



Department  
for Environment  
Food & Rural Affairs

# Ban of commercial third-party sales of puppies and kittens in England

## Summary of responses and way forward

December 2018



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Any enquiries regarding this publication should be sent to us at

[AnimalWelfare.Consultations@defra.gsi.gov.uk](mailto:AnimalWelfare.Consultations@defra.gsi.gov.uk)

[www.gov.uk/defra](http://www.gov.uk/defra)

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# Introduction

1. This document provides a summary of responses to the Department of Environment, Food and Rural Affairs' (Defra) consultation exercise on the proposed ban of commercial third-party sales of puppies and kittens in England. The consultation ran for four weeks from the 22 August until the 19 September 2018. This document provides a summary of the responses received and details the next steps for the proposals on commercial third-party sales and rescue and rehoming centres. We are grateful to all the individuals and organisations that took the time to respond to this consultation. Given the number of responses, it does not offer a detailed opinion on all comments received. A copy of the original consultation document is available at: <https://consult.defra.gov.uk/animal-health-and-welfare/third-party-sales/>
2. Commercial third-party sellers are those who are licensed pet sellers, but are not licensed pet breeders; they will hold a licence under either the Pet Animals Act 1951 or the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 ("the 2018 licensing regulations") to sell puppies and kittens commercially that they have not bred themselves. "Puppy" and "kitten" mean a dog or cat that is under six months old.
3. Currently, puppies and kittens can either be purchased via a third-party seller, or directly from a breeder. There are no records of the number of puppies sold via third-parties but estimates range between 40,000 and 80,000 in Great Britain per year. A number of responses to the government's Call for Evidence on the issue (e.g. Canine Action UK) suggested that there are about 74 pet shop licence holders actively selling puppies, of which 63 are in England.
4. The government is proposing to ban commercial third-party sales of puppies and kittens in England. This will prevent pet shops, pet dealers, and other outlets from selling these animals in England unless they themselves had bred them. The ban will extend to England only, because animal welfare is a devolved matter. However, the government will pursue a coordinated approach with the devolved administrations as far as appropriate and practicable.

## Why we are proposing a ban

5. There are concerns that commercial third-party sales lead to poorer welfare conditions for the animals compared to when people buy directly from the breeder. Third-party sellers can be supplied by high-volume commercial breeding establishments. This supply chain can result in the early separation of puppies and kittens from their mothers, the introduction to new and unfamiliar environments, and the increased likelihood of multiple journeys the puppies and kittens have to undertake. All of these can contribute to an increased risk of disease and a lack of socialisation and habituation for puppies and kittens.

6. In addition, there are concerns that commercial third-party sales may be associated to a greater degree with impulse purchases. These may have consequences not only for the animal but also for owners, including unexpected vet bills, issues with socialisation, and increased numbers of pets being given up or having to be rehomed.
7. The rationale for a ban on commercial third-party sales is that such a ban will further protect the welfare of puppies and kittens and is an important step to improving standards in breeding establishments. A ban will:
  - Ensure consistency with government advice that purchasers should seek to see puppies or kittens with their mother;
  - Incentivise welfare improvements in high volume commercial dog breeding establishments by ensuring transparency, accountability and appropriate remuneration for breeders;
  - Assist purchasers in making informed choices based on seeing a puppy or kitten with its mother, and encourage responsible buying decisions;
  - Reduce the sale of puppies which have not been bred to recognised standards of welfare in England.

## **The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018**

8. The 2018 licensing regulations significantly modernise and enhance the welfare requirements applying to dog breeding, pet sales and other pet-related activities licensed by local authorities in England. They came into force on 1 October 2018. These reforms introduce a wide range of improvements. In particular they:
  - Require all licensed dog breeders and licensed sellers of all pet animals, including sellers who are not also breeders, to adhere to enhanced strict statutory minimum welfare standards linked to the animals' welfare needs set out in the Animal Welfare Act 2006.
  - Prohibit the sale of puppies, kittens, ferrets or rabbits below eight weeks of age. This is also supported by recent changes to Defra's statutory Cat and Dog Welfare Codes which provide guidance aimed at cat and dog owners.
  - Require any licensed pet seller advertising pets for sale to include their licence number in the advert as well as identifying the local authority that issued it, a photo of the pet, its age, country of residence and country of origin. This will help people identify pets offered for sale from unlicensed sellers including those based abroad.

- Require the sale of a dog to be completed in the presence of the purchaser on the premises where the licensed seller or licensed breeder has been keeping the dog, thereby banning online sales by licensed sellers and breeders.
  - Require licensed dog breeders to show puppies alongside their mother before a sale is made and only sell puppies they have bred themselves.
9. The proposed ban on commercial third-party sales could be introduced through a new licence condition in Schedule 3 of the 2018 licensing regulations (Specific conditions: selling animals as pets). It would include a prohibition on licence holders from selling puppies and kittens that they have not bred themselves.

## Responses to the call for evidence

10. A Call for Evidence was launched in February 2018 to gather evidence around the impacts of a ban on commercial third-party sales of puppies and kittens. We received just over 300 responses. Of these, around 70% provided arguments in favour of a ban and less than 10% provided arguments against.
11. A number of leading sector organisations expressed support for the ban due to welfare concerns associated with third-party sales. Organisations that supported the ban included the RSPCA, Cats Protection, the International Fund for Animal Welfare, Canine Action UK, Care and Respect Includes All Dogs (C.A.R.I.A.D), the British Veterinary Association/British Small Animal Veterinary Association (BSAVA), Dogs Trust, Kennel Club, People's Dispensary for Sick Animals (PDSA), and Battersea Dogs and Cats Home. They suggested that animals sold by third-parties can have a higher risk of serious health and behavioural problems arising from a lack of socialisation and habituation than animals sold by the breeders. This was considered to be linked to the additional travel from the place of birth to sale, change in environment and surroundings, and often premature separation from the animal's mother.
12. The Pet Industry Federation, Blue Cross and the Ornamental Aquatic Trade Association provided views about the impact to the pet industry and whether such a ban would improve animal welfare.
13. The Canine & Feline Sector Group, which represents the whole sector, supported the principle of a ban and considered that the 2018 licensing regulations could be allowed to bed in before additional action is taken.

## Non-commercial rescue and rehoming organisations

14. In response to the Call for Evidence, a number of stakeholders raised a concern that third-party sellers could attempt to circumvent the ban by presenting themselves as rescue and rehoming charities. This is because under current guidance a breeder's licence is not required by 'Registered charities that rehome puppies that are born to

rescue dogs, unless such charities are in practice running this element of their operations as a business activity.’<sup>1</sup>

15. Currently, rescue and rehoming organisations, where a significant rehoming fee is charged and the operation is geared to profit-making, must be licensed as pet sellers under the 2018 licensing regulations. A commercial rehoming centre which is licensed as a pet seller would be subject to the ban on commercial third-party sales, and would be unable to sell puppies and kittens under six months of age that they had not bred themselves.
16. There have also been concerns expressed about poor welfare and poor biosecurity in some rescue and rehoming centres, especially where the puppies or kittens are sourced from abroad.

## Consultation and views sought

17. The consultation was primarily focused on the proposal to ban commercial third-party sales of puppies and kittens. The consultation proposed three policy options for respondents to consider:
  - Option 1: Do nothing.
  - Option 2: Introduce a ban on commercial third-party sales of puppies and kittens in England.
  - Option 3: Introduce a ban on commercial third-party sales of puppies and kittens in England and run an information campaign to raise awareness of best practice when it comes to purchasing a puppy or kitten.
18. Whilst the consultation also sought views on the licensing of non-commercial rescue and rehoming centres, this proposal was not included in the accompanying regulatory triage assessment (RTA) and would need to be subject to further engagement and consultation with stakeholders.
19. The next part of this document provides a summary of the responses received by individuals. This is followed by a summary of responses received by key stakeholders. The final part outlines the government’s next steps.

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<sup>1</sup><http://www.cfsg.org.uk/The%20Animal%20Welfare%20Licensing%20of%20Activities%20Involvi/d.%20Defra%20Guidance%20notes%20for%20Breeding%20Dogs.pdf>

## Summary of responses from individuals

20. The consultation received 6,854 responses on the government’s online consultation portal (Citizen Space) and 14 responses by email. Whilst most responses were provided by individuals, a significant number also came from groups with a special interest in the proposals. The views of some of these stakeholders are discussed in the next section of the report. The consultation asked if respondents would like their response to be confidential. 11% answered that they did want their response to be confidential, 88.5% did not, and 0.5% did not answer.

Category	Number of respondents on Citizen Space who listed an organisational affiliation	Number of responses by email	Total
Veterinary practice, surgeon or nurse	39	1	40
Animal rescue, rehoming or rehabilitation centre, including breed specific centres, and those who volunteer and provide foster care	115	5	120
Hobby and commercial breeders, breed clubs, societies and associations	48	0	48
Dog trainers, behaviourists, walkers, groomers	64	0	64
Third-party seller, pet shop, pet industry federation	4	1	5
Kennels, catteries, stables	15	0	15
Animal welfare charities, campaigns, activists	40	1	41

21. Not every respondent answered each question, nor did everyone provide further comment in the free text boxes. We have not therefore provided a detailed statistical analysis. In the question by question breakdown below we have sought to give a sense of the weight of respective views and reflect the wide number of thoughtful comments. For nearly every opinion put forward, the countervailing view was also shared.



Therefore, whilst representing the diversity of opinions shared, the summary responses are concerned primarily with the majority view.

## Ban on commercial third-party sales of puppies and kittens

**Do you agree or disagree with a ban on commercial third-party sales of puppies and kittens in England? Please set out your reasons why.**

Agree: 96.47%

Disagree: 3.2%

Not answered: 0.34%

22. A total of 6,612 people answered the first part of this question. Of these, 6,262 people set out their reasoning in the free text box. The vast majority were in favour of the ban, with respondents citing reasons related to: animal welfare; puppy farming; the import trade; and health issues. Those who disagreed with the ban or expressed concerns with the proposal tended to argue in favour of tougher regulation rather than an outright ban.

### Animal welfare

**“The breeders and sellers in the commercial 3rd party sales market do not have animal welfare at the heart of what they do. Many of the parents, in particular mums, are kept in poor conditions. Often the pups are removed too young and transported for long distances. Once with the sellers they are kept in pens / cages with little socialisation and human contact.”**

23. Most respondents agreed with the ban on the grounds of animal welfare concerns for puppies and kittens sold by third-parties. Many considered the underlying profit motive of third-party sellers to be incompatible with the welfare needs of young animals. Some respondents were concerned that puppies and kittens were separated from their mothers at too young an age, resulting in lasting behavioural issues. Some considered that the ease with which a buyer could get a puppy or kitten from a third-party seller meant they were more likely to be associated with impulse purchases. Others expressed concern that breeding animals were neglected or abandoned when they were no longer required.

24. Many held the view that pet shops were not appropriate environments for puppies and kittens to be raised in. Some respondents were concerned by the amount of time that puppies and kittens were kept in small enclosures and the risk that they could be exposed to cruelty by the public or employees. A few respondents were of the view that there was heightened stress levels for animals on display every day without access to a private space shielded from public view.

## Puppy farms

25. Much of the support for the ban stemmed from those who saw it as a means to tackle mass-breeding at so-called “puppy farms”. Many respondents believed that third-party sales allowed high-volume breeders to avoid displaying the animals with their mothers in order to hide health issues which might only become evident once a puppy had been bought from a shop or dealer. Mass breeding establishments were deemed to inadequately provide for the welfare of breeding dogs and their litters.

## Import trade

**“Puppies are shipped in from overseas to sell in pet shops. The travel conditions are often less than sanitary and are very frightening for them. Also there are many illegal imports (too young, forged paperwork, not complying with TRACES<sup>2</sup>). This will remove the market for them.”**

26. Many respondents were concerned with the link between third-party sales and the growing trade in imported puppies from other EU member states. Long distance travel was deemed highly stressful for young animals, and brought with it heightened risk of disease exposure which could spread throughout the general canine population. Some respondents said that removing the incentive to import puppies could lead to an increase in the number of animals adopted from rehoming centres.

## Health

27. Many respondents believed that third-party sales were associated with a higher incidence of health issues in the canine population as a result of the complex supply chains that puppies were bred, transported and sold via. Many respondents considered that a lot of these health issues could be avoided by keeping the puppy or kitten with its mother until it was ready to be moved to a permanent home. Some respondents were concerned by the lack of traceability from third-party sales as it meant that genetic issues could not be traced back to the breeder. A few respondents were concerned that pets with health issues resulted in an increase of pets abandoned or given to rehoming centres as families were unwilling or unable to care for their health needs.

## Opposition to the ban

**“Well-regulated third-party sales are the way forward, banning will drive the creation of a black market where the welfare of the puppies and kittens will be put at risk. Improved licensing and inspection of conditions and treatment should be encouraged. Or alternative approaches to sales via third-parties considered for example, the third-party would act as a broker with breeders, where the breeder would be responsible for the animal and the third**

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<sup>2</sup> The Trade Control and Expert System (TRACES) is a web-based system run by the European Commission’s Directorate-General for Health and Consumer Protection. It aims to make the paperwork for trading in animals and animal products easier by generating the necessary documents and sending copies to the appropriate authorities.

**party would broker the sale only to the point of exchange with the person purchasing the animal.”**

28. A very small proportion of respondents disagreed with the proposal to ban commercial third-party sales of puppies and kittens. Those who held this view were concerned that a ban would drive businesses underground and may result in less scrutiny and enforcement of animal welfare standards. A few respondents questioned whether breeders inherently guaranteed higher standards for their animals. Those who held this view advocated for tighter regulation of breeders in addition to the ban.

**Do you believe that a ban will have negative or positive impacts on the welfare of animals? Please set out your reasons why.**

Positive: 97%

Negative: 2.3%

No answer: 0.7%

29. Altogether 6,649 people responded to the first part of the question; of these, 5,957 people provided further comment in the free text box. An overwhelming majority of respondents believed that a ban would have a positive impact on the welfare of animals.

30. Those who believed that a ban would have a positive impact gave the following reasons:

- It would ensure puppies and kittens were kept with their mothers in a suitable environment for longer.
- It would result in fewer impulse purchases and abandoned dogs and cats.
- It would force the closure of or drive up standards at high-volume breeding establishments.

31. Those who believed that a ban would have a negative impact gave the following reasons:

- It would fail to tackle the issue of unscrupulous breeding.
- It would drive the trade further underground.

## **Reasons for positive impact on animal welfare**

**“Puppies/kittens need to be able to stay with their mother until the appropriate age to ensure they are healthy. Taking animals from their mothers too early can cause complications later in life.”**

32. Many respondents felt that puppies and kittens should not be separated from their mother at too young an age. Respondents opposed the sale of animals by pet shops on the grounds that such premises were unsuitable environments to keep young dogs and cats in. Some questioned the motivation for third-party sellers arguing that profit rather than animal welfare was their primary concern. As a consequence of this,

respondents said that third-party sellers were unlikely to ever refuse a buyer on the grounds that they were unsuitable for the animal in question.

33. Respondents expressed concern about the long-term effects on puppies and kittens of being separated from their mothers, reared in a non-domestic setting, and travelling long distances at a young age. In particular, the lack of social interaction both with humans and other dogs was considered detrimental to their development. Most respondents thought that there would be welfare benefits to breeders selling their litters directly to new owners. Many respondents thought that without third-party sellers, those looking for a new pet would have to turn to licensed breeders or rescue and rehoming organisations. These outcomes were considered to be positive, both for the individual animal and for the wider population of cats and dogs.
34. Many respondents held the view that the decision to purchase of a puppy or kitten should only be taken after careful consideration and preparation. 'Impulse' or 'click and collect' purchases of puppies and kittens were thought to be associated with higher incidences of abandonment, as owners were ill-prepared for the responsibilities of pet ownership. These responsibilities included expensive veterinary care which respondents thought was more likely to be required for puppies and kittens bred in high-volume breeding establishments and sold via a third-party.
35. Respondents commented on purchasing decisions driven by popular trends and the aesthetic appearance of an animal rather than its behaviour and needs. If owners were encouraged to make more informed choices about what was the right pet for their circumstances, this could lead to a reduction in the number of animals having to be rehomed and the negative welfare associated with this. There was also concern that third-party sellers dumped unsold stock when they passed an age that was less desirable for buyers.

**“If people can only acquire from breeders or rescue centres, they will be able to assess that the conditions are good and they are buying a healthy kitten or puppy. It might also decrease the number of unwanted animals as they will be less of an impulse buy.”**

36. Respondents noted that high-volume breeding establishments which keep a large number of breeding bitches in low welfare environments were able to maintain poor standards because their stock was often sold to third-party sellers. If this route to market was removed, mass breeders would be forced to either exit the market, or improve welfare standards such that they would allow public access and scrutiny of their establishments. Respondents hoped that this would have a positive effect on the conditions that breeding mothers were kept in.

## **Reasons for no or negative impact on animal welfare**

**“There is a huge insatiable demand for puppies that responsible licenced breeders cannot meet, consumers will source their puppies from the cheapest, quickest and easiest source**

**available to them and this still does not address the welfare issues that are associated with commercial breeding establishments (licensed or unlicensed) and from imports.”**

37. Many respondents were concerned that the trade in puppies and kittens could be driven underground as a result of the ban. This view was put forward both by those who opposed the ban and by those who supported it. Some expressed the view that local authorities should do more to ensure breeders complied with animal welfare regulations.
38. Others questioned how the ban would be enforced. A number of breeders were concerned about the effect of the ban on their business. This was expressed by both ‘hobby breeders’ and commercial breeders. Some commercial breeders argued that they may find it more difficult to sell directly to the public due to their isolated location.
39. A few respondents were concerned that the ban would encourage puppy farming rather than address it. Whilst others noted that there was a risk that excess stock and breeding bitches would be abandoned. To avoid this, respondents recommended a sufficient lead-in time before the ban would be introduced.
40. A small number of respondents thought the ban would have neither a positive nor negative effect, considering that the real problem lay with breeding practices not licensed pet sellers.

## **Other comments**

41. Some respondents called for close coordination with the other devolved nations to ensure a consistent approach across the whole of the UK, noting that the ban, if introduced, would only apply to England.
42. Others thought that the 2018 regulations should be allowed to bed-in before any further changes were introduced. They considered that better publicity about the new standards would help the public to understand the right steps to take when looking for a puppy or kitten.
43. A few respondents recommended that the ban should not just apply to puppies and kittens but other animals. Similarly, some respondents thought that pet shops should be banned from selling animals altogether.

## **Regulatory triage assessment**

- A regulatory triage assessment (RTA) was published alongside the consultation. It included a summary of the expected costs and benefits for the three options put forward. Based on this, it recommended Option 3.  
Option 1: Do nothing (baseline).  
Option 2: Ban commercial third-party sales of puppies and kittens in England.

Option 3: Ban commercial third-party sales of puppies and kittens in England, as well as running an information campaign to raise awareness for the general public around best practices for buying a puppy or kitten.

44. The consultation asked respondents for views on the assumptions and conclusions set out in the RTA. Under half of the respondents who participated in the consultation responded to this question. Of those who responded a small proportion said they were not able to access the file and hence were unable to provide views.
45. Many respondents explicitly provided a view on which of the three options was best. Of those who expressed a view about which option was best, the vast majority supported Option 3. A very small proportion preferred Option 2. None of the respondents said they would prefer Option 1 of doing nothing. Another group of respondents said more generally that they agree with the RTA, although did not explicitly state support for Option 3.
46. A minority of respondents used this question to raise specific concerns with the recommended policy, including a small number who felt that it should be extended to cover other species such as rabbits and horses. Others suggested that the policy should extend to the whole of the UK rather than just England. Some respondents flagged the risk that there would be a loophole around rescue and rehoming centres. Others raised concerns that the policy would not do enough to tackle puppy farming and online sales. A number of respondents also suggested that more funding should be provided for the campaign in order to ensure that it is effective in triggering behaviour change.
47. A number of respondents were critical of the fact that the RTA had a focus on costs and commercial considerations rather than animal welfare implications. They felt that the decision should be made based on animal welfare rather than costs. As set out in the government's Better Regulation guidance, understanding the costs, benefits, and risks of any new measure or proposal is fundamental to better regulation and better policy making.<sup>3</sup> All new policies, programmes and projects should be subject to a proportionate assessment of costs and benefits in accordance with the Green Book principles. This is to assess the risk associated with all proposals that will have an impact on the public, private or third sector, and to ensure policies are grounded in a robust evidence base. In line with this, it was important that the costs to businesses were included in the RTA and were considered alongside the full range of impacts including animal welfare benefits. As well as the business impacts, the RTA did also include an assessment of the non-financial impacts, including the animal welfare benefits that were expected to arise as a result of a ban on third-party sales, although these benefits could not be quantified. Some respondents felt that wider impacts such as stress for consumers should have been quantified. However, no evidence was

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<sup>3</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/735587/better-regulation-framework-guidance-2018.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/735587/better-regulation-framework-guidance-2018.pdf)

provided as to the scale of these impacts, or suggestions for how these could be quantified.

48. In terms of our assessment of the scale of costs to business of the ban, while some respondents said they broadly agreed with the assumptions, a small number of respondents suggested that the price of the animals used in the RTA was too low and the proportion of pet sales that were made via a third-party were too low, meaning the RTA had underestimated the revenues accruing to third-party sellers.
49. The RTA suggested that the impact of a ban on the supply of puppies and kittens was uncertain, as a proportion of breeders would drop out of the market as a result of the ban on third-party sales, but existing breeders might increase their production levels. A small number of respondents commented on this but views were mixed. Some estimated only a small number of breeders would drop out of the market, while others suggested the number of hobby breeders may decline due to licencing regulations.

## Licensing of Non-Commercial Rescue and Rehoming Organisations

**Do you agree or disagree with the idea of licensing rescue/rehoming centres under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018? Please set out your reasons why.**

Agree – 90.17%  
Disagree – 7.66%  
No response – 2.17%

50. Altogether 6,180 people answered the first part of the question, of which 5,723 people provided further comment. Currently, those who operate a rescue and rehoming centre as a commercial business should have a pet seller's licence. This question sought views on whether non-commercial rescue and rehoming centres, which are typically registered charities, should also be covered by the 2018 regulations. Overall, there was a very high-level of support for this proposal. Those who were supportive were broadly evenly split between those who supported the initiative unequivocally, and those whose support was conditional upon certain criteria being met. Those who agreed with the proposal provided a range of reasons which broadly fell into four themes related to:

- Improving animal welfare standards
- Preventing profit-driven, illegal or unethical trade
- Enhancing accountability, transparency and consistency in the sector
- Supporting prospective pet owners to make informed choices

51. Respondents' previous experiences of rescue and rehoming centres tended to influence their views. Some of those who had had largely positive encounters with rescue centres did not consider licensing to be necessary. Whereas those who had

had negative encounters generally supported the proposal. Some respondents misunderstood the question by assuming that Defra was recommending rescue and rehoming centres take up breeding. This was not what was being proposed by either the ban or the licensing of rescue and rehoming centres. Some respondents said that they did not fully understand what was involved in licensing and the likely impacts this would have on rescue and rehoming centres. Others questioned the government's motive, suggesting that revenue for local authorities rather than animal welfare was driving the initiative.

## Licensing will improve standards of animal welfare

**“At present, anyone with the inclination can set up a rescue. Without relevant experience or funds. I have first-hand experience of ‘rescues’ who started out with good intentions, becoming overwhelmed, having no proper protocols and procedures and in turn this has resulted in many animals becoming unwell, suffering and even dying. There are also growing numbers of “rescues” who in fact are using rescue animals to breed from and profit from them. Legislation and licensing would ensure that anyone who sets up a rescue, does so in a proper and professional manner with the best interests of the animals at its heart.”**

52. In support of licensing, many respondents simply cited improving animal welfare.

Some referred to examples of poor welfare standards that they had witnessed in rescue and rehoming centres and those that did not follow best practice in regard to behavioural assessment of animals in their care. Many respondents noted that in the current framework anyone could establish a rescue and rehoming centre, without any knowledge of animal health, welfare and behaviour. Some respondents argued that licensing would safeguard and protect animals from cruelty and neglect.

53. Many respondents said that rescue and rehoming centres were often set up by well-meaning people but that over time they could struggle to maintain standards due to a shortage of funds and volunteers. Many also raised the risks associated with rescue and rehoming centres taking in more animals than they had the resources to care for, with negative outcomes for the animals. In this way, some saw licensing as a means to address welfare issues arising from so-called animal hoarding.

## Licensing will prevent profit-driven, illegal and unethical trade

**“You must regulate rescue centres because many are just pet shops disguised as rescue. They are importing pups from places like Ireland at a sensitive age leading to permanent emotional damage. These organisations have no knowledge of animal welfare of behaviour. These organisation often choose aversive methods of rehab leading to compromised welfare and behaviour problems.”**

54. Many respondents supported the proposal as a means to prevent those who were motivated by profit from opening animal rescue and rehoming centres. There was widespread criticism of ‘unscrupulous’ individuals who run rescue and rehoming centres for commercial gain, and use them as a clearing house for puppy farms. Many



referred specifically to the risk of a loophole opening if the third-party sales ban was introduced, which would allow third-party sellers to present themselves as a rescue centre whilst still charging commercial 'donation' fees as a means to evade the ban. More broadly, respondents argued that licensing would help tackle illegal and unethical practices, including pet theft.

55. Some commented on issues related to the import of rescue dogs from abroad. A range of arguments against the trade were put forward including biosecurity risks and behavioural issues of some imported rescue dogs. This could result in animals being unsuitably rehomed, and ultimately ending back in the rescue system. Broadly, more respondents were against the import of rescue dogs than those who supported the trade.

### **Licensing will enhance accountability, transparency and consistency across the sector**

**“Standards need to be regulated whether they are a rescue/rehoming centre or not. A license will hopefully maintain welfare of the animals in their care and although the majority of the rescue/rehoming centres are excellent, a license would ensure the welfare and conditions are upheld.”**

56. Many respondents supported licensing as a means to establish a common set of standards for the sector. The need for guidelines or a code of practice was mentioned by many, with a few supporting the roll-out of the Association of Dogs and Cats Homes' (ADCH) existing voluntary standards.

57. The view that all those who care for animals should be licensed was commonly expressed with many arguing for the inclusion of rescue and rehoming centres in the 2018 licensing regulations. Respondents expected that a system of inspections would drive up standards and lead to greater accountability. A few noted that the licensing system should incentivise higher welfare standards rather than discourage the activity altogether. Many suggested that rescue centres would welcome licensing, and that those with nothing to hide would have nothing to fear.

58. Some respondents called for greater financial transparency surrounding how rescue centres' funds were raised and spent. The value of having a national register of all rescue centres was noted as this would enable better monitoring and coordination. Many respondents said that to be effective and enforceable, licensing would have to be linked to a system of inspections.

## Licensing will support prospective pet owners to make informed choices

**“Because people need to know that if they go to one of these establishments to rehome a pet that it is all above board and that the animals are well cared for and healthy and that they will get the proper advice and follow up support.”**

59. Some respondents identified broader benefits from licensing beyond immediate animal welfare concerns. It was suggested that licensing would help those looking for a new pet to identify legitimate establishments, and provide assurance that they were rehoming an animal in need. A code of practice would also help ensure that centres conducted an adequate assessment of the animal and prospective owner to ensure a suitable match was made. A few respondents commented that a robust rehoming process would ensure that rehomed animals posed no risk to public health and safety.
60. More generally, respondents argued that licensing would enable those looking to rehome an animal make a more informed choice and ensure the right support was offered to them in the long-term. It would also offer assurance that donations were going to a worthy cause and by legitimising their activities, licensing might help rescue and rehoming centres raise funds and encourage pet seekers to adopt rather than shop.

## Licensing provided risks are minimised

**“I agree that these centres should be overseen for health & safety reasons to check on the conditions that the animals are being kept in & to assess their well-being. However, I am concerned that excessive regulation would have an impact on the work if many smaller, independently run charities that are doing extremely valuable work caring for unwanted or neglected animals. Regulation would have to focus on the well-being of the animals with site visits to see the animals regularly, rather than requiring the charities to provide extensive paperwork to indicate compliance.”**

61. Many respondents supported the proposal provided certain conditions were met and exemptions put in place. By far the most common of these was the condition that licensing should be low or zero-cost for rescue and rehoming centres. Some considered that the licensing system should be publicly funded. Many suggested licence fees should be on a sliding scale, and should not result in any centres closing. Similarly, some suggested that the time and effort required in order to comply with licensing conditions should be kept to a minimum.
62. A few respondents said that licensing should also be extended to other animal species. Some noted that the occasional accidental litter in a rescue centre should not be taken as evidence of breeding nor of a third-party sale. Other exemptions recommended by a few respondents included:
- breed rescues
  - members of the Association of Dogs and Cats Homes (ADCH)

- foster carers who temporarily take in animals on behalf of rescue and rehoming organisations.

## Arguments against the licensing of rescue and rehoming centres

**“I don't agree in principle as the end aim is very different. Breeders and third-party sellers have a commercial aim in mind, rescue organisations have already the welfare of animals at heart and there is no financial gain. Normally such organisations are already overstretched and making them jumps through hoops of endless paperwork or increased expense would result in such centre closing and therefore ultimately being detrimental to animals.”**

63. Of those who responded to this question 7.66% disagreed with the proposal to license non-commercial rescue and rehoming centres. Most of those who disagreed with licensing argued that it would introduce a bureaucratic and financial burden on centres that would discourage their good work and may result in some closing down. Some said it would take away valuable funds from rescue and rehoming centres that would be better spent providing for the animals in their care. Related to this, was the concern that small centres in particular would struggle to comply and this could result in animals having to be taken in by other centres or euthanised. Some suggested that licensing would act as a barrier to new centres opening. A few considered that licensing was unnecessary as most are run to a high standard and rarely have in their care puppies and kittens less than six months old.

64. Some respondents thought licensing of rescue and rehoming centres would not address the real problems stemming from bad breeding practices. They argued that tougher action on breeders was needed.

## Other comments

65. Many respondents commented that they thought rescue and rehoming centres were already regulated and were surprised to discover that this was not the case.

66. The need for a transition period was noted by some in order for centres to have time to introduce any changes needed to comply with licensing conditions. Some stated that veterinarians should be involved in designing the standards and conducting licence inspections. A few respondents said that licensing would provide valuable data on the number of animals in rescue and rehoming centres which would help to ensure the right policies and resources were put in place to support them.

## Definition of non-commercial rescue and rehoming centres

67. This question received 5,170 responses. Many respondents stated that they did not understand the question or that 'rescue' and 'rehoming' was sufficient and self-explanatory. Some said that they did not consider themselves qualified to respond or

that it was for centres themselves, veterinarians and other experts to propose a definition. Many respondents pointed to well-known animal welfare charities as examples of best practice that any definition should be based upon. A few thought the issue was out of scope and should be subject to an independent consultation exercise.

68. There was some repetition in the responses to this and the preceding question which reflects the confusion surrounding the meaning and purpose of 'definition' in this context. The question could have been phrased differently to more clearly set out what was being asked of respondents, namely for them to propose a definition of the activities that should be in scope for licensing and through this the activities that should be exempt from licensing. Despite this confusion, we received many valuable responses which explored possible licensing conditions. In this way, many respondents provided detailed views on what rescue and rehoming centres 'should' and 'shouldn't' do. Stakeholders representing animal welfare organisations were more likely to provide a standalone definition; these suggestions are explored in the next section.
69. Those who responded to the question tended to comment on aspects related to rescue and rehoming centres' operating model; services and standards; and oversight mechanisms.

## Operating model

**“There must be no commercial aspect to the operation. Animals passing through the centre cannot be bought or sold. A reasonable fixed charge or voluntary donation could be allowed to help finance the running of the centre.”**

70. A large proportion of respondents argued that all rescue centres should be run on a not-for-profit basis, with registered charity status. Whereas a minority view held that centres should be allowed to operate commercially. Many supported the practice of centres charging a small donation fee to cover costs, whilst others argued that fixed fee donations were a strong indicator of selling. It was noted that if registered charity status became a requirement of licensing, this would not necessarily prevent third-party sellers establishing themselves as a rescue centre.
71. Respondents offered different views on what type of operations should fall within the scope of licensing. Some suggested that anyone who cares for unwanted animals should be defined as a rescue centre. Those who held this view did not tend to support exemptions for foster carers, small rescues run by individuals from their home and online rescues. Others considered that these activities should be exempt, arguing that only those operating from non-residential premises containing boarding facilities should be subject to regulation. Rather than based on the type of premises involved, some respondents thought licensing should be based on the regularity with which someone took in unwanted/stray animals. If done on an ad-hoc basis then licensing was considered unnecessary by some, whereas if someone regularly received animals for rescue or rehoming either on an individual basis or as part of a group/organisation, the need for licensing was deemed stronger.

72. Some considered whether there should be a threshold for the number of rescue animals an individual or organisation could care for without a licence and above which a licence would be required. It was noted that any threshold could either relate to the number of animals held concurrently, or the throughput in a given time period. There was a wide range in numbers put forward for a threshold from one to 100, though the majority of responses ranged from five to 20. Some also suggested that licensing include a staff to animal ratio that rescue centres were required to meet. Others were opposed to a minimum threshold, arguing that all individuals and organisations that take in any animal should be licensed. This position was held by many of the national animal welfare charities, as is discussed in the next section.

**“I think numbers dealt with would be a place to start. That way, if someone just takes in a few dogs and cats, which often happens when people hear that someone is willing to look after strays and then local people start taking them animals, they won't necessarily have to be part of the regulations; otherwise people like that would probably have to stop. It is also very unlikely that someone who deals with a few animals like this is going to be doing it for profit.”**

**“Anywhere that takes in unwanted animals as strays or from the public, anywhere that takes on animals from council pounds. These can be small-holding type places where purpose-built pens are in place and the owner just struggles on as best they can with random sources of funding. They can also be the larger, well-known charity organisations with big PR budgets and large donations coming in. At the other end of the scale, some people 'rescue' animals in their own homes and the size of their endeavour grows and grows until it is unmanageable. All need to be overseen to ensure the health and welfare of the animals involved.”**

73. Many respondents commented on the process by which an animal enters the care of a rescue and rehoming centre and the admission criteria that they apply. A few said that genuine rescue centres should not and would not pay for an animal. Others suggested that they should not discriminate according to age or breed. Views on rescue centres that imported dogs from abroad were divided. Some were against the practice, whilst others were supportive. The distinction between a rescue and rehoming centre was explored by some respondents, with a few suggesting that rescue centres provided lifelong care whereas rehoming centres provided an adoption service.

## **Services and standards**

**“All rescue/rehoming centres should have proper facilities including adequate space for the animals. If someone in a private house wishes to have a rescue centre in their property any license that they are granted should stipulate the maximum number of animals they are allowed to keep in relation to the space that they have.”**

74. A very common suggestion was that centres should be defined according to the primary service they carry out, namely transferring ownership of an animal. Many noted that they should be engaged in actively looking for a new home for an animal and that home checks of prospective pet owners was an essential part of their service.

75. Many respondents said that they should provide veterinary services including neutering, microchipping, vaccinations and any other necessary care. Many also suggested that rescue centres should provide rehabilitation and training. A few specified that they must not breed animals, though many also commented that accidental litters from already pregnant animals entering their care should not be taken as evidence of breeding. A few respondents expressed strong opposition to centres euthanising animals unless absolutely necessary.
76. Many respondents said that centres had to provide suitable facilities for the animals in their care, with sufficient space, safety and comfort. The idea that they should be a place of 'sanctuary' was frequently expressed. A few said that they should be subject to the current licensing requirements for dog and cat boarding in the 2018 licensing regulations. Some said that centres should be required to have qualified and competent staff.

## Oversight mechanisms

**“It is assumed by the consumer that a rehoming centre has not bought or paid for the animals in its care in any way, and that the rehoming fee is minimal, to cover the fees incurred whilst the animal was in their care, and that this is not a practice through which to capitalise on profits.”**

77. Many respondents supported a system of compulsory inspections as a necessary condition of licensing. Some suggested that inspections should be undertaken by local authorities, others suggested that these should be carried out by the RSPCA, breed clubs or an independent body. In general, there was wide support for an oversight mechanism to ensure compliance with an established code of practice and regular, unannounced inspections to enforce the system.
78. Many also said that centres should be open to the public, and be accountable to a governing body or board trustees. Others suggested that they should be required to have a mission statement that clearly set out objectives underpinned by animal welfare considerations. Some called for greater transparency in the sector, including in regards to their financial operations.
79. Many respondents supported clear and accountable record keeping of how animals came into the care of rescue centres and where they were rehomed to. Arguments were put forward in favour of a national register of licensed rescue centres and a star rating system similar to those used in the hospitality industry. A few suggested that rescue and rehoming centres should have performance targets and publicly available data on rehoming success rates.

# Feedback on the consultation tool

## How satisfied are you with our online consultation?

Very satisfied – 30.5%  
Satisfied – 51%  
Neither satisfied nor dissatisfied – 15%  
Dissatisfied – 2%  
Very dissatisfied – 0.5%  
Don't know – 1%

80. The final question sought feedback on the consultation tool. In total, 1,789 respondents answered this question. We are grateful to all who took the time to respond; the feedback received was carefully considered to inform future Defra consultations. Responses to this question were diverse, with support for the tool balanced with a range of suggestions for improvement.
81. Responses were fairly evenly divided between those who felt that no improvement was needed, and those who made one or more suggestion for improvement.
82. A small number suggested a technical improvement to the survey. These included correcting the typing error in Question 1, and reducing slow-running of the tool when moving between pages. Some respondents experienced difficulty in accessing or downloading the link to the RTA which meant they were unable to answer this question.
83. A significant number of respondents suggested that the context, policy issue and questions themselves could have been explained more fully. Some respondents did not understand all of the questions, with particular confusion arising from Question 9 (*How do you think rescue/rehoming centres should be defined?*) and Question 7 (on the RTA). A repeated suggestion was for a summary of the issue at the start of the consultation, with explanation of accompanying documents, and indication of time taken to complete the survey. Such a document did exist, but could have been better signposted at the start of the survey.
84. Some respondents suggested that more multiple choice questions would have made the survey easier to complete. Others, by contrast, preferred open questions. Some respondents said an option of 'neither agree nor disagree' should have been included. Several respondents supported the addition of an 'any other comments' box.
85. A small number of respondents suggested that better publicity would improve the consultation. The concern was expressed that the audience reached would not be wide enough, and that many users had happened across the consultation by chance. It was felt this could be addressed by better promotion of the consultation by Defra.

## Summary of responses from stakeholders

86. The consultation received a number of responses from key stakeholders representing animal welfare charities, small and large rescue and rehoming organisations, veterinarians and the pet seller industry. Many of these responses built on earlier submissions to the government's Call for Evidence. All of the large, national animal welfare charities supported the ban, including the RSPCA, Battersea Dogs & Cats Home, Cats Protection, Dogs Trust and the International Fund for Animal Welfare. The only notable exception was the Blue Cross who considered that a ban on third-party sales was not the most effective way to address welfare issues in the breeding of puppies and kittens. Opposition to the ban was also expressed by a number of licensed pet sellers. Organisations representing the wider sector such as the Canine and Feline Sector Group, British Veterinary Association/British Veterinary Small Animal Association (BVA/BSAVA) and Pet Industry Federation all supported the ban and proposal to license non-commercial rescue and rehoming centres. Local authorities - represented by the National Companion Animal Focus Group - also supported the ban though had concerns about enforcement. In all cases, support for the ban was coupled with a range of recommendations for successful implementation.

## Ban on commercial third-party sales of puppies and kittens

87. The arguments stakeholders put forward in favour of the ban supported Defra's assessment of the poorer welfare associated with third-party sales of puppies and kittens. Rather than revisit those arguments, this section of the report focuses on the recommendations put forward to inform the government's approach to implementation.

### Monitoring of licensed and unlicensed breeders

**"...if the supply and demand issue over puppies and kittens is not understood, and demand continues to remain high, then a ban is more likely to drive third-party sales even further underground than they already are, which cannot be good for welfare." [The Pet Industry Federation]**

88. The consultation received responses from a small number of licensed pet sellers. They argued that the ban would not be able to address problems arising from unlicensed breeders. They pointed to the low number of people that currently hold pet shop licences as evidence that the majority of poor welfare puppies were bred and sold by unlicensed individuals. They highlighted a risk that the policy could reduce the supply but not affect the demand for puppies. This, it was suggested, could lead to an increase in the number of unlicensed breeders and illegal imports if the price of puppies increased as a result. Altogether, they considered that a ban might make it harder to monitor and enforce animal welfare standards.



89. Several stakeholders, including Dogs Trust, recommended the extension of licensing to all puppy breeders and sellers. This they argued, would provide full traceability across the breeding and sale of dogs, making it harder for the public to be duped by unlicensed third-party sellers purporting to be breeders. They also expressed concern that low-welfare breeders could evade current licensing and monitoring by producing under three litters a year, or by using stooge bitches and satellite breeding to mislead buyers. Cats Protection highlighted the fact that unlike puppies, commercial cat breeding is not currently a licensed activity. They noted that whilst the ban was intended to drive the public towards acquiring a new pet from a breeder or rescue centre, there was no mechanism for the public to identify a “legitimate” cat breeder. They, along with the BSAVA, recommended the use of the CFSG ‘kitten checklist’ and the ‘Puppy Contract’ (RSPCA) to help both buyers and breeders become better informed and accountable.

## **Enforcement and online sales**

**“It is difficult to see how a ban would be effectively enforced when there is already a distinct lack of proactive investigative work by over stretched local authorities.” [Blue Cross]**

90. The issue of unlicensed breeders and sellers was linked to the challenge of enforcing current and future animal welfare legislation. The National Companion Animal Focus Group (representing local authorities) asked many of the same questions that pet sellers had raised. They concluded that an effective enforcement regime would benefit from a national intelligence-led approach in order to tackle the trans-border nature of the puppy trade. The RSPCA recommended local authority partnerships as a way to share resources given that high-volume breeding establishments tended to be concentrated in certain local authority areas.

91. Online sales emerged as an issue of interest for the majority of stakeholders. BVA and BSAVA highlighted the importance of tackling online advertising, and recommended engagement with the Pet Advertising Advisory Group to define best practice.

92. In connection with online sales, stakeholders also raised concerns related to the growing import trade in companion animals and puppies in particular. The view that this was associated with poor welfare standards was shared by many stakeholders. They regretted that the ban would only apply to sales made in England, thus allowing buyers to continue to purchase from third-parties provided the sale was conducted outside of England. Close coordination with the governments in Wales, Scotland and Northern Ireland was recommended as was strengthened international enforcement.

## Public information campaign

**“A third-party sales ban through new regulation, although making the practice illegal, is the right framework but needs partnering with strong messaging promoting the alternatives to influence buyer behaviour. This is important because the benefits of a ban will lie in the ability to move buyers away from low-welfare trading practices and towards higher-welfare rescue centres and good breeders.” [RSPCA]**

93. All stakeholders supported Defra’s proposal to accompany the ban with a public information campaign. They emphasised that a public information campaign should learn from the successes and shortcomings of previous public information initiatives led by the animal welfare sector. In particular, they recommended a focus on encouraging behavioural change rather than just information sharing. Bringing about a shift in consumer expectations and behaviour was considered key to successfully improving welfare standards in the breeding and sale of puppies and kittens.

## Regulatory triage assessment

94. Most stakeholders offered constructive comments on the RTA. A common view shared by Battersea, the BVA/BSAVA, the RSPCA and the Dogs Trust was that the estimated cost for a puppy provided in the RTA was too low. Rather than the estimate of £154 per puppy, based on a review of Gumtree adverts in September, Battersea estimated that the average cost for a puppy was currently in the region of £702.35. The RSPCA queried whether the profits of third-party sellers had been underestimated. They referred to investigations that had found that three licensed third-party sellers in England were together making over £5 million gross annually from the puppy trade.

95. According to the Dogs Trust, the majority of third-party sellers were currently operating without a licence. The costs of these sellers discontinuing their business was not considered in the estimates. Dogs Trust also noted that the reasons why breeders sell to third-parties was poorly understood. If it was because of poor breeding conditions, the RTA would need to account for the costs of improving their environments to enable the public to buy directly from high-volume breeders. The joint response from Canine Action/Pup Aid/CARIAD noted that the wider costs of mass puppy breeding were not considered in the RTA. These included expensive veterinary care and the impact of diseases spreading to the wider canine population.

96. Several stakeholders commented on the paucity of data on kitten and cat sales in England and thus the difficulty of making an evidence based estimate of the number, value and type of kitten sales to inform an impact assessment of the ban.

97. Several stakeholders questioned the value set aside for the public information campaign. They considered £100,000 over two years to be inadequate for an effective campaign that would be able to engender lasting behavioural change. Blue Cross noted the investments previously made by the sector in information campaigns had not brought about the necessary changes, and so even greater investment was required.

98. Stakeholders commented on the absence of any costs related to enforcement in the RTA. The National Companion Animal Focus Group (NCAFG) recommended the RTA include an annual budget for regulation and enforcement.

## Licensing of non-commercial rescue and rehoming centres

**“We rescue and rehome various animals ourselves, from horses and ponies, cats and kittens, dogs and puppies, to rabbits. We are non-profit and not registered as our donations fall under the required amount to register as a charity. I believe that issuing a licence to small rescues such as ours would prevent malicious rumours regarding donations received. It would also hopefully stop the unscrupulous 'rescues' from purely making money with no thought for the welfare of the animals.” [Small independent rescue]**

**“The licencing should cover not just organisations with a physical rescue centre, but also those who have no centres but use foster homes or boarding kennels; those who rehome from abroad; those who rehome from pounds and those who rehome as 'home from home' over the internet or Facebook.” [National Animal Welfare Trust]**

99. There was strong support for the licensing of non-commercial rescue and rehoming centres amongst the major animal welfare establishments operating in the UK. This support stemmed not just from the need to close the loophole if the thirdparty sales ban was introduced but also from broader animal welfare concerns. Amongst -smaller, independent rescue centres, opinion varied. Proprietors tended to be supportive whereas volunteers were more likely to express misgivings due to concerns about costs and capacity.

100. On the question of scope and definition, the major animal welfare charities generally supported broad and wide-reaching regulation. Most were of the view that licensing could over time be extended to establishments providing for other species, not just cats and dogs.

101. The species most commonly raised other than cats and dogs were rabbits and equines. In regards to the latter, the consultation received a joint submission from the World Horse Welfare in association with the British Horse Council, Horse Trust, British Equine Veterinary Association (BEVA), and the British Horse Society (BHS). They recommended a three year lead in time before compulsory licensing was introduced. Redwings Horse Sanctuary also supported the inclusion of equine sanctuaries in any future licensing regime in light of experiences of animal cruelty and neglect that they had witnessed. They argued that the sector would welcome compulsory licensing, and that the risks to small sanctuaries was minimal.

**“Given that these individuals may be taking public funding to care for the animals and that they may not have the expertise, facilities or even inclination to care for them properly, we believe there are many reasons why all establishments purporting to rescue and rehabilitate vulnerable animals should be regulated. Self-regulation is simply not sufficient. Those**

**establishments that would be willing to self-regulate and in fact are already active in self-regulatory groups are precisely not the organisations that are of concern.” [Red Wings Horse Sanctuary]**

102. Stakeholders also tended to favour definitions based on the activity rather than the scale of operations. In this way, the RSPCA stated that *‘We do not believe there should be a size/animal number threshold below which any establishment should be excluded from licensing.’*

## **Definition**

103. Support for two existing definitions was shared by some stakeholders. Blue Cross and the Pet Industry Federation were content with the definition developed by the former Companion Animal Welfare Council (CAWC):

**“A rescue/re-homing centre is an establishment which:**

**(1) receives companion animals which for whatever reason have become displaced from their usual place of keeping; and**

**(2) provides for their immediate needs; and**

**(3) carries out one or more of the following in relation to such animals:**

**(a) the provision of long-term or lifetime care;**

**(b) re-homing;**

**(c) arranging euthanasia**

104. Dogs Trust and the Canine and Feline Sector Group preferred the definition proposed by the Animal Welfare Network of Wales (AWNW). The main difference between the two is that the CAWC definition is focused on companion animals, whereas the AWWN definition includes all animals:

**“An Animal Welfare Establishment (AWE) is a person, organisation or establishment who holds themselves out to receive vulnerable animals on a regular basis, whether companion, farmed, protected or other animals, with a view to either rehoming, rehabilitating or providing long term care.”**

105. Battersea Dogs and Cats Home’s proposed definition was the only one that explicitly included a not for profit requirement:

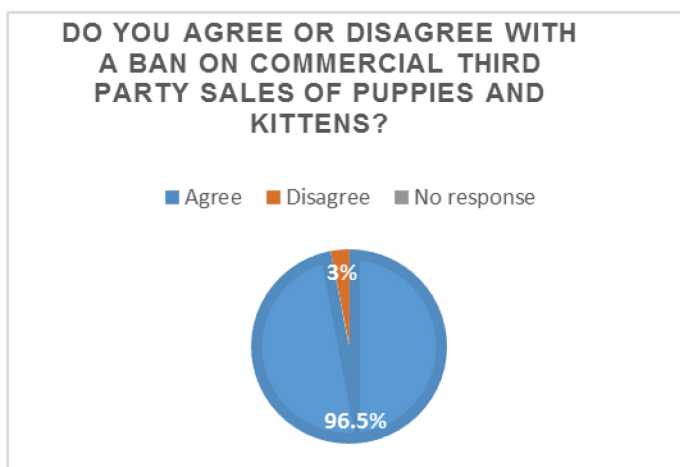
**“An organisation or unincorporated association whose main or sole objective is to provide care for animals (or arranging for the care of animals) who have no owners or whose previous owners are unwilling or unable to care for and where possible finding them a new home on a not for profit basis.”**

106. Cats Protection did not provide a definition but did note that any definition should distinguish between commercial and non-commercial operations, with only the former subject to the third-party sales ban.

## Government response

107. The government wishes to thank all those who responded to the consultation. The scale of the response serves as a reminder of the great importance attached to matters of animal welfare by the British public. The views of respondents and stakeholders have been considered very carefully. We welcome the high-level of support for both the proposal to ban commercial third-party sales of puppies and kittens and introduce a licensing regime for non-commercial rescue and rehoming organisations.

## Commercial third-party sales of puppies and kittens

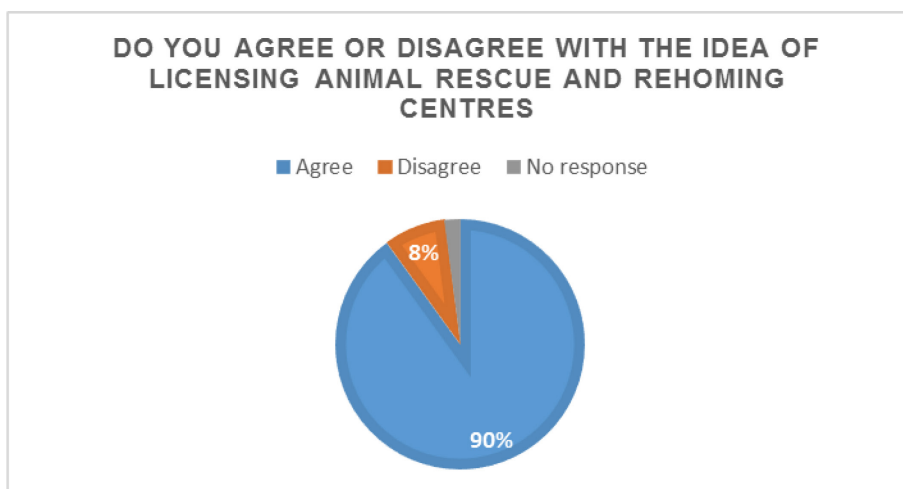


108. There was overwhelming support for the introduction of a ban on commercial third-party sales of puppies and kittens with 96.5% of respondents agreeing with the proposal. The arguments put forward in favour of the ban aligned with Defra's own assessment of the poor welfare associated with third-party sales. Therefore, the government will introduce the necessary amendments to the 2018 licensing regulations, prohibiting the sale of puppies and kittens by third-parties.

109. Consequently, if the holder of a licence to sell pets under the 2018 licensing regulations was to sell a kitten or puppy that they have not bred themselves this would constitute a breach of their licence which is an offence under regulation 20(1)(a) of the 2018 licensing regulations and subject to an unlimited fine. The local authority would then be able to take enforcement action. In cases where no licence was held, the pet seller would be committing an offence under section 13(6) of the Animal Welfare Act 2006 of selling pets without a licence. If found guilty of selling a pet without a licence the pet seller would be subject to a prison sentence of up to six months and/or an unlimited fine. We will consider the timing of the ban and whether transitional provisions would be appropriate to allow commercial third-party sellers to comply with these changes.

110. The consultation proposed three policy options, one of which included a public information campaign to accompany the ban. Most respondents supported this approach and the government will work with animal welfare organisations to deliver the campaign alongside the ban. We will look at the costs and aims of an effective campaign in light of the feedback received from stakeholders.
111. Whilst the overwhelming majority of respondents were supportive of the proposed ban, a number of concerns were raised that will require further consideration and consultation with relevant stakeholders. This included issues related to the effective enforcement of the ban; coordination with devolved administrations; the impact on licensed breeders and pet sellers; and consequences for supply and demand in the pet trade. We will consider these matters carefully in the course of preparing the regulations.
112. The ban would apply to all sales which are conducted in England. This would include third-party sales conducted here relating to animals which have been, or which are subsequently, imported, or puppies and kittens that are bred in other parts of the UK to be sold in England. The ban would not apply to sales that are conducted outside of England with the puppies and kittens then being delivered to their new owners in England. The government will share the evidence submitted to the consultation with the devolved administrations and pursue where appropriate and practicable, a coordinated approach.
113. It has been noted that the ban may result in more sales being conducted outside of England, with puppies and kittens delivered to their owners after sale. Enforcement efforts to address the issue of non-compliant (for example, underage) puppies and kittens being imported into England from other countries will need to remain a priority. We have increased resourcing at major UK ports, and have also increased intelligence sharing through our Dog Importation Task Force which consists of national enforcement agencies such as the Animal and Plant Health Agency, HM Revenue and Customs and the Police as well as the RSPCA, who are forming a collaborative partnership to disrupt puppy smuggling. Through this and ongoing international engagement, we will continue to look at how to strengthen enforcement, now and as we leave the EU.
114. With publicity for the ban on commercial third-party sales and an encouragement to buyers to source their pet from a legitimate breeder, there should be a significant reduction in sales which take place in other countries leading to puppies and kittens subsequently being delivered here.

## Licensing of non-commercial rescue and rehoming centres



115. The Call for Evidence which preceded the consultation brought to light concerns that third-party sellers might present themselves as rescue and rehoming organisations in order to evade the ban. Animal welfare charities recommended licensing such facilities as a means to close this loophole. Already rescue and rehoming organisations that operate as a commercial business are required to have a licence to sell pets. These organisations would be subject to a ban on commercial third-party sales.
116. The government welcomes the high-level of support amongst respondents for the proposal to extend the 2018 licensing regulations to include pet rescue and rehoming centres. Many rescue and rehoming organisations expressed strong support for the proposal, welcoming the introduction of licensing as a means to establish minimum animal welfare standards across the sector. We also note the concerns raised by some respondents about possible unintended consequences of licensing for small rescue centres. The valuable work that rescue and rehoming centres do in caring for vulnerable animals is greatly appreciated. The government does not wish to adversely affect this important work which is often carried out on a voluntary basis. However, evidence provided by respondents indicated that there are considerable variations in standards of animal welfare across the sector. On this basis, we intend to conduct further consultation on this matter, in order to understand the views of rescue and rehoming centres themselves, and the possible impacts of licensing on the sector. Following these detailed discussions with stakeholders, and when Parliamentary time allows, the government may extend the scope of the 2018 licensing regulations to cover this activity.
117. In the meantime, in order to prevent third-party sellers from presenting themselves as rescue and rehoming centres, we will work with the Canine and Feline Sector Group and local authorities to develop specific guidance to help distinguish between non-commercial rescue and rehoming centres, which are not currently subject to licensing,

and a commercial rescue and rehoming centres required to have a pet seller's licence and subject to the ban on third-party sales. In this way, the ban will also apply to organisations that specialise in importing rescued puppies where the sale is conducted in England and undertaken as a business activity.

## Conclusion

118. The government greatly appreciates the time taken by so many to respond to the consultation. We have carefully considered all of the responses and tried in this summary to reflect the breadth, depth and diversity of opinions shared. We welcome the overwhelming support for the government's proposal to ban commercial third-party sales of puppies and kittens and introduce a licensing regime for rescue and rehoming centres. The government will legislate on these issues when parliamentary time allows following further consultation with relevant stakeholders.



## **Annex A: Selected list of businesses and charitable organisations that responded to the consultation**

*This is not an exhaustive list, it only includes organisations that have a specific interest in the consultation's proposals. Organisations and individuals who requested anonymity are not listed below. Where an individual has indicated that they volunteer for an organisation, this has not been recorded as an official response from that organisation.*

### **National animal welfare organisations**

Battersea Dogs and Cats Home  
Blue Cross  
BVA/BVASA  
Canine Action / Pup Aid / C.A.R.I.A.D  
Canine and Feline Sector Group  
Cats Protection  
Conservative Animal Welfare Foundation  
Dogs Trust  
Mayhew  
National Animal Welfare Trust  
National Companion Animal Focus Group  
Redwings Horse sanctuary  
RSPCA  
The International Fund for Animal Welfare  
The Pet Industry Federation

### **Small and independent animal welfare organisations**

4 Positive Paws  
Aireworth Dogs in Need  
Angels Small Paws Dog Rescue  
Animal Rescue Centre  
Barking Mad Dog Rescue  
Basset House Rescue  
Bliss Cavalier Rescue  
Bristol Animal Rescue Centre  
Cairn Terrier Relief Fund  
Cottontails  
Dean Farm Trust  
Dumfries and Galloway Canine and Rescue Centre

East Sussex Wildlife Rescue  
Four Paws Animal Rescue  
German Shepherd Rescue Elite  
Goodheart Animal sanctuary  
Guardian Angels Rescue  
Hounds First Sighthound rescue  
Italian Greyhound Rescue  
Italian Spinone Club of Great Britain  
Joint English Springer Spaniel Breed Clubs  
Last Chance Animal Rescue  
Lea Valley Dog Rescue  
Midland Counties Labrador  
Moorlands Dog Rescue  
North West Golden Retriever Rescue  
Notts & Yorkshire Boxer Rescue  
Pendle Dogs in Need  
Pointers in Need  
Pussycat Lodge Trust  
Rabbit Residence  
Raystede Centre for Animal Welfare  
Rottweiler in Need  
Scruffys Angels Scanner Rescue  
Shepherd Rescue  
Shih tzu action rescue  
STARS Rescue (Siberian, Appeal, Rescue and Support)  
Support Hull Animal Welfare Trust  
The Starlight Trust  
Three Counties Dog Rescue  
Truro Cat Rescue  
West Wales Poundies  
Wetnose Animal Aid  
Woodside Animal Welfare Trust