

Primary Authority Inspection Plan

November 2014

Developed by the City of London Corporation in support of the co-ordinated scheme between
Ornamental Aquatic Trade Association (OATA) & the City of London Corporation (CLC)

This Inspection Plan relates to the following category of legislation:

1. Animal Establishments

Note: The content of this Inspection Plan may contain Confidential and Commercially Sensitive information. Please seek the approval of the Primary Authority before sharing this inspection plan with other businesses.

Contacts:

Principal Contact at the City of London Corporation is:

Name: Robert Quest Role: Assistant Director, **Animal Health and Welfare Services**, Markets and Consumer Protection.
Address: ARC, Beacon Rd. Heathrow Airport. TW6 3JF
Telephone No: 0208 745 7894 E Mail: robert.quest@cityoflondon.gov.uk

Principal Contact at OATA is:

Name: Keith Davenport Role: Chief Executive
Address: Wessex House, 40, Station Road, Westbury, Wiltshire, BA13 3JN
Telephone No: 01373 301352 E Mail: keith@ornamentalfish.org

1. SUMMARY OF INSPECTION PLAN REQUIREMENTS

The key requirements of the inspection plan are that the following are checked as part of annual licensing (numbers in parenthesis refer to relevant section of the [Model Conditions for Pet Vending Licensing 2013](#) except where other schedules are specifically referenced).

All

Licence displayed (1)

Evidence of relevant staff training (14)

Evidence of registration or other relationship with a vet (6.4)

Care information available at the point of sale either in paper or electronic format

Staff have 24 hour access to the site (15.7) to enable at least daily checks on live animals (9.1)

Animals are healthy and fit for sale (behaving and feeding normally) by visual inspection (isolation of sick animals is possible and precautions are in place to prevent spread of disease as is reasonably practicable (6 and 12)

An inspector should satisfy themselves that the site being licensed as a pet shop is a business (Sct 7.1 of the Pet Animal Act 1951). This might be achieved by consideration of:

- situation and presentation in a recognized commercial setting
- registration with HMRC for tax purposes
- contact with local authority regarding planning or rates (even if none is required or needs to be paid)

“Earned recognition” should lead to less frequent inspection on low risk sites (those that are found to be satisfactory on inspection and are frequently visited by significant numbers of the public but against which no well-founded complaints have been made in the preceding 12 months)

Fish and Aquatic Invertebrates

Water quality (Schedule I) – a test with commercially available kits should be undertaken – water quality records should be inspected (5)

Reptiles and Amphibians

Conditions outlined in Schedule H are satisfied, especially regarding heat (3) and light (4).

For amphibians water quality should be maintained as for fish (Schedule I).

"Feedback is required on inspection activity undertaken, as specified in section 7 of this plan. The feedback must be provided as soon as reasonably practicable after the inspection has been undertaken. This must be sent to the Corporation of London via the Primary Authority Register.

CONTENTS

1. SUMMARY OF INSPECTION PLAN REQUIREMENTS	2
2. Overview	5
3. Scope.....	5
Part A: Inspection Plan Requirements	6
4. National inspection strategy co-ordinated by the primary authority.....	6
5. Inspection activities that are not to be undertaken locally	6
6. Policies / procedures that are not to be checked locally	6
7. Targeting of local inspection activity.....	6
Part B: Information to support local authorities.....	7
Information to guide local inspection activity	8
9. Risk rating.....	8
10. Obtaining information	8
11. Communication.....	9
12. Document Control.....	9

2. Overview

This inspection plan is to be used when inspecting OATA members, for the purpose of licensing them as pet shops (under the Pet Animals Act 1951 (as amended)) opting in to this scheme. OATA is the co-ordinator working with the City of London Corporation (CLC) as the Primary Authority.

OATA members business will usually be primarily in the retail sale of live aquatic organisms. Vertebrates (fish) are covered by the Act whereas invertebrates are not. They may also sell amphibians and reptiles which are also covered by this inspection plan.

If they sell other pets, e.g. small mammals and birds, those species are not covered by this inspection plan. They should however, be inspected to the standards applied to any other pet shop selling those species in the relevant local authority area.

The basis for the inspection plan is the "[Model Conditions for Pet Vending Licensing 2013](#)". This enables inspectors to ensure the key welfare provisions of the Pet Animal Act (particularly sections 3. a. b. d. & e.) are being satisfied. Additional information (listed in text below) can also be freely accessed to assist.

3. Scope

3.1 This inspection plan aims to deliver improved local regulation in the following category of regulation, which is covered by the partnership:

- Animal Establishments¹

In particular to inspections carried out to issue pet shop licenses under the Pet Animals Act 1951 (as amended), in particular the requirements of Section 3. a. b. d. and e., reference must be made to the "[Model Conditions for Pet Vending Licensing 2013](#)".

3.2 The plan applies to the retail premises (and wholesalers where licensed) of OATA members opting into this co-ordinated primary authority partnership between OATA and the CLC.

3.3 This plan applies to all inspection activity undertaken with respect to the sale of fish, amphibians and reptiles by animal establishments noted at 3.1. 'Inspection activity' in this context is defined widely in the [Primary Authority Statutory Guidance](#), and, for the purposes of this plan it covers proactive, planned or programmed regulatory interventions including: inspections; test purchases; sampling visits; other checks on compliance, including those undertaken as an alternative to a premises visits; and advisory visits.

3.4 Reactive interventions undertaken in relation to matters of specific concern about members of OATA opting in to this relationship are outside the scope of this plan. This would include matters of specific concern that arise during a proactive intervention, i.e. while on site officers can legitimately

¹ *Applicable in England and Wales. Not applicable in Scotland or Northern Ireland.*

take an alternative approach to that set out in the plan if problems are identified that need to be investigated.

Where they have the opportunity, local authorities may find it useful to contact Corporation of London in the first instance to obtain any background information that may be relevant to the particular issue of concern, and to avoid potential duplication of effort.

Part A: Inspection Plan Requirements

Local authorities must follow the requirements contained within Part A of the Plan. Should any local authority, having considered this plan, wish to follow an alternative approach to that set out in Part A, they must first make a request to City of London Corporation (CLC) via the Primary Authority Register, setting out their proposed approach and their reasons for it. The alternative approach may be followed where agreement is given by the primary authority, or where no response is received within 5 working days.

CLC would welcome contact from local authorities which may be considering following an alternative approach to this plan, where a discussion may be of assistance.

4. National inspection strategy co-ordinated by the primary authority

Not applicable.

5. Inspection activities that are not to be undertaken locally

Not applicable.

6. Policies / procedures that are not to be checked locally

Not applicable.

7. Targeting of local inspection activity

This inspection plan is intended for lower vertebrates, i.e., fish and reptiles. If a pet shop has any other species present, e.g. mammals and birds, then they should be inspected using the local authorities' current procedures.

The areas of compliance that must be checked in accordance with this inspection plan (numbers in parentheses refer to the relevant section in the Model Conditions) are:

All

Licence displayed (1)

Evidence of relevant staff training (14)

Evidence of registration or other relationship with a vet (6.4)

Care information available at the point of sale either in paper or electronic format

Staff have 24 hour access to the site (15.4) to enable at least daily checks on live animals(9.1)

Animals are healthy and fit for sale (behaving and feeding normally) by visual inspection (isolation of sick animals is possible and precautions are in place to prevent spread of disease as is reasonably practicable (6 and 12)

An inspector should satisfy themselves that the site being licensed as a pet shop is a business (Sct 7.1 of the Pet Animal Act 1951). This might be achieved by consideration of:

- situation and presentation in a recognized commercial setting
- registration with HMRC for tax purposes
- contact with local authority regarding planning or rates (even if none is required or needs to be paid)

Fish and Aquatic Invertebrates

Water quality (Schedule I) – a test with commercially available kits should be undertaken – water quality records should be inspected (5).

Fish are healthy and fit for sale (behaving and feeding normally) by visual inspection (12) isolation of sick fish is possible (6) and precautions are in place to prevent spread of disease as is reasonably practicable (6.5).

Reptiles and Amphibians

Conditions outlined in Schedule H are satisfied, especially regarding heat (3) and light (4). For amphibians, water quality should be maintained as for tropical freshwater species of fish (Schedule 1).

Part B: Information to support local authorities

Part B of this plan does not impose requirements on local authorities. It contains suggestions or content that is for information only.

8. Information to guide local inspection activity

[Model Conditions for Pet Vending Licensing 2013](#)

The following documents are available from a dedicated page on the [OATA](#) website;

Code of Conduct

Water Quality Criteria –booklet explaining the interpretation of measurements and management of water quality

Biosecurity-future proofing the industry

OATA members voluntary self audit sheets

Information on OATA training

Care sheets –available from the retailer or from OATA (which may be made available in print or electronically at the point of sale)

Further information can be obtained from the Owner/Duty Manager at the pet shop concerned, from OATA or the City of London Corporation – contact details are as in Section 1 above.

Information to guide local inspection activity

9. Risk rating

Pet shops are formally inspected by Local Authorities to ensure they satisfy the requirements of the Pet Animal Act 1951 (as amended). Pet shops in normal commercial retail settings are also subject to scrutiny by the general public on every day they trade.

Under the Act, Local Authorities must issue a license annually to compliant establishments, but an inspection frequency is not stipulated. Therefore, Local Authorities may choose to implement an “earned recognition” system and inspect low risk premises less frequently. Premises may be deemed low risk by the Local Authority if they have an inspection history that demonstrates high levels of compliance, and if they are frequently visited by significant numbers of the public and have had no well-founded complaints made against them in the preceding 12 months. The number and type of species held for sale may also be taken into account.

Pet shops operated from private dwellings, or those open only by appointment, do not receive the same numbers of visiting public as those in commercial retail settings. Where public visits to a site and hence scrutiny is limited, careful consideration will be necessary before reducing inspection effort. The inspection visits maybe the only independent external scrutiny to which the pet shop is exposed.

10. Obtaining information

See 8 (Information to guide local inspection activity) above.

11. Communication

By email or telephone see contact details in Section 1 above.

12. Document Control

Amendments to this document will be made by CLC in consultation with OATA, where appropriate. Amended versions of the plan will be published via the Primary Authority Register following consent from the Secretary of State.

[use this section to detail the most recent amendments to the plan. This will help enforcing authorities to identify where a plan has been amended in a minor way, e.g. by updating contact details, and where there have been more significant change, e.g. the addition of a category of regulation].

Date	Nature of amendments	Made by	Version No.