Statutory guidance

Animal activity licensing process: statutory guidance for local authorities

Updated 5 April 2022

Contents

Report animal activity licences and fees to the Secretary of State
Licence applications
Fees
Appoint an inspector
Appoint a vet
Inspections at licensable activity sites
Review inspection reports
Granting or renewing a licence: star ratings and licence conditions
Granting or renewing a licence: risk-based approach
Exception: keeping or training animals for exhibition
Star rating appeals
Licence length
Notice of licence suspension or revocation
Requests for inspection of premises by a licence holder
Inspection of premises by a licence holder
Inspection of premises by a licence holder
Fit-to-licence fees
Fit-to-licence notice
Fit-to-licence appeals

Local authorities can grant animal activity licences to an individual (known as an operator) to carry out licensable activities that involve animals.

The local authority includes:

- a district council
- a London borough council
- the Common Council of the City of London (in its capacity as a local authority)
- the Council of the Isles of Scilly
- a combined authority in England established under section 103 of the Local Democracy, Economic Development and Construction Act 2009

A licence is an individual who:

- carries on, attempts to carry on or knowingly allows a licensable activity to carry on
- is the licence holder of an operator's licence

A licensable activity includes:

- selling animals as pets
- providing or arranging pet boarding for cats or dogs - this includes dog kennelling, cat kennelling, home boarding and day care for dogs
- riding establishments
- dog breeding
- keeping or training animals for exhibition

Local authorities must make sure that:

- licence holders are following the regulation requirements
- individuals who apply for a licence and do not meet the regulation requirements for the grant of a licence are refused a licence
- they take appropriate enforcement against operators carrying out, attempting to carry out or knowingly allowing a licensable activity to be carried out without a licence
- licences are not granted to individuals that are already disqualified from holding a licence or have previously had one revoked

Licence applicants and licence holders must make sure that:

- they apply for the correct licence
- they provide all the information the relevant local authority
- each facility has its own licence and rating - for example, 'licence model' businesses.

Contact the Local Government Animal Welfare Group for non-statutory guidance on franchises and arranger model licensing.

The application process must follow these steps:

1. The individual sends an animal activity licence application and fee to the local authority.
2. The local authority appoints an inspector.
3. The inspector reviews the application and produces a report.
4. The local authority reviews the report.
5. The local authority makes a decision to grant or refuse the licence application.
6. The local authority notifies the applicant.
7. The applicant has a right of appeal to the first-tier tribunal for a refusal.

Report animal activity licences and fees to the Secretary of State

All local authorities must report the following information to the Secretary of State:

- the number of licences in force for each licensable activity in its area on 1 April each year
- the average level of fees charged for licences it has granted or renewed in each reporting period

The 2023 to 2024 reporting period is now closed.

Defra may also contact you at least yearly to request other information. It is not a requirement of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 to provide this information.

Licence applications

The applicant must complete an application form for each of the licensable activities they want to carry out. The application form must include the fee payable to the local authority along with the application payment. You'll need to tell the applicant how much it costs.

The local authority will tell the one that covers the area of the applicant's premises where the majority of the applicant's licensable activities happen.

New licence applications

Local authorities should aim to process a licence on an application within 10 weeks of receiving a new licence application. It is possible that the process can take longer. In such cases, more information is needed from the applicant or if it's difficult to arrange the inspection.

Licence renewal applications

Local authorities must advise each licence holder in writing that they need to renew their licence 3 months before it is due to expire.

The licence holder must apply to renew a licence at least 10 weeks before their current licence expires. This is to avoid becoming a break in the licensable activity, if they want to continue to operate the licensable activity.

Fees

Under Regulation 12 of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, local authorities can charge fees for:

- considering an application, including any inspections
- compulsory checks on existing licence holders, this includes the costs of inspections
- enforcement costs against an unlicensed operator doing licensable activities
- complaining an operator/party made/lodged by the Secretary of State

Fee-setting

Local authorities must set fair and reasonable fees. Read the following for more information on how reasonable fee-setting:

- Clean for business: Link guidance on circuits and licence fees guidance
- BEIS guidance for business on the provision of services regulations
- principles in the Regulators' Code
- Local Government Animal Welfare Group guidance

Appoint an inspector

Once a local authority receives an application to grant or renew a licence, it must appoint an inspector to inspect the premises and the site of the licensable activity. Inspectors must be suitably qualified.

A suitably qualified person can be any of the following - it is a person that:

- has a level 3 certificate (or equivalent) granted by a body recognised and mapped by the Office of Qualifications and Examinations Regulation (Ofqual). Their certification must be specified that type of activity to count as qualified. The inspector must also have the knowledge and skills to undertake the licensable activities and must show practical placement
- has a formal reference qualification recognised by the Royal College of Veterinary Surgeons (RCVS) together with a relevant RCVS continuing professional development record

The Local Government Animal Welfare Group can signpost officers to suitable training provision available.

Inspector responsibilities

An inspector must ensure if the site is likely to meet the licence conditions. As part of this, the inspector must have sufficient expertise to undertake the relevant inspection, in accordance with regulation 10 requirements of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

An inspector must be appointed:

- under section 9 of the Animal Welfare Act 2006 (the Act) to exercise the enforcement powers available under the Act
- under section 40(1) of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 (which from now on will be referred to as the Regulations) 'Any carry out inspections of premises upon application or renewal of a licence'

The Local Government Animal Welfare Group can signpost local authority animal licensing officers to suitable training provision available.

Where a person appointed under regulation 4(2)(a) of the Regulations to carry out inspections of letting of horses premises on application or renewal is not a local vet, regulation 4(5) requires that they must be accompanied by a local vet.

Where a person appointed under regulation 4(2)(a) of the Regulations to carry out inspections of premises upon application or renewal is not a local vet, regulation requires that they must be accompanied by a vet.

Appoint a vet

You will need to appoint a vet to carry out some inspections.

A listed vet is required for the letting of horses and horses. A listed vet is a vet who is authorised to carry out an inspection on the list of vets held by the Royal College of Veterinary Surgeons. Define Establishments inspection List.

Breeding of dogs

A vet must be appointed for the initial inspection for the licensed application for the breeding of dogs.

Where they are accompanied by a suitably qualified local inspector, they will be appointed under section 40(1) of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

Where they are required by the local authority to carry out the inspection without being accompanied by a suitably qualified officer, the listed vet must be appointed under section 9 of the Animal Welfare Act 2006 (the Act) to exercise the enforcement powers available under the Act. They must also be appointed under 40(1) of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

Where they are required by the local authority to carry out the inspection without being accompanied by a suitably qualified officer, the listed vet must be appointed in writing by the appropriate person and delegated powers within the local authority.

Inspections at licensable activity sites

Inspectors must visit the site and produce a report for the local authority before a licence can be granted or renewed.

The inspector must consider whether the contact displayed by the applicant indicates that they are the appropriate person to carry out the licensable activity and meet their licence conditions.

Private dwellings

An inspector does not have right of entry to any part of site premises used as a private dwelling, unless they give 24 hours' notice to the occupier.

Inspectors can request entry to a private dwelling under section 9 of the Animal Welfare Act 2006 if they have reasonable cause to believe that a breach of the law is taking place in a private dwelling.

A warrant can be applied for under section 23 of the Animal Welfare Act 2006 for entry without prior notification.

Samples

The inspector may choose to take samples for laboratory testing from the animals on the premises.

Samples must be done properly and safely by a trained vet. They should be non-invasive samples.

If there are concerns over the welfare of the animals, inspectors may need to do more invasive sampling.

Obstruction offences

The applicant must comply with any reasonable request from an inspector to identify themselves and their premises. Inspectors can request information from the applicant, or anyone else, if they need to.

It is an offence for the applicant not to comply with a local authority inspector's request to take a sample from an animal.

Review inspection reports

Local authorities must consider the inspector's report when they decide whether or not to grant a new licence application.

The inspector's report will include information about the:

- licence holder or applicant (the operator)
- premises
- records
- condition of the animal (for example, marked fur)
- inspector's professional opinion on whether or not they think the licence conditions will be met

Contact the Local Government Animal Welfare Group for example inspection templates.

Granting or renewing a licence: star ratings and licence conditions

After the inspection, the inspector completes a report or reviewed, local authorities will need to decide:

- a star rating is award the applicant
- have long the licence is valid for
- any licence conditions, for example, on unannounced visit within 12 months.

Star rating

Applicants must be given a star rating ranging from 1 to 5, based on their compliance against the results of their inspection. This also applies if a licence is granted for a renewal.

The star rating must be added to the licence and the licence should be displayed by the applicant's business.

Local authorities should maintain a list of licensed businesses and their associated ratings on their website.

A star rating can change after an unannounced inspection, either as part of the licence renewal process or as a result of a complaint or intelligence. The star rating could go down after an inspection to investigate an animal welfare complaint.

Star rating feedback to applicants

The local authority should provide feedback on the star rating they have given following the inspection.

The following information should be provided in writing:

- the star rating
- details of why this rating was given. This should include a list of the higher standards that the business currently fails to meet, or a list of the minimum standards it fails to meet, and the relevant inspection criteria (for example, the Defra Code of Practice) or a copy of the risk management tables showing the scores given and notes
- details recorded must be sufficient to support the score given for each element to enable the business to understand how it could improve its star rating
- details of the appeals process and the deadline by which an appeal must be made

Licence length

Licences can be valid from 1 year to 3 years.

Granting or renewing a licence: risk-based approach

To make a decision on star rating and licence length, local authorities will adopt a risk-based approach. They will consider the:

- compulsory frequency of the individual applying for the licence - whether they are low risk or high risk
- animal welfare standards the individual takes - whether they have minor failings, fellow minimum standards or already operate at a higher standard

Local authorities should consider the following questions based on the inspection and on records of past compliance:

1. Does the business meet the minimum standards?
2. Does the business meet the higher standards?
3. Is the business low or higher risk?

This approach should be used every time a licence is granted or renewed.

Animals activity star rating system

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

If the inspection raises concerns that the certified business may not be operating to the standards required, the local authority should take action to bring the business back in line with the guidance or procedures follow. The star rating score should be adjusted accordingly. These concerns should also be reported directly to the LAWS accredited body.

The approach should be used every time a licence is granted or renewed.

Animals activity star rating system

	Low Risk	High Risk
Compliance history: Inspections	Documented evidence from previous 3 years review process. Evidence of no complaints in terms of welfare standards and management.	Formal inspections over the previous 3 years shows the degree of non-compliance that the local authority considers the inspector fit for business to ultimately recognise and reward. Evidence of breaches would attract enforcement action including formal prosecution.
Compliance history: Enforcement	No evidence of follow-up actions required from the last year apart from providing the licence holder with a copy of the inspection report, or sending them a letter identifying some minor issues requiring the improvement (such as minor record keeping issues).	Follow up action by the local authority to ensure compliance from others. Engaged by the least non-compliance that is considered to be low risk. Follow up does not recognise the significance of the need to address the noncompliance.
Compliance history: Complaints	No retrospective reviews/complaints/unannounced inspections before next planned licence inspection.	Retrospective reviews/ complaints/
Compliance history: Prosecutions	No complaints received direct to the LA that are upheld. Evidence of no serious breaches and/or procedural issues during the previous 3 years.	Low level substantiated complaints identifying breaches of the law which have been received within the previous 3 years.
Compliance history: Licence conditions	Licence holder records and keeps up to date records of related directly to animals demonstrates compliance. Evidence of no serious issues, and can provide evidence of this.	Licence holder does not record and keep up to date records of these obligations to address any issues identified.
Appropriate Standards	Little unannounced inspections required.	Little unannounced inspections required.

Risk scoring table for existing licence holders applying for a licence renewal

	Low Risk	High Risk	Score
Compliance history: Inspections	Formal inspections over the previous 3 years shows the degree of non-compliance that the local authority considers the inspector fit for business to ultimately recognise and reward. Evidence of breaches would attract enforcement action including formal prosecution.	Follow up action by the local authority to ensure compliance from others. Engaged by the least non-compliance that is considered to be low risk. Follow up does not recognise the significance of the need to address the noncompliance.	
Compliance history: Complaints	Low level substantiated complaints identifying breaches of the law which have been received within the previous 3 years.	Licence holder does not record and keep up to date records of these obligations to address any issues identified.	
Appropriate Standards	Little unannounced inspections required.	Little unannounced inspections required.	

Appropriate standards and practices	Licence holder's practices and standards are environmentally and breed appropriate, and support quality breed animals with demonstrated improvement.	Licence holder not fully meeting breed standards, responsibilities, tasks, time to fulfill role, no system for review and improvement of practices to both animals and staff.
Appropriate roles and tasks	Licence holder clearly understands roles and responsibilities under the legislation. Hazards to health and welfare are minimised, undesirable behaviours are controlled and reviewed regularly, and appropriate alternatives used.	Licence holder not fully understanding roles and responsibilities, tasks, time to fulfill role, no system for review and improvement of practices to both animals and staff.
Appropriate facilities and equipment	A suitably planned environment with adequate equipment and appropriate infrastructure and maintenance in place.	No planned maintenance program, or facilities and equipment are not appropriate and/or deteriorate before action is implemented.
Appropriate staff numbers and knowledge and experience	Staff have specialist and general knowledge of the species that are kept. There is sufficient staff, time and resources to provide adequate care, monitoring, endorsed training and research and other tasks.	Core staff lack experience and knowledge of the species, or appear overburdened or unsupported by management (or both), carries losses (pig)
Appropriate welfare practices and skills – dealing with losses	Clear defined roles and responsibilities, and clear processes for all reporting and addressing any identified losses.	Lack of any process, or inappropriate or ineffective action within the business to identify and deal with losses.
Welfare documentation procedures written procedures	Written procedures and documentation, including vaccination, implemented and reviewed appropriately.	Limited written procedures and records, or no formal adequate control or direction.
Welfare documentation procedures – staff	Appropriate supervision of staff, and clear and appropriate roles.	Inadequate supervision of staff and/or no clear roles and/or few training records.
Appropriate animal housing	All required records maintained and made available.	Poor standard of record keeping, records out of date or not available, or records manipulated, evidence of records not appreciated.
Welfare management training	Planned training programme for staff to develop knowledge, competency, and documented training records.	Little or no evidence of relevant training or system for review and reassessment.
Total losses of 17 or less + 1 for every 50 over 50 or more + high risks		
Risk rating		

Granting or renewing a licence: assess welfare standards

Animal welfare standards include the experience of the applicant, as well as animal care and the condition of their premises.

Minor failings

Minor failings apply to a licensed operation that already has a licence in place but has a number of minor failings of the minimum standards.

These minor failings must not compromise the welfare of the animals. If animal welfare is compromised, the operation must be closed down and the licence suspended. If a licence is already in place, it should be suspended, cancelled or revoked.

The purpose of the star star licence is to give businesses the opportunity to address issues and to be brought into compliance.

It should not be standard to issue a star licence for more than a year, as it is expected that all operations must comply with the minimum standards.

Minimum standards

A business must meet all the minimum standards. These are outlined in the licensable animal activity guide:

- Dog care for dogs
- Cat breeding
- Selling animals as pets
- Keeping animals for commercial stock
- Providing boarding in kennels for dogs
- Providing boarding for cats
- Hiring out horses

Higher standards

Higher standards have been agreed for each licensable animal activity. It is optional to meet these. Meeting the higher standards is the only way to gain a 5 star licence.

An individual may hold a mix of 5 star and higher standards. Businesses must meet:

- 100% of the higher standards classified as required
- 50% (or more) of the higher standards classified as desirable

Shall businesses need to do to submit to the licensable animal activity guides:

- Dog care for dogs
- Cat breeding
- Selling animals as pets
- Providing boarding for dogs
- Providing boarding in kennels for dogs
- Providing boarding for cats
- Hiring out horses

If a scheme uses UKAS accredited certification, it will be operated against either the minimum or higher standards as set out in the scheme criteria and agreed with UKAS.

The Animal Code's UKAS accreditation expired on 30 May 2024, which means that members of the Assured Breakers scheme are no longer automatically certified as meeting the higher standards for dog breeding.

If a business is certified to UKAS as having higher standards, the business is automatically considered as meeting these standards. Businesses must not be considered as meeting higher standards if there is evidence of poor animal welfare or non-compliance during the inspection.

Where a UKAS scheme doesn't meet the mandatory higher standards, the statutory guidance and laws prevailed.

New applicant licences: star ratings and licence lengths

New applicants must be seen to compliance monitors with a local authority if a UKAS inspector automatically asked an high risk if their licence application is successful.

As well as the high risk dogs, local authorities must consider animal welfare standards and the applicant's ability to run the business.

The local authority should not assume that because the new applicant meets the specified higher standards of animal welfare at the minimum standards.

All new applicants must meet the minimum standards before a licence can be granted.

Renewed licences: star ratings and licence lengths

If an existing licence holder applies to renew a licence, then the length of time the licence is granted for will depend on their risk rating and welfare standard at inspection. The licence length can be up to 3 years.

People and businesses with longer licences will need fewer inspections because inspections tend to be an renewal.

Multiple activities: star ratings and licence lengths

The licence holder should receive only one rating, which must cover all the licensable activities they do. Each activity should be considered and rated separately before the final score is awarded.

The star rating should be rounded down if the licence holder is operating with different standards for different activities. For example, if a business is rated 5 star for dog boarding and the minimum standards for dog boarding, the overall score should reflect the lower of the two.

Star rating appeals

A business can challenge a star rating that they think does not reflect the animal welfare standards they provide at the time of inspection. Local authorities must have an appeals procedure in place for this.

This should be used if the business has made improvements to their business and wishes to be reassessed – in this case, they should apply for retrospective.

If a business wants to appeal, it must write to an email the local authority.

A business disputing a rating should be encouraged to discuss the matter first with the inspecting officer. This is an opportunity for the inspector to explain how the rating was given. This may help resolve the matter without the business having to submit an appeal.

Any informal discussion does not form part of the formal appeal process and does not change the deadline that an appeal must be lodged by the licence holder (14 days (including weekends and bank holidays) of the date their licence was issued to appeal the rating).

The local authority must make the decision to the business owner in the first week they lodge an appeal, and letter within 6. If the issue is resolved informally.

Have a local authority which determines the outcome of an appeal.

The outcome of the appeal should be determined by either:

- the head of the department that issued the licence
- an independent inspector
- by the equivalent in another authority

No officer involved in the production of the rating, or in the inspection on which the rating is based should consider the appeal.

The local authority has 21 days (including weekends and bank holidays) from the date they receive the appeal to consider it. If, which time they must issue a decision to the business.

A local authority will determine the outcome of an appeal by:

- considering the paperwork associated with the inspection
- interviewing the inspecting officer
- making a further visit to the facility (if it is required)

The appeal process should be transparent. The costs of any additional inspections relative to the appeal will be borne by the applicant unless it results in a higher star being awarded. This should be emphasised by the local authority to business. This will ensure that only those who dispute and whether a decision can or cannot be made on the basis of the paperwork.

If a business disagrees with the outcome of the appeal

The business can challenge the local authority's decision by seeking further review. This should be made to the chief executive of the local authority (corporate process). They can also be made to a formal complaint to the local ombudsman (if the complaint is around service but not been properly delivered).

Refusing a licence

Local authorities must refuse to grant a licence if they:

- think the applicant is not capable of meeting their licence conditions
- think the licence holder's actions (or lack of actions) may affect the welfare, health or safety of the animal involved in the activity

Local authorities can refuse to grant a licence if:

- the housing, staffing or management are inadequate for the animals' welfare or to meet the licence conditions
- the applicant has been disqualified from holding a licence previously

Read the guidance for the individual activities for more detail on the requirements and conditions.

Notice of refusal

If a licence is refused, the local authority will write to the applicant explaining why the application was refused. This is called a notice of refusal.

The applicant has 28 days from the date they receive the notice of refusal to appeal to the First-tier Tribunal.

Suspend, vary or revoke a licence

A local authority can vary a licence at any time, including to:

- the application in writing of the licence holder
- your own initiative, with the consent in writing of the licence holder

A local authority may also suspend, vary or revoke a licence without the consent of the licence holder if:

- the licence conditions are not being complied with
- regulations are breached
- information supplied by the licence holder is false or misleading
- it is necessary to protect the welfare of an animal

It is an offence for the licence holder to breach any licence condition.

You must inform the licence holder that you have decided to vary or suspend or revoke the licence in writing.

You must:

- explain the reasons for the decision
- explain the date the decision takes effect
- share the licence holder's rights
- explain any specific changes needed to get their licence back

If suspension, certain revocation of a licence will normally take effect 7 working days after the decision has been issued to the licence holder.

The exception to this is where it is in the interest of the animal. In this case, you may (under 90(2) of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulation 2018 that the decision should take effect immediately.

When to suspend or vary a licence

The decision to vary or suspend a licence should not have exceeded the future. Say the requirements licence if adjustments need to be made. Where the licence holder is unable to meet the requirements of the licence, it should be suspended.

If a licence is under suspension, it must meet all relevant conditions or provide information when requested. The suspension will last for a specified period.

A local authority may at any time vary a licence in the following situations:

- on the application in writing of the licence holder
- on your own initiative, with the consent in writing of the licence holder

If it is necessary to protect the welfare of an animal the local authority may specify in the notice of suspension, variation or revocation that it takes immediate effect.

When to revoke a licence

Revoking a licence should happen where you find poor welfare conditions, or where it would benefit the welfare of animals to be removed from the activity.

Notice of licence suspension, variation or revocation

A local authority notice to suspend, vary or revoke a licence must be delivered either:

- in person
- by leaving it at or sending it by post to the person's current or last known postal address
- by emailing it to the person's current or last known email address

Licence holder representation

When the licence holder is issued the notice they have 7 working days to make written representation.

Local authority response to representation

Upon receipt of this, local authorities must decide either of the following:

1. Continue with the licence suspension, variation or revocation
2. Cancel the decision to make changes to the licence

If the licence has been suspended to protect the welfare of an animal then you must indicate that this is the reason and whether the change is still in effect.

If you do not notify the licence holder's representation within 7 working days of receipt of the notice, the licence will be suspended, varied or revoked 28 days after the date of the licence which is initially suspended, has no further action taken on it within 28 days.

Licence suspension and animal welfare

The business will not be able to break down the suspension of a licence has come into effect. If the licence holder's actions (or lack of actions) may affect the health or safety, authority's responsibility to make sure the business's animals are looked after and their welfare is met.

Licence holder appeals

The licence holder can appeal to a First-tier Tribunal if they do not agree with the decision made by the local authority. This must be done within 28 days of the decision.

The business cannot trade again until the decision is overturned by either:

- the local authority, once they are satisfied that licence conditions are being met
- the first-tier tribunal who may decide the local authority's decision was incorrect

Reinspection requests during the term of a licence

A business can request a reinspection during the term of a licence. Local authorities should agree to do this if it is able to do this and resource the request.

Reinspection applies where businesses with ratings of 1 to 4 star accepted their rating but have subsequently made the improvements needed to address non-compliance identified during the previous inspection.

At the time of any inspection, the local authority officer should check that the required improvements have been made and assess the ongoing standards. This means that the inspection may result in a higher star rating.

A business wants to request a reinspection, they should:

- outline the case for a reinspection
- indicate what the business has done to demonstrate full compliance or welfare since the inspection – this should refer to actions recommended by the local authority include supporting evidence, if appropriate
- be sent to the local authority in writing or by email

A local authority should make a decision on a request for reinspection, local authorities should agree an inspection to be arranged if the licence holder. Local authorities must not give a new star rating based only on documentary evidence.

The reinspection should be done within 3 months of receipt of the request.

If an inspection does not happen within 3 months, the business can raise the issue with the head of the licensing department within the local authority.

If the disagreement cannot be resolved, the business can make a complaint following the local authority's complaints procedure.

Reinspection fees

The business must pay for the cost of the reinspection. The local authority will set the cost for this.

There is no limit to the number of reinspection visits a business can request. However, there will be a fee for each visit charged, at full cost recovery.

Refusing a request for reinspection

A local authority does not need to accept every request for a reinspection.

If the case made by the business is not substantiated or insufficient evidence is provided, the local authority can refuse.

The local authority must explain why the request is being refused at the stage and provide information on the process for appealing the decision to the First-tier Tribunal. The local authority needs to stay and evidence they need for a reinspection.

If the business disagrees with the local authority's decision to refuse a request for a reinspection, they can raise the issue with the head of the licensing department within the local authority. If the disagreement cannot be resolved, the business can make a complaint following the local authority complaints procedure.

Announced and unannounced re-inspections

There will be cases where re-inspections will be carried out during the term of a licence. Whether a reinspection needs to be announced or unannounced depends on the circumstances.

An inspection can make announced re-inspections when it's needed to make sure compliance is checked properly. For example, if there's a complaint or information about an animal's welfare or risk.

There are additional reinspection requirements for hiring out horses and dog breeding.

Animal activities without a licence

Anyone who carries out or carries on with any of the licensable activities without a licence is committing an offence.

Convictions and disqualifications

When a person is convicted of an offence under the act and is disqualified under section 30 of the act, they can be disqualified from:

- owning animals
- dealing in animals
- participating in the keeping of animals
- being party to an arrangement under which they can control or influence the way in which animals are kept
- licensed dog breeding
- dealing in animals

Breaching these disqualifications is an offence.

A court can convict a current licence and disqualify a person from owning one for any period it sees fit under Section 32 of the Animal Welfare Act. If that person is convicted of an offence.

Powers to enter a premises

A local authority inspector will usually use powers under Section 29 of the Animal Welfare Act 2006 in order to inspect a licensable premise.

An inspector or constable can apply for a warrant under Section 21 of the Animal Welfare Act 2006 to enter premises if they think there is a reasonable suspicion of the premises or reasonable suspicion of the premises.

The police will only issue a warrant if there are reasonable grounds for:

- suspecting that a relevant offence has been committed on the premises
- believing evidence of an offence can be found there

Checking that section 21 of the Animal Welfare Act 2006 is satisfied in relation to the premises.

Animal Welfare Act 2006 considerations sections 32 to 35

Reasonable force can be used if necessary, to search for evidence of a relevant offence.

If a licence holder dies

If a licence holder dies, the procedure in regulation 17 of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 applies. This requires the personal representative of the deceased to take on the licence, provided that they inform the local authority within 28 days of the death that they are the successors of the licence holder.

The licence will remain in place for 3 months from the death of the licence holder, or for the rest of the time it was in force if that time period is shorter.

The new licence holder should then apply for a new licence one month before the expiry of the 3 months. If the personal representative does not inform the local authority within 28 days of the death of the licence holder, the licence will cease to have effect after those 28 days.

A local authority can extend the 3 month period up to 6 months if requested by the representative and if they believe this time is needed to wind up the affairs of the former licence holder.

Back to top

Is this page useful? Yes No Report a problem with this page

Services and information

Benefits
Births, deaths, marriages and care
Business and self-employed
Childcare and parenting
Citizenship and living in the UK
Crime, justice and the law
Disabled people
Education and learning
Employing people
Environment and countryside
Housing and local services
Money and tax
Passports, travel and immigration
Visas and immigration

Government activity

Departments
News
Guidance and regulation
Research and statistics
Policy papers and consultations
Transparency
How government works

OGL
All content is available under the Open Government Licence v3.0, except where otherwise stated

© Crown copyright