Animal Boarding Establishments Acts 1963
and Sale of Dogs (welfare) Act 1999

MANUAL FOR LICENSED
ESTABLISHMENTS

Environmental Health Services
Regeneration and Development

Adopted October 1999

Last Revised December 2016
This document has been superseded by the adoption of the following model licence conditions:

- CIEH Model Licence Conditions and Guidance for Cat Boarding Establishments 2013
  Adopted September 2015

  Adopted November 2016

Outdated portions have been removed from this version. Only the sections listed below remain in effect.

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MANUAL FOR LICENSED ESTABLISHMENTS

Introduction

This manual has been designed to explain the license criteria and policy of the Council with regards to the licensing of animal boarding and breeding establishments. It is free of charge to existing and proposed establishments and we hope you find it beneficial as a source of reference.

“The Chartered Institute of Environmental Health’ (CIEH) have published guidance and model license conditions to ensure that a consistent approach is maintained when issuing licences.

In line with this Newcastle Borough Council has adopted its own license criteria which clearly explains the requirements which the Council will impose when it considers a new application for a boarding or breeding establishment or when it re-licences existing facilities. When writing the license criteria existing establishment design has been taken into consideration. Where an existing establishment cannot meet the license criteria an alternative has been stated in italics. Derogations from the licence criteria are only offered to existing establishments and where animal welfare will not be compromised.

The Council also accepts that some works required by the licensing standard will take time to achieve. The Council has therefore made allowances where appropriate to enable works to be carried out over an agreed time period.

If you require further information or clarification of the contents of this document please contact the Environmental Health Division.
Licensing Of Establishments

Licensing Of Premises

The Council is responsible for the Licensing of premises where cats and dogs are boarded and where dogs are bred. An animal boarding establishment should be considered as a premises that boards animals as part of a business, whether run for profit or not. Dog breeding establishments are defined as premises that have five or more breeding bitches.

The Council is required to issue licences to the proprietors of boarding and breeding establishments under the provisions of the Animal Boarding Establishments Act 1963 and Breeding of Dogs Act 1973 and 1991 and the Breeding and Sale of Dogs (welfare) Act 1999. The licence stipulates a number of conditions designed to ensure that animal welfare is maintained at a high level and not compromised.

Newcastle-under-Lyme Borough Council has set in place an enforcement policy and licence criteria (Min No 466/00) which will ensure that high standards of animal care and health and safety are achieved. This was formally adopted in October 1999 and should be used alongside the following legislation:

- Animal Boarding Establishments Acts 1963
- Breeding and Sale of Dogs (welfare) Act 1999

Enforcement Policy

This document contains the Councils `Policy for the licensing of Animal Boarding and Dog Breeding Establishments`. The policy explains the licensing procedure and the objectives that it is designed to achieve. The licensing renewal procedure is explained also. Issues relating to inspections, complaints and enforcement are also covered in the policy. The policy can be located in the `green coloured` section of the documentation.

Licence Criteria

The Licensing criteria in this document apply to all buildings and areas to which cats and dogs have access and/or which are used in association with the breeding or boarding establishment.

All new breeding and boarding establishments would be required to be constructed to comply with all the proposed licensing criteria. It is accepted however that in existing establishments, certain conditions may need to be phased in over a period of time that is considered to be reasonable. In such cases a license will be issued subject to an agreed scheme of works and suitable time scale for implementation, but only if animal welfare will not be compromised through such an action. The scheme of works must be submitted for
approval with the licence renewal application. The advice and assistance of a veterinary surgeon would be sought to confirm the course of action, if necessary. If the work is not carried out, the establishment may not be licensed after that date, or the licence will be varied to permit fewer animals. The licensing criteria can be found in the ‘blue coloured, cream, peach and yellow’ sections of the documentation.

**Non-compliance with Licence Criteria**

If existing establishment cannot comply with the adopted licence criteria due to the design of the premises, the premises will not be licensed after that date, or the license will be varied to permit fewer animals. The licensing criteria can be found in the ‘cream coloured’ section of the documentation.

If existing establishments cannot comply with the adopted license criteria due to the design of the premises, the premises will be licensed to the existing proprietor in accordance with the licensing criteria. However the licence will state which part/parts of the premises do/does not meet the standard required by the Licensing criteria of the council. If the proprietor of the business changes the premises licence will be withdrawn. Boarding and breeding establishments will only be re-licensed under new management if the premises satisfy all the Licensing Criteria and the policy of the Council.

**Death of Proprietor**

In the event of a death of a person who is keeping a licensed establishment, the licence shall remain in force until the end of the period of three months and shall then expire. On the application of the deceased representatives, the period of three months may be extended if the authority is satisfied that the extension is necessary for the winding up the deceased estate, and that no other circumstances make it undesirable. There would be no charge if this ran over the licence period.
Borough of Newcastle-under-Lyme
Policy for the licensing of Animal Boarding and
Dog Breeding Establishments


The legislation stipulates that an animal boarding establishment should be considered as a premises that boards animals as part of a business, whether run for profit or not. A breeding establishment is defined as any premises where the business of breeding dogs for sale is carried on. A person will be presumed to be carrying on the business of breeding dogs for sale where during any twelve month period five or more litters are born to his/her bitches which are:

a) Kept by him at any premises during any period of twelve months;
b) Kept by any relative of his at those premises;
c) Kept by him elsewhere; and
d) Kept by any person under a breeding agreement with him
And in fact sold during the twelve month period.

The Licensing procedure is designed to achieve the following objectives:

- That animals are kept in accommodation suitable in respect of construction, size, temperature, lighting, ventilation and cleanliness
- That animals are adequately supplied with suitable food and drink, and are visited at suitable interval by the person in charge of their care.
- That animals are kept secure.
- That reasonable precautions are taken to prevent the spread of infectious diseases.
- That appropriate steps be taken in the event of an emergency.
- That a suitable, consistent, level of management is maintained.
- To achieve these objectives the Council will actively implement its Licensing Standard. This will determine whether it grants or refuses a licence.

Classification: NULBC UNCLASSIFIED
Licensing

Premises wishing to board or breed animals must apply to the Council for a licence, for which an annual fee is charged.

New Businesses

Where the application is from a new business, the applicant may be required to gain planning permission. Under such circumstances Licensing and planning requirements will be explained to the applicant and individual guidance given as to how to proceed with the application.

Subject to planning consent being given for the development, detailed information will be supplied to the applicant to incorporate into the new business at the design stage. In addition site visits or discussion with Officers will take place to assist further.

New licence applications will be subject to a detailed inspection by Licensing Officers and a veterinary surgeon.

First licences will be issued by the Head of Environmental Services, subject to a satisfactory report from the Veterinary Surgeon and Licensing Officers which indicates that the premises will comply with the Council's Standard Licensing Criteria.

Renewal of Licences

Licences are valid for one calendar year and accordingly must be renewed annually, on application. All licences will run from 1st January until 31st December each year. Licences will be renewed by the Head of Environmental Services following an inspection by Licensing Officers and subject to those Officers being satisfied that the premises comply with the above objectives - demonstrated by compliance with the Councils Standard Licensing Criteria.

Where an inspection indicates that the premises has failed to fully comply with the Standard Licensing Criteria the accommodation will not be licensed unless and agreed scheme of improvement works is submitted. As an alternative the number of animals permitted may be reduced.

When an inspection reveals that a licensed premises demonstrates significant contravention of the Licensing Standard, a report will be submitted to the Environmental Health Committee recommending refusal of the licence.

Inspections, Complaints and Enforcement

Licensing officers will inspect animal boarding and breeding premises periodically including unannounced visits. Additional inspections will be made where there are
concerns with regards to contraventions of the licensing standard, or where complaints have been received.

All officers authorised to initiate enforcement actions will be considered competent to do so, be suitably qualified and have relevant and adequate experience. Authorised officers will be fully acquainted with the requirements of the policy and Licensing Standard. Any initial or ongoing training considerations will be addressed.

Where inspections reveal minor breeches of Licensing Standard, which do not affect animal welfare, officers will, in the first instance, bring these to the attention of the proprietor of the premises in a written report specifying the time scale with which improvement works will be carried out.

Where there are significant breaches, and animals are considered to be at imminent risk, Officers will report such matters immediately to the Head of Environmental Services who will authorise Officers to liaise with a veterinary surgeon or the Royal Society for the Prevention of Cruelty to Animals (RSPCA) as appropriate, and act immediately to prevent further suffering - e.g. remove animals from site.

When making enforcement decisions, authorised Officers will abide by the policy. Any departure from the policy must be exceptional, capable of justification and be fully considered by the Executive Director - Operational Services or his deputy before the decision is taken, unless it is considered that there is significant risk in delaying the decision. Where such emergency intervention is necessary it will be the Council's policy to prosecute the proprietor and to revoke the licence in every case.

When circumstances have been identified which may warrant a prosecution, all relevant evidence and information will be considered, to enable a consistent, fair and objective decision to be made.

Before a prosecution proceeds, the authorised officer will consult with the authority's Solicitor to confirm that there is relevant, admissible, substantial and reliable evidence that an offence has been committed by an identifiable person or business.

The Environmental Health Committee and all Authorised Officers will ensure that enforcement decisions are always consistent, balanced and fair. When making decisions the following criteria will be considered:

a) The seriousness of the offence
b) the business's past history
c) confidence in management
d) the consequences of non-compliance
e) the likely effectiveness of the various enforcement options

Where inspection indicates a significant level of non-compliance with the Licensing Criteria (but animals are not considered to be at imminent risk) Officers will report such instances to Environmental Health Committee with a view to seeking authority to take further enforcement action against the licensee and or to revoke the licence.
Where a proprietor is prosecuted or a licence revoked, it will be taken into account if subsequent licence applications are made.

**Obstruction Of Officers**

In all cases where Authorised Enforcement Officers are obstructed in carrying out their statutory duties, it will be the policy of the council to instigate proceedings against the person or persons causing the obstruction.
Animal Boarding Establishments Acts 1963
Licensing Standard for Cat Boarding

Update, December 2015. This section has been replaced by the CIEH Model Licence Conditions and Guidance for Cat Boarding Establishments 2013 which was formally adopted by the council’s Public Protection Committee on 22nd September 2015

Current model conditions can be found on the council’s web site www.newcastle-staffs.gov.uk

The following elements of the 1999 standard may still apply to some older businesses.

**Structure**

3.3 Holding units may be provided for temporarily boarding a cat for not more than 24 hours. Holding units should constitute not more than 25% of the total number of residential units. The floor area of these must be a minimum of 1.2 sq. m (12sq ft) and have a minimum height of 0.9m (3ft).

2.7 There should be a 60cm (24 inch) gap between individual units as the resultant airflow lessens the risk of cross-infection. In the absence of this gap, a sneeze barrier between units is required to a minimum height of 1.2m (4ft). If a shelf is provided the barrier must be extended to a minimum of 0.5m (20 inches) above the shelf.

**Number of Animals**

3.3.1 For existing holding units the Council may permit a minimum floor area of 0.85Ssq m (9 sq. ft)

3.3.2 For existing catteries with holding units smaller than 0.85 sq. m (9 sq. ft) the Council may still license the accommodation, provided that a scheme of works and time scale has been agreed for this improvement to be made.

**Sleeping Areas**

3.6 Each unit must be provided with a sleeping area of at least 0.85sq m (9sq ft) for one cat, 1.5sq m (16sq ft) for two cats, 1.85sq m (20sq ft) for up to four cats. Units may be designated as suitable for a specific number of cats, greater than 4 at the discretion of the Council.

3.7 Sleeping areas must be 1.22m (4ft) in height

3.7.1 In existing catteries the Council may license sleeping areas of a height not less than 0.91m (3ft)

3.7.2 For existing catteries using ‘Chalet’ type accommodation a height less than that set by the standard may be accepted by the Council, provided that the Licensee can prove that animal welfare is not compromised.

**Exercise Facilities**

3.8 Each unit must be provided with an individual exercise area of at least 1.7sq m (18sq ft) for a single cat; 2.23sq m (24sq ft) for two cats; 2.79 sq m (30sq ft) for up to 4 cats.

3.9 There must be direct and voluntary access to the exercise area. They must not be used as sleeping areas.

3.10 Units must have a minimum internal height of 1.8m (6ft)
Animal Boarding Establishments Act 1963
Licensing Standard for Dog Boarding

In December 2007 the Borough Council adopted additional criteria to be applied specifically to dwellings where the occupier wished to board other people’s dogs within their home. These conditions can be found in Appendix 1, and replace those below for small scale domestic boarding.

Update, December 2016. This section has been replaced by the Model Licence Conditions and Guidance for Dog Boarding Establishments 2016 which was formally adopted by the council’s Public Protection Committee on 2nd November 2016

Current model conditions can be found on the council’s web site www.newcastle-staffs.gov.uk

The following elements of the 1999 standard may still apply to some older businesses.

Structure

3.2 Holding kennels may be provided for temporary kennelling a dog for not more than 24 hours. Holding kennels, must comply with conditions as required for main kennels. Holding kennels must be a minimum area of 2.3sq m (25sq ft). The number of holding kennels will be agreed between the local authority and kennel owner. This number will be noted on the license.

Sleeping Areas

3.5 Each kennel must be provided with a sleeping area of at least 1.9sq m (20sq ft).

3.5.1 Existing kennels with sleeping areas of 1.5sq m (16 sq. ft) will be licensed. However, these areas must only be used for ‘medium’ sized breeds (i.e. those up to 24 inches at the shoulder).

3.5.2 For existing kennels with sleeping areas smaller than 1.5sq m (16 sq. ft) the Council may still license the accommodation provided that a scheme of works and time scale has been agreed for this improvement to be made.

Exercise Facilities

3.8 Each kennel must be provided with an individual exercise area of at least 2.46sq m (26sq ft) for dogs up to 60cm (24 inches) high at the shoulder or 3.66sq m (36sq ft) for larger dogs. This should be separate from the bedding area and exclusive to that kennel, for free use by the dog at all times except at night or during adverse weather conditions.

3.8.1 The Council may license existing kennels that have the following minimum sized individual exercise areas:
'Medium' breeds 2.23sq m (22 sq. ft)
'Large' breeds 3.25sq m (32 sq. ft)

3.8.2 For kennels with individual exercise areas smaller than 2.23sq m (22 sq. ft) the Council may still license the accommodation provided that a scheme of works and time scale has been agreed for this improvement to be made.

3.8.4. Communal exercise areas will be accepted in existing licensed kennels if individual exercise areas can not be accommodated (i.e. due to Planning Restrictions).

Licensing Standard for Non-Domestic Dog Breeding Establishments

A breeding establishment is defined as any premises where the business of breeding dogs for sale is carried on. A person will be presumed to be carrying on the business of breeding dogs for sale where during any twelve month period five or more litters are born to his/her bitches which are:

a) Kept by him at any premises during any period of twelve months;
b) Kept by any relative of his at those premises;
c) Kept by him elsewhere; and

d) Kept by any person under a breeding agreement with him

And in fact sold during the twelve month period.

New kennels or kennels under new management must comply fully as they should be constructed with the licensing conditions in mind. Existing kennels will have to be adapted over time to comply with the policy of the Council (see italics).

1. Display of License and Alteration to Licensed Premises

1.1 A copy of the license and its conditions must be displayed to the public in a prominent position at the breeding establishment (if displayed externally the license and its conditions should be protected from the weather). Certificates of insurance must be displayed in a prominent position as well as a plan of the breeding establishment and any approved scheme of works if applicable.

1.2 Before alterations are carried out on a breeding establishment, plans must be submitted to and approved by the licensing officer of the Council. Plans for building work that require Planning and/or Building Regulation approval must be submitted to the Planning Department to seek authorisation for the development. Such alterations must fully comply with the model license conditions.

2. Record Keeping

2.1 Detailed records should be kept concerning the operation of the breeding establishment. They must be available for inspection. The following records must be kept:

a) Details of all breeding bitches and dogs, including dates of matings and whelpings
b) Details of all puppies, their litter sizes, dates of birth, dam and sire details

c) Where and when puppies and adult dogs are sold

d) If dogs are on loan, details of the premises and the period of the loan

e) Vaccination and worming details and other veterinary treatment

f) Cleaning, feeding and exercise regimes

g) Details of vehicles used for transporting dogs, and where dogs are transported to

h) Accommodation temperatures should also be monitored and recorded.

2.2 Records should be kept for a period of 24 months.

2.3 Records must demonstrate that bitches do not give birth to more than six litters of puppies during their lifetime, and that they have not been mated before they reach the age of one year.

2.4 Records must show that breeding bitches have had a period of not less than 12 months between giving birth to litters of puppies.

2.5 Bitches must not be mated if they are less than one year old.

2.6 **All dogs shall be appropriately microchipped. Puppies shall be microchipped before 8 weeks old and registered prior to sale.**

*Added, Public Protection 3rd Nov 2015*

### 3. Construction

**Structure**

3.1 Dogs will at all times be kept in accommodation suitable as respects construction, size, number of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness. Construction materials must be smooth and impervious.

3.2 Construction material must not cause injury to animals or people.

3.3 Sleeping areas of kennels must be insulated so as to prevent extremes of temperature.

3.4 The construction should be such that the security of the dog is ensured.

3.5 Partition walls between kennels and individual exercise areas should be of solid construction a minimum height of 1.2m (4ft)
Where there is non-compliance with this requirement the Council may still license the accommodation provided that a scheme of works and time scale has been agreed for this improvement to be made.

3.6 Floors of all buildings and exercise areas and kennels should be of smooth, impervious materials, capable of being easily cleaned.

3.7 Newly constructed breeding kennels must incorporate a damp proof membrane.

3.8 Newly constructed floors must be laid to a minimum fall of 1 in 80 leading to a shallow drainage channel or effectively covered deep drainage channel. Drainage channels should be provided near to the kennel edge so that urine is not allowed to pass over walk areas in corridors and communal access areas. Drainage channel covers must be constructed so as not to cause injury to the dog.

3.9 Kennels must be constructed to be strong enough to resist impact and scratching. They must also be adequately secured to prevent escape, and designed to avoid entrapment.

3.10 Timber shall not be used for kennels and exercise run partitions.

Where there is non-compliance with this requirement the Council may still license the accommodation provided that a scheme of works and time scale has been agreed for this improvement to be made.

3.11 Where mesh is used it must be of a suitable gauge, and appropriately secured.

3.12 Where metal bars and frames are used they must be of an appropriate strength and gaps must be sized to prevent dogs escaping or becoming entrapped.

3.13 Where metal edging is used this must not present a risk of injury to the dog.

Lighting

3.14 During daylight hours, light must be provided to exercise and sleeping areas. Where practicable this must be natural light. Artificial lighting must be provided to enable working after daylight hours. There should be adequate lighting throughout the establishment.

Drainage

3.15 The establishment must be connected to mains drainage or an approved sewerage disposal system.

Ventilation

3.16 Ventilation must be provided to all interior areas without the creation of excessive, localised draughts in the bedding area. The siting of the bed in respect of this is an
important consideration especially with regards to certain breeds i.e. the bed may need to be raised.

**Repair**

3.17 Maintenance and repair of the whole establishment must carried out regularly.

### 4. Accommodation

4.1 Kennels should be provided with an adequate size of sleeping area. Dogs should be able to lie down, turn around and stand comfortably in the sleeping area, with sufficient space for the door to fully open. Kennels should cater for the maximum expected number of puppies taking into consideration the size of breed and average litter size.

4.2 Adequate exercise areas must be provided for all kennels. The exercise area should be roofed to a minimum of half the area, sufficient to give the dog protection against the weather and afford some shade. They should not be used as sleeping areas.

*Where there is non-compliance with this requirement the Council may still license the accommodation provided that a scheme of works and time scale has been agreed for this improvement to be made.*

4.3 Kennels should be a minimum height of 1.8m (6ft) to allow adequate access by kennel staff.

*Where there is non-compliance with this requirement the Council may still license the accommodation provided that a scheme of works and time scale has been agreed for this improvement to be made.*

4.4 Kennels and exercise areas should open onto secure corridors or other secure areas so that the dogs are not able to escape from the premises.

### 5. Management

**Staff Training**

5.1 A written training policy must be provided. Systematic training of staff must also be demonstrated. All permanent, part time, and seasonal workers must be trained with regards to the following:

- a) animal welfare,
- b) cleanliness and hygiene,
- c) feeding and food preparation,
- d) disease control, recognition and treatment of sick animals,
- e) health and safety,
f) emergency procedures.

5.2 Bedding should be suitable to allow dogs to be comfortable. It must be capable of being easily cleaned and sanitised and sited away from draughts. Bedding material should be clean, dry and parasite free.

**Temperature Control**

5.3 Heating facilities must be available in the kennel and used according to the requirements of the individual dog.

5.4 There must be some part of the sleeping area where the dog is able to enjoy a minimum temperature of 10°C (50°F) and a maximum temperature of 26°C (79°F). If the higher temperature level is exceeded artificial means of counteracting this high temperature should be introduced.

**Cleaning**

5.5 All kennels, corridors and kitchens etc. must be kept clean and free from accumulations of dirt and must be kept in such a manner as to be conducive to maintenance of disease control and dog comfort. Regular disinfection should be demonstrated by keeping records of disinfection regimes.

**Pest Control**

5.6 Measures must be taken to minimise the risks from rodent, insects and other pests within the boarding establishment. Such pests should be adequately dealt with without delay to eradicate the infestation.

**Waste Disposal**

5.7 Facilities must be provided for the proper storage and disposal of all waste. Particular care should be taken to segregate clinical waste. All such waste should be incinerated. Arrangements must be made with a waste management contractor authorised for the purposes of the duty of care for removal of wastes from the establishment under the Environmental Protection Act 1990.

**Nutrition**

5.8 All dogs must be adequately supplied with suitable food. Potable water must be available at all times and changed at least daily. The dietary requirements of each dog must be considered and met.

5.9 Eating and drinking vessels must be capable of being easily cleansed and disinfected to prevent cross-contamination. They must be maintained in a clean condition.

**Food Preparation**
5.10 Exclusive facilities, hygienically constructed and maintained, should be provided for the storage and preparation of food for the dogs. No household, or boarded animals should never enter this area.

5.11 Where fresh and cooked meats are stored, refrigeration facilities must be provided, and potential food contamination must be avoided. Containers must be provide for the storage of foods to prevent contamination.

5.12 A sink with hot and cold running water must be provided for the washing of food equipment. A separate hand basin with hot and cold running water should be provided for staff use.

Disease Control

5.13 All reasonable precautions must be taken to prevent and control the spread among dogs of infectious or contagious diseases. All dogs should be vaccinated against canine distemper, infectious canine hepatitis (canine adenovirus), leptospirosis (leptospira carvcola and leptospira icterohaemorrhagiae) and canine parvovirus. It may be necessary to vaccinate against other diseases and veterinary advice should be sought.

5.14 Advice from a vet must be sought if a dog shows signs of disease, injury or illness. A competent person must ensure this advice is followed.

5.15 A fully stocked first-aid kit for use on dogs should be available at all times.

5.16 Isolation facilities must be provided (1 for every 50 kennels) in compliance with the boarding requirements but must be separate and physically isolated from the main kennels. There must be a minimum distance of 5m (15ft) between the isolation kennels and others. However intervening buildings and constructional details will be taken into account. Individual circumstances may vary the stated figure.

5.17 All appropriate steps must be taken to ensure that the dogs are provided with suitable food, drink and bedding material and adequately exercised when being transported to or from the breeding establishment.

6. Supervision, Fire Precautions and General Safety Requirements

6.1 A trained responsible person must always be present to exercise supervision and deal with emergencies whenever dogs are at the premises.

6.2 Dogs must be visited at regular intervals as necessary for their health, safety and welfare. Suitable intervals for visiting means intervals of not more than four hours between 8.00 am. and 6.00pm. Where possible an evening visit must be made, provided it will not unduly disturb the dogs and cause noise nuisance to neighbours.
6.3 Appropriate steps must be taken for the protection of the dogs in case of fire or other emergencies. Advice should be sought from Staffordshire County Council's Fire Prevention Officer.

6.4 A proper emergency evacuation plan and fire warning procedure must be drawn up and posted on the premises. This must include instructions on where dogs are to be evacuated to in the event of a fire or other emergency.

6.5 Fire fighting equipment must be provided in accordance with advice given by the Fire Prevention Officer. Staff should know how to use the fire extinguishers.

6.6 Heating appliances must not be sited in a location or manner where they may present a risk of fire or risk to dogs.

6.7 Precautions must be taken to prevent any accumulation which may present a risk of fire.

6.8 There must be adequate means of raising an alarm in the event of a fire or other emergency.

6.9 All electrical installations and appliances must be maintained in a safe condition. There must be a residual current circuit breaker provided to the kennels electrical installation of to individual appliances used where appropriate.
Licensing Standard for Domestic Dog Breeders

A breeding establishment is defined as any premises where the business of breeding dogs for sale is carried on. A person will be presumed to be carrying on the business of breeding dogs for sale where during any twelve month period five or more litters are born to his/her bitches:

a) Kept by him at any premises during any period of twelve months;
b) Kept by any relative of his at those premises;
c) Kept by him elsewhere; and,
d) Kept by any person under a breeding arrangement with him
And in fact sold during the twelve month period.

1. Display of License and Alteration of Licensed Premises

1.1 A copy of the license and its conditions must be displayed to the public in a prominent position at the breeding establishment (if displayed externally the license and its conditions should be protected from the weather). Certificates of insurance must be displayed in a prominent position as well as a plan of the breeding establishment and any approved scheme of works if applicable.

1.2 Before alterations are carried out on a breeding establishment, plans must be submitted to and approved by the licensing officer of the Council. Plans for building work that require Planning and/or Building Regulation approval must be submitted to the Planning Department to seek authorisation for the development. Such alterations must fully comply with the model license conditions.

2. Record Keeping

2.1 Detailed records should be kept concerning the operation of the breeding establishment. They must be available for inspection. The following records must be kept:

a) Details of all breeding bitches and dogs, including dates of matings and whelpings
b) Details of all puppies, their litter sizes, dates of birth, dam and sire details
c) Where and when puppies and adult dogs are sold
d) If dogs are on loan, details of the premises and the period of the loan
e) Vaccination and worming details and other veterinary treatment
f) Cleaning, feeding and exercise regimes
g) Details of vehicles used for transporting dogs, and where dogs are transported to

h) Accommodation temperatures should also be monitored and recorded.

2.2 Records should be kept for a period of 24 months.

2.3 Records must demonstrate that bitches do not give birth to more than six litters of puppies during their lifetime, and that they have not been mated before they reach the age of one year.

2.4 Records must show that breeding bitches have had a period of not less than 12 months between giving birth to litters of puppies.

2.5 Bitches must not be mated if they are less than one year old.

3. **Construction**

   **Structure**

3.1 Dogs must be kept in accommodation suitable as respects construction, size of quarters, numbers of occupants, exercise facilities, temperature, lighting and cleanliness.

3.2 Dogs must be held in secure accommodation.

3.3 Impermeable floor coverings should be provided to prevent fluids and discharges from fouling wooden floors and similar surfaces.

   **Accommodation**

3.4 Dogs must be adequately exercised and exercise space should be provided. The authorised officer will decide whether the space is adequate dependant upon the size of the dog and the circumstances of each breeding establishment.

4. **Management**

4.1 Bedding should be suitable to allow dogs to be comfortable. It must be capable of being easily cleaned and sanitised and sited away from draughts. Bedding material should be clean, dry and parasite free.

4.2 Whelping must not take place in a domestic kitchen for public health reasons.

   **Temperature Control**

4.3 Heating facilities must be available in the kennel and used according to the requirements of the individual dog.
There must be some part of the sleeping area where the dog is able to enjoy a minimum temperature of 10°C (50°F) and a maximum temperature of 26°C (79°F). If the higher temperature level is exceeded artificial means of counteracting this high temperature should be introduced.

**Cleaning**

4.5 All kennels, corridors and kitchens etc. must be kept clean and free from accumulations of dirt and must be kept in such a manor as to be conducive to maintenance of disease control and dog comfort. Regular disinfection should be demonstrated by keeping records of disinfection regimes.

**Pest Control**

4.6 Measures must be taken to minimise the risks from rodent, insects and other pests within the boarding establishment. Such pests should be adequately dealt with without delay to eradicate the infestation.

**Waste Disposal**

4.7 Facilities must be provided for the proper storage and disposal of all waste. Particular care should be taken to segregate clinical waste. All such waste should be incinerated. Arrangements must be made with a waste management contractor authorised for the purposes of the duty of care for removal of wastes from the establishment under the Environmental Protection Act 1990.

**Nutrition**

4.8 All dogs must be adequately supplied with suitable food. Potable water must be available at all times and changed at least daily. The dietary requirements of each dog must be considered and met.

4.9 Eating and drinking vessels must be capable of being easily cleansed and disinfected to prevent cross-contamination. They must be maintained in a clean condition.

**Food Preparation**

4.10 Facilities should be provided for the storage and preparation of food for the dogs.

4.11 Where fresh and cooked meats are stored, refrigeration facilities must be provided, and potential food contamination must be avoided. Containers must be provided for the storage of foods to prevent contamination.

4.12 A sink with hot and cold running water must be provided for the washing of food equipment.

**Disease Control**

4.13 All reasonable precautions must be taken to prevent and control the spread among dogs of infectious or contagious diseases. All dogs should be vaccinated against
canine distemper, infectious canine hepatitis (canine adenovirus), leptospirosis (leptospira carvcola and leptospira icterohaemorrhagiae) and canine parvovirus. It may be necessary to vaccinate against other diseases and veterinary advice should be sought.

4.14 Advice from a vet must be sought if a dog shows signs of disease, injury or illness. A competent person must ensure this advice is followed.

4.15 A fully stocked first-aid kit for use on dogs should be available at all times.

4.16 All appropriate steps must be taken to ensure that the dogs are provided with suitable food, drink and bedding material and adequately exercised when being transported to or from the breeding establishment.

5. Supervision, Fire Precautions and General Safety Requirements

5.1 Dogs must be visited at regular intervals as necessary for their health, safety and welfare. Suitable intervals for visiting means intervals of not more than four hours between 8.00am and 6.00pm. Where possible an evening visit must be made, provided it will not unduly disturb the dogs and cause noise nuisance to neighbours.

5.2 Appropriate steps must be taken for the protection of the dogs in case of fire or other emergencies. Advice should be sought from Staffordshire County Council’s Fire Prevention Officer.

5.3 Heating appliances must not be sited in a location or manner where they may present a risk of fire or risk to dogs.

5.4 Precautions must be taken to prevent any accumulation which may present a risk of fire.

5.5 All electrical installations and appliances must be maintained in a safe condition. There must be a residual current circuit breaker provided to the kennels electrical installation of to individual appliances used where appropriate.
APPENDIX 1

Newcastle-under-Lyme Borough Council Conditions for the Home Boarding of Dogs

This document is an addition to the licensing conditions adopted in October 1999 (Min No 466/00), added with Chairs Approval 1st February 2008.

1. This standard is intended to apply to residents of the Borough wishing to provide a service boarding dogs, as family pets, within their own dwelling. Where a person wishes to board dogs from more than one household this will be considered to be akin to a commercial kennelling service and the standard licence conditions, as adopted in October 1999 entitled “Licensing Standard for Dog Boarding” shall apply.

2. The purpose of these conditions is to ensure that the welfare of boarded animals is protected, and that looking after other people's dogs within a home environment does not cause odour or noise nuisance to neighbours, nor pose a safety risk to children within the household.

3. Only dogs from one additional household up to maximum of three to be boarded at any one time. The number to be determined by the size, space of the premises, the height of the fencing and the physical strength of the carer, and subject to the item below.

4. Where the homeowner has 4 or more of their own dogs, the number of additional dogs boarded shall be reduced so that the total number of the dogs at the dwelling does not exceed six.

5. Dogs boarded should live in the home as family pets. There should be no external construction of buildings, cages or runs. There must be adequate space, light, heat and ventilation for the number of dogs licensed to be at the home at one time.

6. Each dog should arrive with its own bedding, bowls, grooming material etc. These items should be cleaned regularly to prevent cross-infection between dogs. Bedding must be kept clean and dry at all times.

7. Veterinary advice should be sought with relation to cleaning substances so that they or their fumes cannot be harmful to an animal.

8. The licensee must be registered with a veterinary practice that can provide 24-hour help and advice.

9. Proof must be provided that dogs boarded, or resident dogs, have current vaccinations against Canine Distemper, Infectious Canine Hepatitis, Leptospirosis, Canine Parvovirus and any other relevant diseases. The course of vaccination must be completed at least 4 weeks before the first date of boarding or in accordance with veterinary and or manufacturer's instructions. A record that this proof has been supplied must be available for inspection during the period of boarding.
10. All dogs should be treated for fleas, external parasites and worms by the owner or owners’ veterinary surgeon. Any resident dog should be treated and in all cases the information recorded.

11. Where one dog suffers a contagious disease, the licensee must have made arrangements for an isolation facility to be available at a designated vets. Any other unaffected dog must be kept separate.

12. If it is found that a succession of dogs become infected, the licensee must seek veterinary advice. If necessary, he or she must be prepared to close the home boarding service until the veterinary surgeon deems the risk to have passed.

13. If a successive boarded animal falls ill with an infectious diseases, transmissible between animals (e.g. parvo or distemper) the licensees must advise the Council.

14. Dogs must be fed as directed by the client. Fresh drinking water must always be available. The water bowl must be cleaned at least once a day, and the water changed daily.

15. Feeding bowls should be cleaned after each meal. Each dog should have its own feeding bowl.

16. Dry food should be stored away from human food in airtight containers. Uncooked food should be stored in line with Food Safety guidelines.

17. There must be access to a suitable outside area. The area/garden should only be for use by the homeowner (not shared with other residents). Excrement should be collected at least once a day, and more regularly if necessary. It should be wrapped in bags and disposed of through the weekly refuse collection.

18. The exercise area must be totally secure. Fencing should be a minimum height of 1.5m. The fence should be escape-proof, with no elevated areas to enable dogs to escape. There should be no dangerous or sharp objects on which a dog could hurt itself. Gates should be locked or bolted. A warning sign should be placed on any gate giving access to the rear of the property.

19. Dogs must wear a collar and an identity tag during the time in boarding. The tag should display the address and telephone number of the boarding premises.

20. Environmental Health must be informed immediately, by telephone on 01782 742571 if a dog is lost.

21. Dogs should be exercised in accordance with the owners’ wishes. If dogs are taken off the premises, they must be kept on leads.

22. The licensee must have current third party liability insurance to cover any situation where a dog injures a person or livestock or causes an accident.

23. The licensees must keep records that should always be available for inspection.
Records should consist of name of the dog, details of breed, colouring, gender and microchip number if applicable. Name, address and telephone number of owner. Name and telephone number of the owners’ veterinary surgeon. Medical history, vaccination records, medication requirements, and any special feeding and exercise requirements. These records must be available at the time of inspection, and should be kept for a minimum of 2-years. The authority reserves the right to survey any client who has used the service.

24. Licensees must keep records on each dog as to its welfare. Clients should have access to these records. If medication is to be administered this should be recorded.

25. The home must have at least one working smoke detector. A hand-held fire extinguisher and fire blanket is recommended. It is recommended that advice be sought from Staffordshire County Councils’ Fire Prevention Officer. A first aid kit for humans/pets is required.

26. No dog should have access to any heater with a direct flame. No dog should be left alone in a room with cables or wires. Wire and cables should be treated in accordance with health and safety requirements. There must be no use of free-standing gas or oil appliances. Guarding should be provided to an surface or appliance which is likely to be above 43°C to prevent accidental burns.

27. In the case of an emergency, the licensee must have an action plan and be able to provide safe, alternative boarding facilities.

28. No dog should be left unattended for more than 3 hours at a time and then not on a regular basis.

29. The licence should be available for clients to view.

30. No home where there are children under 5 years of age will be considered for licensing, unless the occupier is able to show that the boarded dog and their infant will be physically separated at all times. Only those over 16 years of age should be allowed to walk a dog on their own in a public place.

31. No dog registered under the Dangerous Dogs Act should be accepted for boarding in a private home.

32. The local authority must be satisfied that the licensee is not disqualified from keeping animals under any relevant legislation, and has an understanding of: a) Animal Welfare, b) Cleanliness and hygiene, c) Feeding and food preparation, d) Disease control, recognition and treatment of sick animals, e) Health and Safety, f) Emergency procedures.

33. The appointed Officer of the Licensing Authority will be permitted to, at any reasonable time, have a right of entry onto the premises for the purpose of carrying out any of the relevant statutory provisions. To enable these provisions to be carried out, the appointed officer may take any other person authorised by the Council that may be considered necessary, e.g.: Vet, Policeman, RSPCA Inspector.
34. If a dog were to die on the premises, arrangements must be made for the body to be stored at the vets until the owner returns.

35. If a collection and delivery service is provided, then a suitable vehicle with a dog guard or cage in the rear should be provided.

36. No licence holder may arrange for animals in their care to be placed with any third party other than a Veterinary Surgeon or another Licensed animal boarding establishment.

37. The Local Authority reserves the right to add to these conditions, and to amend standards in accordance with legislative changes, and where it feels additional controls are essential to prevent statutory nuisance to neighbours, safeguard the health and safety of members of the public, or achieve acceptable animal welfare standards.

1st February 2008: Approved Cllr Cooley