



NOTICE TO KEEPERS OF ANIMAL BOARDING ESTABLISHMENTS

INTRODUCTION

1. In accordance with the Animal Boarding Establishments Act 1963, no person shall keep a boarding establishment for animals (defined in the Act as cats and dogs) except under a licence granted by the local authority.

LICENSING OF ANIMAL BOARDING ESTABLISHMENTS

2. Under section 1 of the Act, application must be made to the local authority for a licence to keep an animal boarding establishment. The local authority may grant a licence if the applicant is not disqualified from any of the following -
 - (a) keeping an animal boarding establishment;
 - (b) keeping a pet shop under the Pet Animals Act 1951;
 - (c) keeping animals under the Protection of Animals (Amendment) Act 1954;
 - (d) owning, keeping, being involved in the keeping or being entitled to control or influence the keeping of animals, dealing in animals or transporting or being involved in the transportation of animals under the Animal Welfare Act 2006;
 - (e) owning, keeping, dealing in or transporting animals under the Animal Health and Welfare (Scotland) Act 2006.

An appropriate fee will be charged where a licence is granted. A licence will expire under normal conditions at the end of the year to which it relates.

THE LOCAL AUTHORITY'S DUTY

3. In determining whether to grant a licence, a local authority must have regard to the need for securing –
 - (a) that animals will at all times be kept in accommodation suitable as respects construction, size of quarters, numbers of occupants, exercising facilities, temperatures, lighting, ventilation and cleanliness.
 - (b) that animals will be adequately supplied with suitable food, drink and bedding material, adequately exercised, and (so far as necessary) visited at suitable intervals.
 - (c) that all reasonable precautions will be taken to prevent and control the spread among animals, of infectious or contagious diseases, including the provision of adequate isolation facilities.

- (d) that appropriate steps will be taken for the protection of the animals in case of fire or other emergency.
- (e) that a register is kept containing a description of any animals received into the establishment, date of arrival and departure and the name and address of the owner, such register to be available for inspection at all times by an officer of the local authority, veterinary surgeon or veterinary practitioner authorised under section 2(1) of the Act.

and without prejudice to their right to withhold a licence on other grounds.

The licence, if granted, will specify such conditions to ensure that the above named objects are secured and an approved plan of the establishment will be attached to the licence and must be operated in accordance with the approved plan.

THE APPLICANT'S RIGHT OF APPEAL AGAINST REFUSAL

- 4. Any person aggrieved by the refusal of a local authority to grant such a licence, or by any condition, subject to which a licence is proposed to be granted, may appeal to a magistrates' court (in Scotland to the Sheriff); 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 it thinks proper.

OFFENCES AGAINST THE ACT

- 5. The Act provides for the following offences and penalties –
 - (a) keeping an Animal Boarding Establishment without a licence; a fine not exceeding level 2 on the standard scale of fines or three months imprisonment, or both;
 - (b) keeping an Animal Boarding Establishment in contravention of the conditions of a licence; a fine not exceeding level 2 on the standard scale of fines or three months imprisonment, or both;
 - (c) obstruction or delay of any person in the exercise of his powers of entry; a fine not exceeding level 2 on the standard scale of fines.

Where a person is convicted under this Act or the Protection of Animals Act 1911 or the Protection of Animals (Scotland) Act 1912 or the Pet Animals Act 1951, the court also has the power to cancel the licence to keep an Animal Boarding Establishment and to disqualify such person from keeping an Animal Boarding Establishment for such period as the court thinks fit.

INSPECTION OF ANIMAL BOARDING ESTABLISHMENTS

6. The local authority is given power under the Act to authorise any of its officers or any veterinary surgeon or veterinary practitioner to inspect any premises in their area for which a licence has been granted under the Act and which is still in force. Such a person, on production of his authority if so required, has the statutory right to enter the premises at all reasonable times for the following purposes –
- (a) to inspect the premises;
 - (b) to inspect any animals on the premises;
 - (c) to ascertain whether any offence is being committed on the premises.

FURTHER INFORMATION

7. A copy of the Act may be inspected at the office named below or may be purchased from HM Stationery Office. Details of the conditions upon which the Council will normally grant licences and forms of application may be obtained from –

Licensing Section
Caerphilly County Borough Council
Council Offices
Penallta House
Tredomen Park
Ystrad Mynach
Hengoed CF82 7PG
Tel: 01443 866750

For further guidance, reference should be made to the model licence conditions and guidance for cat and dog boarding establishments, published by the Chartered Institute of Environmental Health, copies of which are available (Price £7.00) from the CIEH, Chadwick Court, 15 Hatfields, London SE1 8DJ