets must have suitable bedding.

#### Guidance

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

### 8. Condition

Extreme temperatures must be avoided.

#### Guidance

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



**9. Condition**

Ferret kibble must be provided at appropriate intervals.

**Guidance**

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

**10. Condition**

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

**Guidance**

Ferrets are renowned for tipping bowls

## Schedule G – Birds

### 1. Condition

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

#### Guidance

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

### 2. Condition

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

### 3. Condition

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

#### Guidance

Birds are more sensitive to high temperatures.

### 4. Condition

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

#### Guidance

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

### 5. Condition

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

#### Guidance

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

### 6. Condition

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

#### Guidance

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

### 7. Condition

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

#### Guidance

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

## Stocking Densities for Birds in Cages

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

- \*1. It is recommended that, wherever possible, these species are displayed for sale in aviaries or flights rather than cages per se.
- \*2. It is recommended that, wherever possible, these species are displayed for sale in aviaries or flights if more than two birds are housed together.
- \*3. The extra-linear centimetre per additional bird, is intended to refer to an increase in either width or length or a combination of the two ie, a 20cm increase could refer to 20cm width, 20cm length or say 10cm width combined with 10cm length.

## Stocking Densities for Birds in Aviaries and Flights

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

## Schedule H – Reptiles and Amphibians

### 1. Condition

Stocking and density must be appropriate to the species.

#### Guidance

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

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

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

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

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

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

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

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

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

### 2. Condition

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

#### Guidance

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

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

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

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

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

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

### 3. Condition

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

#### Guidance

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

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

### 4. Condition

Lighting must be appropriate to the species.

#### Guidance

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

### 5. Condition

Substrate appropriate to the species must be present.

#### Guidance

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

### 6. Condition

Enrichment must be provided appropriate to the species.

#### Guidance

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

### 7. Condition

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

#### Guidance

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

### 8. Condition

Hygiene: enclosures must be cleaned appropriately.

#### Guidance

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

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

## 9. Condition

Handling must be kept to a minimum at all times.

### Guidance

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

# Schedule I – Fish

## 1. Condition

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

### Cold Water Species

Free Ammonia	max 0.02mg/l
Nitrite	max 0.2mg/l
Dissolved Oxygen	min 6mg/l
Nitrate	max 50mg/l above ambient tap water

### Tropical Freshwater Species

Free Ammonia	max 0.02mg/l
Nitrite	max 0.2mg/l
Dissolved Oxygen	min 6mg/l
Nitrate	max 50mg/l above ambient tap water

### Tropical Marine Species

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

#### Guidance

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

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

## 2. Condition

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

#### Guidance

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

## 3. Condition

Holding systems must be cleaned and checked regularly.

#### Guidance

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

## 4. Condition

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

#### Guidance

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



# Information

## Register of Wild Animals and Endangered Species

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

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

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

## Breeding and Sale of Dogs Act

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

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

Microchip is the preferred method of identification.

## Useful Contacts

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

### General

#### British Veterinary Zoological Society

Email: [secretary@bvzs.org](mailto:secretary@bvzs.org)

#### Chartered Institute of Environmental Health

Chadwick Court, 15 Hatfields, London SE1 8DJ

Telephone: 020 7928 6006

[www.cieh.org](http://www.cieh.org)

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

Animal Welfare Unit, Nobel House, 17 Smith Square  
London SW1P 3JR Telephone: 08459 33 55 77

Email: [helpline@defra.gsi.gov.uk](mailto:helpline@defra.gsi.gov.uk)

<https://www.gov.uk/government/topics/wildlife-and-animal-welfare>

#### Local Government Association,

c/o LGconnect, Local Government Group,  
Local Government House, Smith Square,  
London SW1P 3HZ

Telephone: 020 7664 3000

Email: [info@local.gov.uk](mailto:info@local.gov.uk)

[www.lga.gov.uk](http://www.lga.gov.uk)

### Veterinary Contacts

#### British Small Animal Veterinary Association

Woodrow House, 1 Telford Way,  
Waterwells Business Park, Quedgeley,  
Gloucester GL2 2AB

Telephone: 01452 726700

[www.bsava.com](http://www.bsava.com)

#### British Veterinary Association

7 Mansfield Street,

London W1G 9NQ

Telephone: 020 7636 6541

Email: [bvahaq@bva.co.uk](mailto:bvahaq@bva.co.uk)

[www.bva.co.uk](http://www.bva.co.uk)

#### Royal College of Veterinary Surgeons

Belgravia House, 62-64 Horseferry Road,  
London SW1P 2AF

[www.rcvs.org.uk](http://www.rcvs.org.uk)

### All Species

#### The Blue Cross

Shilton Road, Burford, Oxon OX18 4PF

Tel: 01993 822651

Email: [info@bluecross.org.uk](mailto:info@bluecross.org.uk)

[www.bluecross.org.uk](http://www.bluecross.org.uk)

#### Pet Industry Federation

Bedford Business Centre,

170 Mile Road, Bedford MK42 9TW

Telephone: 01234 273 933

[www.petcare.org.uk](http://www.petcare.org.uk)

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

Head Office, Whitechapel Way,

Priorslee, Telford, Shropshire TF2 9PQ

Telephone: 01952 290999

[www.pdsa.org.uk](http://www.pdsa.org.uk)

#### Royal Society for the Prevention of Cruelty to Animals

RSPCA Enquiries Service, Wilberforce Way,

Southwater, Horsham, West Sussex RH13 9RS

Telephone: 0300 1234 555

[www.rspca.org.uk](http://www.rspca.org.uk)

#### Wood Green Animal Shelters

Kings Bush Farm, London Road,

Godmanchester, Cambs PE29 2NH

Telephone: 0844 248 8181

Email: [info@woodgreen.org.uk](mailto:info@woodgreen.org.uk)

[www.woodgreen.org.uk](http://www.woodgreen.org.uk)

### Cats

#### International Cat Care

Taeselbury, High Street, Tisbury,

Wiltshire SP3 6LD

Telephone: 01747 871872

Email: [info@icatcare.org](mailto:info@icatcare.org)

[www.icatcare.org](http://www.icatcare.org)

#### Governing Council of the Cat Fancy

5 King's Castle Business Park,

The Drove, Bridgwater, Somerset TA6 4AG

Telephone: 01278 427575

Email: [info@gccfcats.org](mailto:info@gccfcats.org)

[www.gccfcats.org](http://www.gccfcats.org)

## **Dogs**

### **Dogs Trust**

17 Wakley Street, London EC1V 7RQ  
Telephone: 0207 833 7685  
Email: [info@dogstrust.org.uk](mailto:info@dogstrust.org.uk)  
[www.dogstrust.org.uk](http://www.dogstrust.org.uk)

### **The Kennel Club**

1-5 Clarges Street, Piccadilly, London W1J 8AB  
Telephone: 08444 633 980  
Email: [info@thekennelclub.org.uk](mailto:info@thekennelclub.org.uk)  
[www.thekennelclub.org.uk](http://www.thekennelclub.org.uk)

## **Fish**

### **Ornamental Aquatic Trade Association**

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

## **Permanent identification databases**

### **Microchipping Advisory Group**

[www.bsava.com/Advice/MicrochipAdvice/  
tabid/154/Default.aspx](http://www.bsava.com/Advice/MicrochipAdvice/tabid/154/Default.aspx)

### **National Dog Tattoo Register**

Telephone: 01255 552455  
[www.dog-register.co.uk](http://www.dog-register.co.uk)

### **Animalcare**

Telephone: 01904 487 687  
Email: [office@animalcare.co.uk](mailto:office@animalcare.co.uk)  
[www.animalcare.co.uk](http://www.animalcare.co.uk)

### **AVID Plc**

PO Box 190, Lewes, East Sussex BN7 9GD  
Telephone: 0800 652 7 977  
Email: [pettrac@avidplc.com](mailto:pettrac@avidplc.com)  
[www.avidplc.com](http://www.avidplc.com)

### **Petlog**

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

### **Pet Protect**

Furness House, 53 Brighton Road,  
Redhill, Surrey RH1 6RD  
Telephone: 0800 587 0660  
[www.petprotect.co.uk](http://www.petprotect.co.uk)

## **Rabbits and small mammals,**

### **British Rabbit Council**

Purefoy House, 7 Kirkgate,  
Newark, Notts NG24 1AD  
Telephone: 01636 676042  
[www.thebrc.org](http://www.thebrc.org)

### **Rabbit Welfare Association and Fund**

PO Box 603, Horsham,  
West Sussex RH13 5WL  
Telephone: 0844 324 6090  
Email: [hq@rabbitwelfare.co.uk](mailto:hq@rabbitwelfare.co.uk)  
[www.rabbitwelfare.co.uk](http://www.rabbitwelfare.co.uk)

## **Reptiles**

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

Telephone: 02380 440999  
Email: [info@repta.org](mailto:info@repta.org) [www.repta.org](http://www.repta.org)

## **Qualifications and Training**

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

### **Animal Medicines Training Regulatory Authority**

Unit 1c, Woolpit Business Park,  
Windmill Avenue, Woolpit,  
Bury St. Edmunds IP30 9UP  
Telephone: 01359 245801  
Email: [info@amtra.org.uk](mailto:info@amtra.org.uk)  
[www.amtra.org.uk](http://www.amtra.org.uk)

### **City & Guilds**

1 Giltspur Street, London EC1A 9DD  
Telephone: 0844 543 0000  
[www.cityandguilds.com](http://www.cityandguilds.com)

### **LANTRA**

Lantra House, Stoneleigh Park,  
Coventry, Warwickshire CV8 2LG  
Telephone: 0845 707 8007  
Email: [connect@lantra.co.uk](mailto:connect@lantra.co.uk)  
[www.lantra.co.uk](http://www.lantra.co.uk)



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Chartered Institute of Environmental Health  
Chadwick Court, 15 Hatfields, London SE1 8DJ  
**Telephone** 020 7928 6006  
**Email** [info@cieh.org](mailto:info@cieh.org) **Web** [www.cieh.org](http://www.cieh.org)  
Registered charity no. 290350

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