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"The voice of the ornamental fish industry"
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Conclusions

- There are in excess of 3,000 licensed pet shops in the UK
- Nearly 80% of pet shops are licensed to sell fish.
- 6% of all licensed pet shops are in private dwellings.

There continue to be very significant differences between pet shop licensing authorities across the UK. Evidence for this includes:

- Barely half of councils have adopted the CIEH Pet Vending Guidelines 2013 (the most recent available). 23 councils rely on the Pet Animals Act 1951.
- Annual charges for pet shop licence renewals are highly variable. The lowest fee is £20, the highest is £502, with an average fee of £144.80.
- Licensing visits are undertaken by a wide variety of council officers, not all of whom have received relevant training.
- At least one council did not seem to be aware that they are the responsible licensing authority even if they subcontract the actual inspection of pet shops, nor were they aware of the standards used by the subcontracted inspectors.
- Only 13 councils determine frequency of licensing visits through a risk assessment. Over 90% visit annually at least.
- Approximately one third of councils carry out no checks at all or “other” unspecified checks to see if the enterprise they are licensing is a business. Only 15% of councils checked all of the following: planning consents, registration for business rates and public liability insurance.
- 38% of councils do not check within their office for any required planning consents or registration for business rates when licensing pet shops.

Summary of Results

Freedom of Information Request on Pet Shop Licensing, 2016

Total number of responding councils: 280

1.	In total how many pet shops do you license? 2,171			
	Of these, how many are licensed to sell: <i>Note that the results directly below are based on a total of 2,077 shops. 94 shops in Northern Ireland, which are licensed to sell all types of animals, have been excluded from this part of analysis in order to make results directly comparable with 2014 data, when Northern Ireland did not provide this information.</i>			
	Dogs	86 (4.1%)	Small mammals	1,165 (56.1%)
	Cats	145 (7.0%)	Reptiles	979 (47.1%)
	Birds	861 (41.5%)	Fish	1,616 (77.8%)
	Primates	32 (1.5%)		

2.	How many pet shops are in private dwellings?	130 (6.0% of all licensed pet shops)
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Total number of councils licensing pet shops in private dwellings: 77 (27.5% of responding councils)

3.	Who carries out your pet shop licensing visits?			
	Environmental Health Officer	103 (36.8%)	Dog Warden	28 (10.0%)
	Licensing Officer	76 (27.1%)	Vet	71 (25.4%)
	Other	107 (38.2%)		

4.	Upon what do you base your pet shop license conditions?			
	1992 LGA Guidelines	18 (6.4%)	2013 Pet Vending Guidelines	144 (51.4%)
	1998 LGA Guidelines	76 (27.1%)	Pet Care Trust QA standards	10 (3.6%)
	PA Inspection Plan	7 (2.5%)	Other	62 (22.1%)

A number of different documents were cited by councils who responded "other". Most commonly councils said they relied on the Pet Animals Act 1951, the Pet Shop Regulations for Northern Ireland, 2000 and guidance by the Welsh Animal Health and Welfare Panel. Others said they used other councils' conditions, their own guidance, and OATA documents. 3 councils said they did not know what their pet shop licensing conditions were based on.

5.	How frequently do you conduct licensing visits?			
	Annually	214 (76.4%)	More frequently than annually	40 (14.3%)
	Less frequently than annually	25 (8.9%)	Risk-based visits	13 (4.6%)

6.	For what other reasons will you visit a pet shop?			
	Pre booked monitoring visit	81 (28.9%)	Complaints	272 (97.1%)
	Unannounced spot checks	159 (56.8%)	Other	16 (5.7%)

7.	What do you charge annually for a pet shop license? £		
	Max	£502.00	
	Min	£20.00	
	Mean	£144.85 (S.D. £74.96)	
	Median	£125.00 (Q ₁ = £101.00; Q ₃ = £170.00)	

There was wide variation on charges of annual fees, with some councils using banding categories to set charges, while others used shop floor area, and still others set charges depending on the type of animals sold.

8.	Do (or have) those officers licensing pet shops undertaken relevant specialist training?	YES	NO
		197 (70.4%)	83 (29.6%)

NB: No details were requested on what councils considered relevant training.

9.	Do you ensure the pet shop being licensed is a “business” by checking			
	they are registered for business rates	51 (18.2%)	that any necessary planning consents for use of the premises as a pet shop have been obtained	124 (44.3%)
	public liability insurance is in place	170 (61.0%)	Other (unspecified)	37 (13.2%)
			None	55 (19.6%)

Number of councils that perform:	1 of the specified checks above	95 (34%)
	2 of the specified checks above	65 (23%)
	All 3 of the specified checks above	41 (15%)

Of the 95 councils performing only 1 of the checks above

Public liability insurance	70 (73.7%)
Planning consents	24 (25.3%)
Business rates	1 (1.0%)

Of the 65 councils performing only 2 of the checks above

Planning consents and public liability insurance	54 (83.0%)
Business rates and public liability insurance	6 (9.2%)
Business rates and planning consents	5 (7.7%)

NOTE: Full results from OATA's Freedom of Information Request on Pet Shop Licensing 2014 and Propets 2012 (as Appendix 2) can be found at http://www.ornamentalfish.org/wp-content/uploads/2014/04/FOI-Request-on-Pet-Shop-Licensing_FINAL.pdf

A summary of results from 2014 can be found in Appendix 2 of this report.

Contents

Summary of Results	2
1. Introduction	6
2. Freedom of Information Request	8
3. Results	9
3.1 Question 1. Number of Pet Shops Licensed and Types of Animals Sold	9
3.2 Question 2. Licensed pet shops in private dwellings	14
3.3 Questions 3 & 8. Type of inspector conducting Pet Shop Licensing visits and training received	16
3.4 Question 4. Basis of pet shop licensing conditions	19
3.5 Question 5. Frequency of licensing visits and additional reasons to visit pet shops.....	21
3.6 Question 6. Additional Reasons to Visit a Pet Shop.....	22
3.7 Question 7. Annual Pet Shop Licensing Fees.....	23
3.8 Question 8. Training	26
3.9 Question 9. Business checks	26
Appendix 1: Questionnaires sent to local authorities in 2016 and 2012.....	29
Appendix 2: Summary of Results Freedom of Information Request on Pet Shop Licensing, 2014 ..	32

Freedom of Information Request on Pet Shop Licensing: 2016

1. Introduction

Anyone selling vertebrate animals as pets from premises of any nature (including private dwellings) in England, Scotland and Wales, is required by the Pet Animals Act 1951 (as amended) to obtain a licence before trading. Licences are annual and issued by the local authority. Northern Ireland has licensing conditions based on the Petshops Regulations (Northern Ireland) 2000.

The Pet Animals Act 1951 also states that Local Authorities shall specify in the licences the conditions necessary to secure:

- the animals' needs for suitable accommodation, food and drink and are visited at suitable intervals;
- all reasonable precautions will be taken to prevent the spread of infectious diseases among animals;
- that appropriate steps will be taken in case of an emergency and
- that mammals will not be sold at too early an age.

The issue:

For over 35 years, the pet industry has worked with a variety of groups to make pet shop licensing across the UK a coherent, consistent and meaningful process.

Pet shop licensing conditions vary greatly across Great Britain, including disparities in fees charged, different regulations and guidelines used when drafting licensing conditions, type and qualifications of inspectors, frequency of inspections, checks performed on pet shops upon initial application for a licence, etc. Widely varying conditions cause problems to pet shop owners with multiple sites. Two sites in very close proximity but under different licensing authorities can face quite different charges and requirements to invest and thus, the market is distorted. Different licensing authorities may impose unnecessary and onerous conditions on businesses making it difficult for small, independent businesses to cope with the additional administrative burden. Furthermore, such variation in licensing procedures and checks could potentially be detrimental to animal welfare.

The Guidelines:

In the past, there have been three sets of guidance distributed to local authorities to help licensing inspectors. In 1992 and 1998, these were distributed by the Local Government Association (LGA). More recently, OATA worked with other pet trade associations and responsible welfare groups to produce updated guidance. The result of this joint effort were the Model Conditions for Pet Vending Licensing (September 2013)¹ which the Chartered Institute of Environmental Health (CIEH) agreed to make known to its members in order to assist them when assessing pet shop licensing. The document set out the working group's recommendations for the basic minimum standards considered necessary to ensure the health, safety and welfare of animals in pet shops.

¹ <http://www.cieh.org/assets/0/72/1126/1212/1216/1218/f847c5a9-2251-43ed-bba8-4d064e0383c0.pdf>

The Primary Authority Partnership and other efforts:

At the end of 2014 and in its continued effort to standardise the pet shop licensing process across the UK, OATA entered as a coordinator into a Primary Authority partnership with the City of London Corporation. It defines a legally recognisable partnership between a business and a single local authority and is formed through the Secretary of State at the Department for Business Innovation and Skills. It creates statutory duties for enforcing authorities.

As part of this partnership, an inspection plan for pet shops has been drawn up which covers aspects of animal welfare/ husbandry based on the CIEH Pet Vending Guidelines 2013. The pet shop inspection scheme applies to England and Wales and may cover Scotland in the future, subject to consultation.

While the inspection of pet shops and the issuing of licences remains the responsibility of individual local authorities, businesses signed up to the scheme should be inspected based on the Primary Authority Inspection Plan. This ensures standards of animal welfare based on the CIEH pet vending guidelines 2013, are maintained in pet shops, and at the same time it protects businesses from unreasonable conditions which may be imposed on their licences.

At the end of 2015 and during the first trimester of 2016, DEFRA launched a public consultation to review the licensing of animal establishments. OATA, the Reptile and Exotic Pet Trade Association (REPTA) and the Pet Industry Federation (PIF), submitted a joint response to this consultation.

The Freedom of Information Request Reports:

In 2012, ProPets (of which OATA is a member) sent a Freedom of Information (FOI) request to all local authorities in the UK regarding different aspects of pet shop licensing. This has been done by OATA twice more since then: in January 2014² and in February 2016. The survey used in 2014 and 2016 was based on ProPets' 2012 version but was amended to provide additional information. Both can be found in **Appendix 1**.

This report aims to, where they exist, provide evidence of any inconsistencies in pet shop licensing across the UK. It summarises findings resulting from the 2016 pet shop licensing FOI request and compares relevant data to results from previous studies.

² OATA. 2014. Freedom of Information Request on Pet Shop Licensing. http://www.ornamentalfish.org/wp-content/uploads/2014/04/FOI-Request-on-Pet-Shop-Licensing_FINAL.pdf

2. Freedom of Information Request

Survey and Data Analysis

There is some uncertainty regarding the number of councils that license pet shops in England as some unitary authorities have taken over responsibilities from local councils and different councils have formed partnerships in order to cope with budget cuts.

For the purpose of this survey, it was estimated that 391 councils across the UK are responsible of issuing pet shop licenses. This includes 22 local authorities in Wales, 32 in Scotland and 11 in Northern Ireland, though the latter do not issue pet shop licences themselves and this is done in a centralised manner through DARD.

The Freedom of Information Request regarding pet shop licensing (**Appendix 1**) was sent out to these local authorities on the 12th of February, 2016. We received responses from nearly 72% of councils (280 responses, including the 11 councils in Northern Ireland).

For the purpose of data analysis and presentation, the UK was divided into 12 regions as defined by the UK government: East Midlands, East Anglia, London, North East, North West, South East, South West, West Midlands, North, Northern Ireland, Wales and Scotland. Regional results are presented, as well as results for the whole of the UK.

Responses have been collated and in most cases, percentages have been calculated for each question on the survey. These percentages have been individually calculated as a fraction of the total number of responses received for that question in particular. In many instances, councils were able to select more than one answer and in a few other cases, councils failed to provide a response. Therefore, percentages often will not add up to 100.

Northern Ireland:

Pet shop licensing in Northern Ireland is organised in a centralised manner through the Department of Agriculture and Rural Development (DARD). This should mean all pet shops are licensed to the same standards and using the same conditions.

3. Results

3.1 Question 1. Number of Pet Shops Licensed and Types of Animals Sold

1.	In total how many pet shops do you license?			
	Of these how many sell:			
	Dogs		Small mammals	
	Cats		Reptiles	
	Birds		Fish	
	Primates			

Responses were received from 280 (71.6 %) of the 391 councils that received the FOI request. In total, these license 2,171 pet shops. From these figures, it can be estimated there are approximately 3,000 pet shops in the UK and therefore, this number has been used in different calculations throughout the report.

The average number of pet shops licensed by local authority is 7.7 (median = 7), with a maximum of 37 (licensed by Birmingham City Council) and a minimum of 0 (City of London does not license any pet shops. Westminster City council said they do not license any pet shops, even though it has been confirmed that there are a number of pet shops within this Local Authority area) (**Fig.1**).

Northern Ireland:

DARD submitted one response for all pet shops licensed throughout 11 councils in Northern Ireland.

There are 94 pet shops in Northern Ireland. 2 of these are “fish only” shops and the remaining 92 are licensed to sell all types of animals, including primates. In order to make data directly comparable with results from 2014, these results have been excluded when calculating the total number and percent of shops licensed to sell each type of animal across the UK.

Furthermore, since Northern Ireland submitted one response for 11 councils through DARD, it is not possible to know how many pet shops are in each council and therefore, have been excluded from average calculations (i.e. average and median number of pet shops per local authority).

Pet shops in Northern Ireland pay £20 for their licences. This is the lowest fee across the UK.

Inspections are conducted annually by a vet and licence conditions are based on the Petshops Regulations (Northern Ireland) 2000.

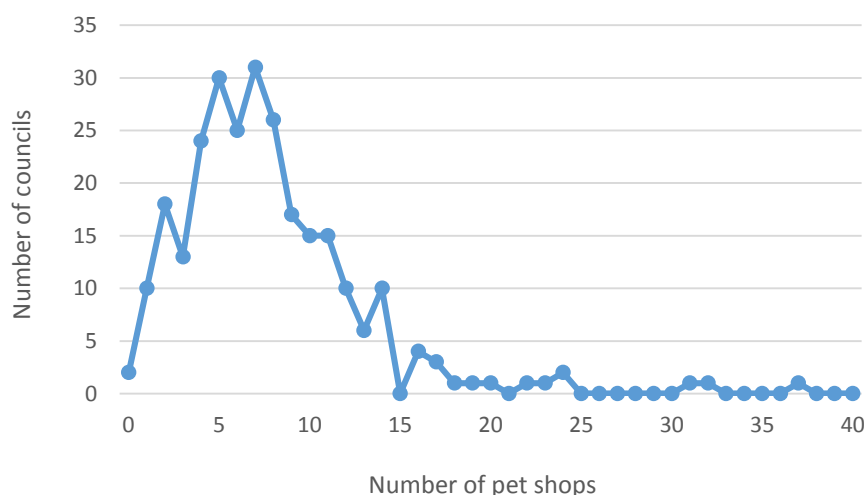


Figure 1. Number of pet shops licensed per council

The top 10 licensing councils who, together, license more than 10% of the total number of pet shops, are summarised below in **Table 1**.

Table 1. Top 10 licensing councils in the UK

Council	Pet Shops Licensed	Pet shops in private dwellings
Birmingham City Council	37	3
Leeds City Council	32	3
Cornwall Council	31	0
Wirral Metropolitan Borough	24	2
East Riding of Yorkshire	24	6
Glasgow City Council	23	0
Cheshire West and Chester Council	22	7
City of Bradford Metropolitan D.C.	20	0
Stoke on Trent City Council	19	3
East Lindsey District Council	18	**

** Information not recorded by local authority

Figure 2 shows the total number of responding councils in each region, as well as the total number of pet shops licensed.

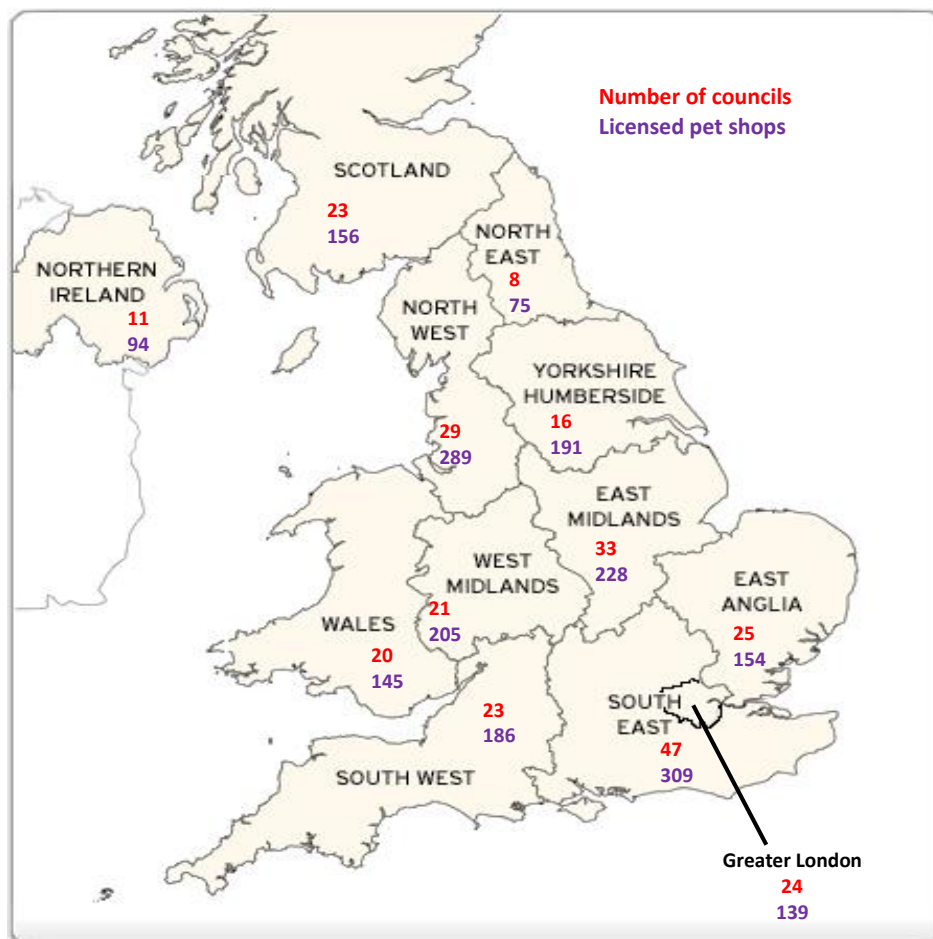


Figure 2. Total number of responding councils and licensed pet shops by region. North represented as Yorkshire Humberside.

In addition to the total number of pet shops they licensed, councils were asked to provide data on the number of pet shops licensed to sell different types of animals. Animal categories covered dogs, cats, birds, primates, small mammals, reptiles and fish.

Since City of London does not license any pet shops and Westminster City Council did not report any licensed shops (though it has been confirmed there are a number of shops in their area), they were excluded from analysis.

Fish were the most commonly sold species group with 1,616 of the 2,077 pet shops (77.8%) being licensed for their sale. Small mammals were the second most popular pet sold (56.1% of pet shops) and least commonly sold were primates and dogs (1.5% and 4.1% of pet shops licensed for their sale, respectively)

Table 2 shows these results by region and provides an extrapolation for the whole of the UK based on an estimated total of 3,000 pet shops (see page 9). **Figure 3** shows actual results as a percent.

These results are comparable to those from the 2014 FOI on pet shop licensing, with an increase of 2.7% in pet shops licensed to sell fish.

Table 2. Number and percent of shops selling different types of animals by region and estimate for all of the UK

Region	Shops Licensed	Dogs	Cats	Birds	Primates	small mammals	Reptiles	Fish
East Midlands	228	10 4.4%	15 6.6%	98 43.0%	7 3.1%	120 52.6%	113 49.6%	181 79.4%
East Anglia	154	1 0.6%	6 3.9%	57 37.0%	1 0.6%	83 53.9%	65 42.2%	117 76.0%
London	139	9 6.5%	28 20.1%	56 40.3%	3 2.2%	63 45.3%	73 52.5%	115 82.7%
North East	75	1 1.3%	7 9.3%	33 44.0%	0 0.0%	42 56.0%	43 57.3%	62 82.7%
North West	289	29 10.4%	27 9.7%	120 43.0%	3 1.1%	157 56.3%	137 49.1%	241 86.4%
South East	309	4 1.3%	19 6.1%	117 37.9%	6 1.9%	174 56.3%	136 44.0%	227 73.5%
South West	186	3 1.6%	6 3.2%	66 35.5%	0 0.0%	112 60.2%	78 41.9%	122 65.6%
West Midlands	205	6 2.9%	5 2.4%	100 48.8%	8 3.9%	113 55.1%	105 51.2%	155 75.6%
North	191	3 1.6%	16 8.4%	85 44.5%	0 0.0%	126 66.0%	88 46.1%	166 86.9%
Wales	145	15 10.3%	9 6.2%	65 44.8%	4 2.8%	86 59.3%	72 49.7%	118 81.4%
Scotland	156	5 3.2%	7 4.5%	64 41.0%	0 0.0%	89 57.1%	69 44.2%	112 71.8%
All of UK	2077	86 4.1%	145 7.0%	861 41.5%	32 1.5%	1165 56.1%	979 47.1%	1616 77.8%
Estimate for UK	3000	123	210	1245	45	1683	1413	2334

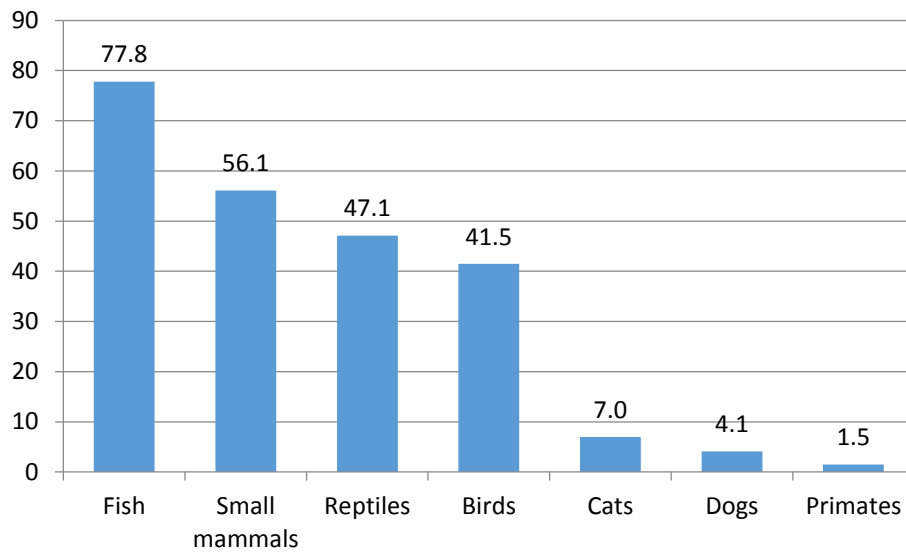


Figure 3. Percent of total number of pet shops licensed to sell different animal types across the UK

Furthermore, data was analysed to provide an indication of the number of councils that license pet shops to sell different types of animals (*i.e.* how many councils license at least one shop to sell a given type of pet). As it was not possible to know how many pet shops in each council in Northern Ireland, these were excluded from this part of the analysis. Councils that do not license any pet shops or did not specify the number of shops licensed for the sale of a given species group, were also excluded.

It is evident that fish, small mammals and reptiles are the most commonly licensed animals for sale in the UK with 99%, 95% and 94% of councils respectively issuing pet shop licences under these animal categories (**Table 3**).

Table 3. Number of councils licensing each type of animal per region and number and % for the UK

Region	Total councils	Dogs	Cats	Birds	Primates	Small mammals	Reptiles	Fish
East Midlands	32 ³	6	8	28	3	22	31	32
East Anglia	24 ⁴	1	5	19	1	29	21	24
London	22 ⁵	7	12	20	1	19	18	21
North East	8	1	4	8	0	8	8	8
North West	29	12	9	27	3	28	27	29
South East	46 ⁶	4	13	39	3	44	41	45
South West	23	3	5	22	0	23	23	23
West Midlands	21	4	5	20	2	20	21	21
North	16	3	5	15	0	16	15	16
Wales	20	7	6	20	1	20	20	20
Scotland	22 ⁷	4	4	19	0	21	20	21
UK	262	52 20%	76 30%	237 90%	14 5%	250 95%	245 94%	260 99%

³ Broxtowe council did not specify the type of animals each shop was licensed to sell.

⁴ Southend on Sea Borough council did not specify the type of animals each shop was licensed to sell.

⁵ Westminster City Council did not report any licensed shops, though it is confirmed there are a number of pet shops in their area. There are no pet shops in the area of City of London Council.

⁶ Ashford Borough Council did not specify the type of animals each shop was licensed to sell.

⁷ Licences from Angus Council do not specify which type of animal shops can sell.

3.2 Question 2. Licensed pet shops in private dwellings

2.	How many pet shops are in private dwellings?	
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Article 7 of the Pet Animals Act 1951 makes reference to the nature of premises at which businesses may be licensed as pet shops. This includes private dwellings⁸.

In total, there were 130 pet shops in private dwellings, licensed by 77 councils⁹. Thus, 6% of the total number of pet shops is in private dwellings.

The highest number of pet shops licensed in private dwellings by a single council was 7 (Cheshire West and Chester Council), followed by East Riding of Yorkshire (6) and Carmarthenshire County Council (5). In terms of the proportion of pet shops in private dwellings relative to the total number of pet shops licensed by each local authority, 50% of licensed pet shops in Ceredigion County Council are in private dwellings. **Table 4** summarises this information.

Table 4. Top councils licensing pet shops in private dwellings

Council	No of pet shops	No of pet shops in private dwellings	%
Cheshire West and Chester	22	7	32
East Riding of Yorkshire	24	6	25
Carmarthenshire	12	5	42
Ceredigion	8	4	50
South Lanarkshire	14	4	29
Fife	17	4	24
South Staffordshire	14	3	21
Rotherham Metropolitan Borough	14	3	21
Stoke on Trent	19	3	16
Leeds City	32	3	9
Birmingham City	37	3	8

⁸ **Art.7** References in this Act to the keeping of a pet shop shall, subject to the following provisions of this section, be construed as references to the carrying on at premises of any nature (including a private dwelling) of a business of selling animals as pets, and as including references to the keeping of animals in any such premises as aforesaid with a view to their being sold in the course of such a business, whether by the keeper thereof or by any other person.

⁹ There are 2 pet shops in private dwellings in Northern Ireland. It has been assumed they are in different council areas.

Regionally, the North West license the highest number of pet shops in private dwellings (24) compared to the East Midlands who licensed the highest number in 2014 (16 pet shops in private dwellings) (**Table 5**).

Table 5. Number and percent of pet shops in private dwellings by region in 2014 and 2016.

REGION	2016		2014	
	No of pet shops	% of total pet shops	No of pet shops	% of total pet shops
North West	24	8.6	13	5.0
East Midlands	19	8.3	16	7.7
West Midlands	14	6.8	14	6.4
Wales	14	9.7	8	5.1
North	12	6.3	11	7.2
Scotland	10	6.4	6	4.1
East Anglia	10	6.5	13	5.6
South East	10	3.2	12	3.1
South West	9	4.8	8	3.5
London	4	2.9	5	4.0
North East	2	2.7	2	1.8
Northern Ireland	2	2.1	2	2.1
All of UK	130	6.0	110	4.7

We believe the internet is becoming a greater conduit for the sale of pets of all kinds. The activity of some of the “enterprises” selling via the internet may be at a level that should require licensing.

Though we believe the law currently requires online businesses to be licensed, this must be clearly and unequivocally stated in future revisions of relevant laws.

There has been a clear increase in the number of licensed pet shops in private dwellings between 2014 and 2016. However, the questions remain:

- Is this just a random event?
- Are councils with the greatest proportion of licensed pet shops in private dwellings encouraging their establishment?
- Are these councils actively seeking to bring those trading in an informal manner into compliance with the law?

3.3 Questions 3 & 8. Type of inspector conducting Pet Shop Licensing visits and training received

3.	Who carries out your pet shop licensing visits?			
	Environmental Health Officer		Dog Warden	
	Licensing Officer		Vet	
	Other			

The ProPets 2012 report on pet shop licensing found that there was wide variation in the type of inspector employed by local authorities to conduct pet shop licensing visits. While the majority of local authorities (37.2%) relied on Environmental Health Officers (EHO) to conduct their pet shop licensing visits, an additional 33.9% cited a range of inspector titles spanning 46 different titles grouped into 4 different practical categories.

Results from OATA's 2014 FOI request on Pet Shop Licensing showed that the number of councils employing EHOs for pet shop inspections were just as many as those who employed "other" types of inspectors.

In 2016, the picture is slightly different in that the majority of councils rely on "other" types of inspector (**Table 6**), the most common being an "animal welfare/health officer" or similar and the most unusual a "gypsy liaison officer with training in animal health" (**Table 7**). This suggests there has been a gradual move away from EHOs and now a wider range of officers with very different qualifications and varying levels of knowledge carry out pet shop licensing inspections.

Note that responses to this question could include a combination of answers (e.g. a council could employ an EHO, a vet and some other type of inspector to do the job). Therefore, percentages for each category have been calculated independently as a fraction of the total number of participating councils, which means that their sum will differ from 100.

Table 6. Local authorities' responses (%) regarding type of inspector conducting pet shop licensing visits

Region	No of councils	EHO	Licensing officer	Vet	Dog warden	Other
East Midlands	33	63.6	27.3	15.2	6.1	27.3
East Anglia	25	48.0	32.0	36.0	24.0	32.0
London	24	8.3	37.5	29.2	16.7	50.0
North East	8	25	50	37.5	0	37.5
North West	29	48.3	20.7	6.9	3.4	51.7
South East	47	40.4	25.5	19.1	12.8	34.0
South West	23	26.1	34.8	30.4	4.3	34.8
West Midlands	21	28.6	28.6	23.8	23.8	33.3
North	16	18.8	43.8	18.8	12.5	25.0
Northern Ireland	11	0	0	100	0	0
Wales	20	20	30	25	5	55
Scotland	23	60.9	4.3	21.7	0.0	60.9
All of UK	280	36.8	27.1	25.4	10.0	38.2

Table 7. Different titles for pet shop licensing officers listed under the category “other”

Animal Health & Welfare	Environmental	Health, Safety & Public	General
• Animal control enforcement officer	• Environmental Health Technical Practitioner/ officer	• (Public) Health Protection officer	• Regulation Technician
• Animal Health and Welfare Inspector	• Environmental Health Technician	• Food (and) Safety officer	• Technical officer
• Animal Health Inspector (City of London)	• Environmental enforcement officer	• Public Protection officer	• Senior Technical officer
• Animal Health officer	• Environmental Protection officer		• Trading Standards officer
• Animal licensing and control officer	• Environmental Health Authorised officer		• Licensing Technician
• (Contracted) Senior enforcement officer (animal health)			• Licensing Compliance officer
• Animal welfare and safety officer			• Enforcement officer
• (Contracted) Animal welfare officer			• Gypsy liaison officer with training in animal health
• Animal welfare supervisor			
57 responses	20 responses	7 responses	23 responses

Question 8 in the survey asked councils to provide information on whether pet shop licensing inspectors/ officers received (or had received) relevant specialist training. 30% of councils responded NO to this question. The survey did not define “relevant training” and no investigation of what councils regarded as relevant training, was undertaken.

3.4 Question 4. Basis of pet shop licensing conditions

4.	Upon what do you base your pet shop licence conditions?			
	1992 LGA Guidelines		2013 Pet Vending Guidelines	
	1998 LGA Guidelines		Pet Care Trust QA standards	
	PA Inspection Plan			

If "Other" please specify what:

When asked what guidance was used to draft their pet shop licence conditions, councils provided a variety of responses, with a few saying that they used their own model conditions or guidance provided when these were written. Others stated they used other councils' guidelines as a model and 3 councils said they did not know what their guidelines were based on.

Three years after issuing the CIEH Pet Vending Guidelines (2013), barely half of local authorities have adopted them as the basis for their licensing conditions, and over 27% of councils are still using the 1998 LGA guidelines. Results are summarised in **Tables 8** and **9**. Note that some councils selected more than one answer as the basis for their licensing conditions and thus, percentages for each set of guidelines have been calculated as a fraction of all responding councils (280 councils). Additionally, some of the councils that answered "OTHER" said they used more than one type of guidelines (e.g. Vet recommendations and industry guidance; in-house conditions and OATA; Pet Animals Act 1951 and Animal Welfare Act 2006).

In 2014, just under 28% of councils had adopted the CIEH pet vending guidelines, rather than relying on older guidance. Both the 2014 and 2016 FOI results indicate that moving to the most recent guidelines available is a slow process.

Table 8. Number of councils selecting a given set of guidelines as basis for their pet shop licensing conditions across the UK

	Guidelines					
	1992 LGA	1998 LGA	2013 Pet Vending Guidelines	Pet Care Trust QA Standards	PA Inspection Plan	Other
# of councils	18	76	144	10	7	62
% of councils	6.4	27.1	51.4	3.6	2.5	22.1

Table 9. Other guidance and regulations used by councils when writing their pet shop licensing conditions

Type of guidance or regulation	No. of councils
Pet Animals Act 1951	23
Petshops Regulations (Northern Ireland) 2000	11
In-house/ own conditions	9
Welsh Animal Health and Welfare Panel	5
Animal Welfare Act 2006	3
A combination of available guidelines	3
OATA guidelines	2
Pet Industry Standards	2
Vet recommendations	2
LGA 2006	1
COSLA Model Standards 1992	1
Hampshire and Isle of Wight Animal Welfare Group	1
Worked with RSPCA and another Local Authority to draft conditions	1
Relevant legislation and guidance	1
No specific conditions	1
Don't know/ Don't have this information	3

3.5 Question 5. Frequency of licensing visits and additional reasons to visit pet shops

5.	How frequently do you conduct licensing visits?			
	Annually		More frequently than annually	
	Less frequently than annually			

If not annually please specify:

The majority of councils (215) conduct annual licensing visits, while 40 conduct more frequent visits and 25 conduct visits less than once a year (**Fig. 4**). Councils that conduct licensing visits other than annually were asked to specify how often. However, only 27 councils specified a different frequency as follows:

More frequently than annually	Less frequently than annually
<ul style="list-style-type: none"> Twice a year: 4 councils 6 month spot check: 2 councils One annual primary inspection and at least one annual welfare inspection unannounced: 2 councils 	<ul style="list-style-type: none"> Once every two years: 3 councils Only on application unless complaints are received: 2 councils
Risk assessment determines frequency of visits: 13 councils One council said they had no set frequency for inspections	

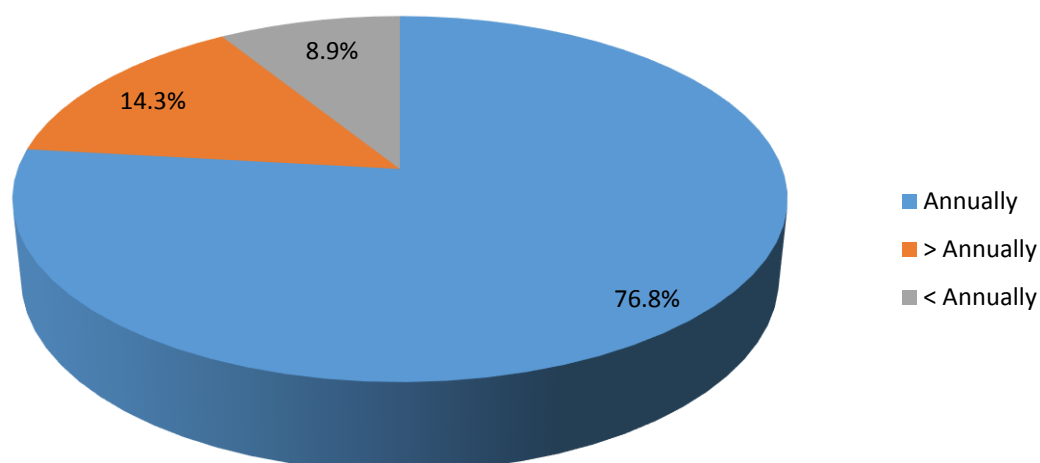


Figure 4. Percent of councils and frequency with which they conduct pet shop licensing visits

3.6 Question 6. Additional Reasons to Visit a Pet Shop

6.	For what other reasons will you visit a pet shop?			
	Pre booked monitoring visit		Complaints	
	Unannounced spot checks		Other	

When asked for what other reasons they visited pet shops, 272 councils said they would conduct “additional” visits when complaints were received; 159 would conduct unannounced spot checks and 81 would conduct pre-booked monitoring visits. Only 16 said they would conduct visits for “other” reasons (**Fig.5**). The reasons for these visits included:

- Health and Safety complaint, RIDDOR report or Health and Safety Inspection
- Revisit to check compliance following a licensing inspection with issues highlighted
- New animals or significant changes
- Request for advice
- Accidents
- Annual unannounced inspection as part of renewal process
- Intelligence/ History

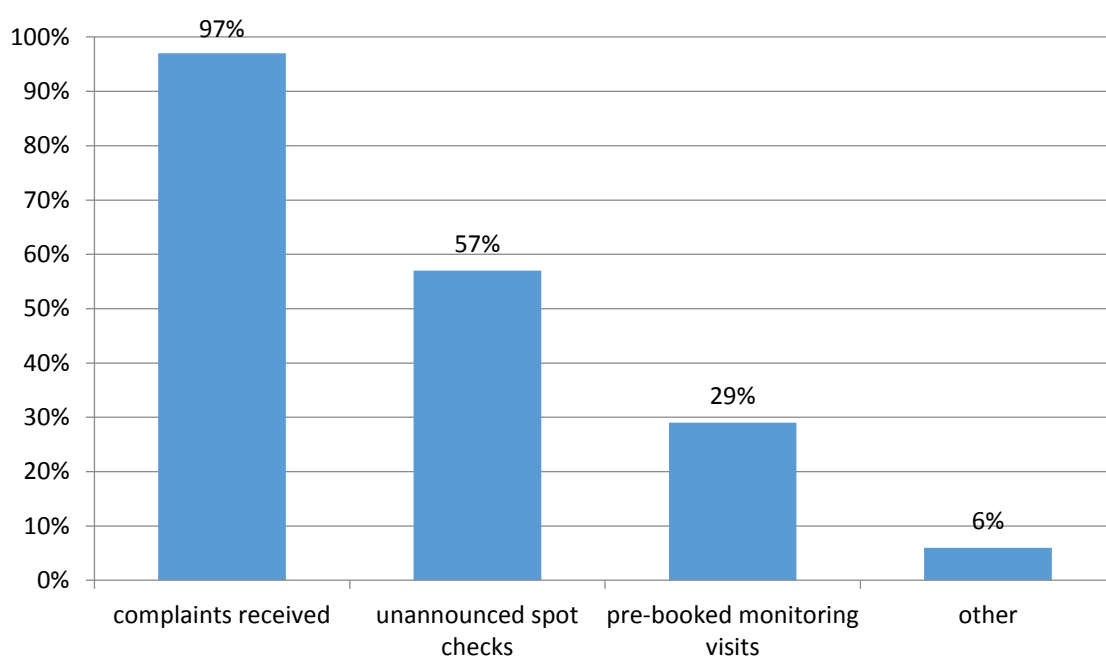


Figure 5. Percent of councils and reasons for inspectors to visit pet shops (other than standard licensing visits)

3.7 Question 7. Annual Pet Shop Licensing Fees

7.	What do you charge annually for a pet shop license?	£
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Analysis of this question was complicated due to the very obvious differences in licensing fees and the way local authorities calculate these. Most local authorities charge a set fee for new applications which is higher than fees for renewals of licences. For calculation purposes, the renewal fee was used as it is assumed that most licences issued are of this nature, rather than new applications.

Other councils have additional charges for vets' fees, though it is assumed (from comments provided by some councils) that vets mostly go out on visits to pet shops that are applying for a licence for the first time or when vet services are necessary. For this reason, vet fees have not been considered in this analysis.

Furthermore, there are a number of local authorities that charge different fees based on shop floor area or the type of animals licensed (and whether it's a new application or renewal). For example, one council had a flat fee of £104 for all types of animals except reptiles. For shops selling reptiles, the fee increased 282%, from £104 to £293. Another council assigned fees based on "multi-species" and "single species" criteria, though it is only reasonable to assume that refers to types or groups of animals, rather than species.

Two councils charge different fees based on whether a pet shop sells exotic or non-exotic animals, yet it is worth noting that all ornamental fish in pet shops are exotic species and that a number of other councils charged their lowest fee to "fish only" shops.

Still other councils used a risk assessment system to determine licence fees, as shops in the higher risk category would also require more frequent inspections.

In such cases, an average of fees charged for renewals for all "banding" categories was used. An example of how this was calculated is Bexley London Borough Council, who charge the highest fee across the UK.

Bexley council assign different fees based on 3 different cumulative categories of animals and whether it is a new application or a renewal, as follows:

Category 1 - Reptiles & Fish £575 for new applications; £351 for renewals

Category 2 - Category 1 animals plus birds and small mammals £687 for new applications; £465 for renewals

Category 3 - Categories 1 & 2 and dogs, cats and all other animals £916 for new applications and £690 for renewals.

Therefore, an average of renewal fees across all categories was used for analysis (£502)

Table 10; and **Figures 6 and 7** summarise this information

Table 10. Descriptive statistics relevant to pet shop licensing fees across the UK and the 10 councils charging the highest and lowest fees

Mean	£144.85		
Standard Deviation	£74.96		
Median	£125		
Q1	£101		
Q3	£170		
Max	£502		
Min	£20		
Councils charging the lowest fees	Annual fee	Councils charging the highest fees	Annual fees
Councils in Northern Ireland	£20.00	Bexley London Borough Council	£502.00
Glasgow City Council	£23.00	Barnet London Borough Council	£451.00
South Norfolk Council	£52.80	Richmond Upon Thames London Borough	£413.00
Dundee City Council	£60.00	Maidstone Borough Council	£395.00
East Renfrewshire Council	£64.50	Reading Borough Council	£386.50

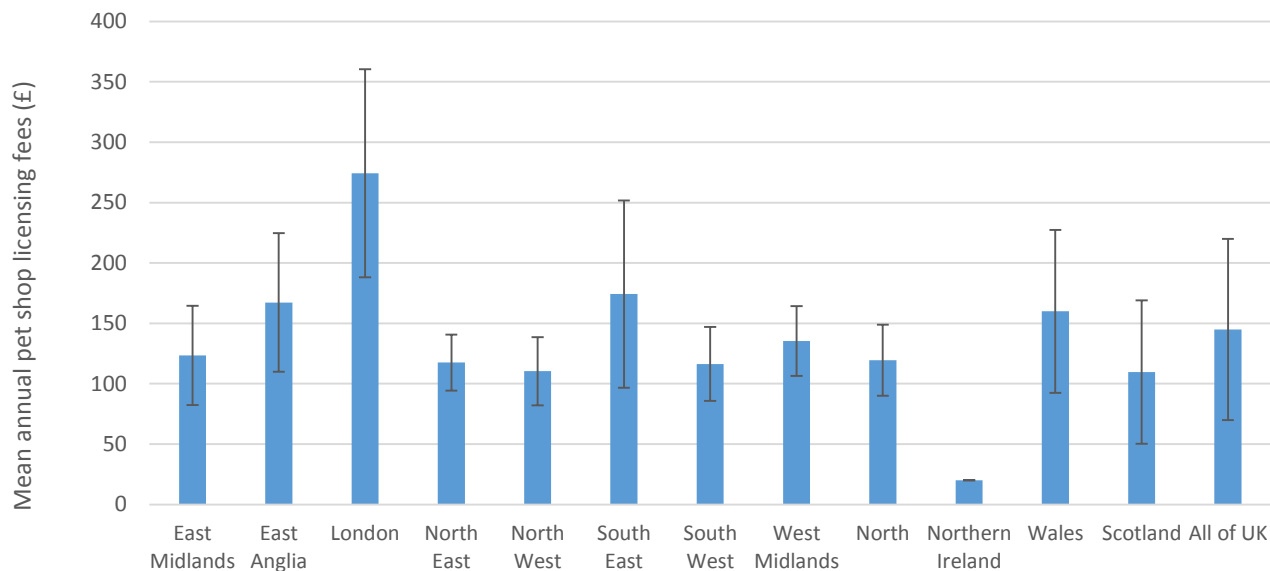


Figure 6. Means and standard deviations for pet shop licensing fees across the UK

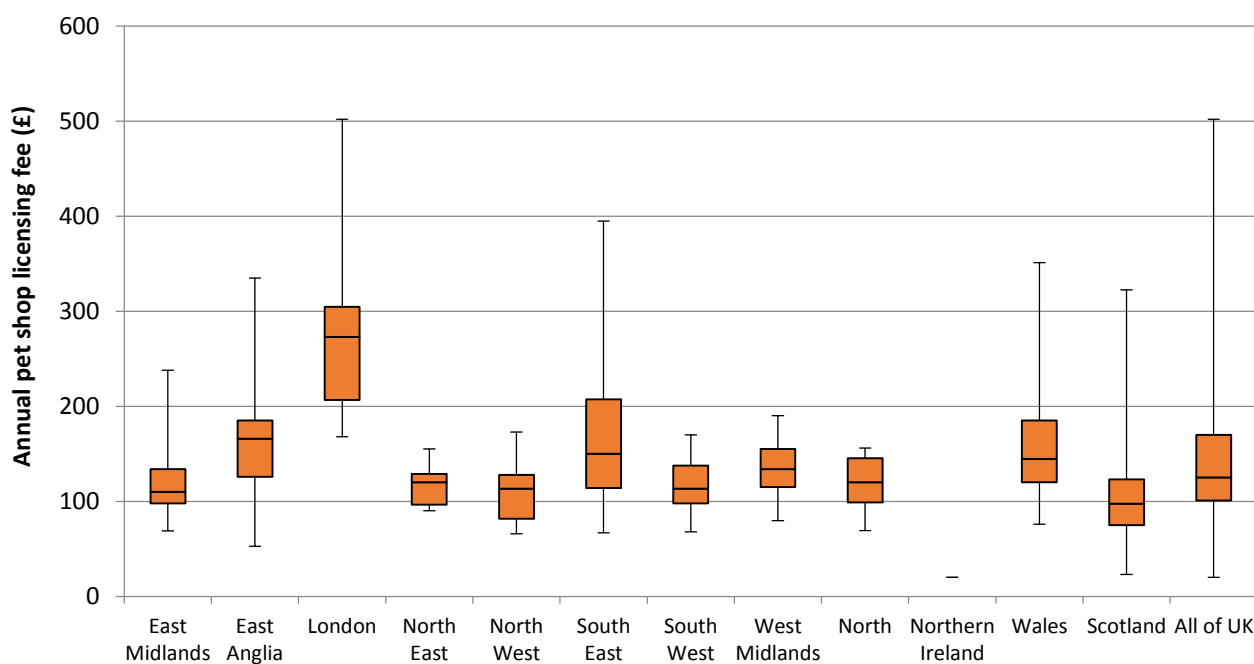


Figure 7. Box plot for pet shop licensing fees across the UK. The orange boxes denote the 25-75% range with the middle marker indicating the 50% value or median. Error bars show minimum and maximum fees charged per region. Northern Ireland only appears as a single line as it has one set fee of £20.

3.8 Question 8. Training

Question 8 in the survey asked councils to provide information on whether pet shop licensing inspectors/officers received (or had received) relevant specialist training. 30% of councils responded NO to this question. The survey did not define “relevant training” and no investigation of what councils regarded as relevant training, was undertaken.

3.9 Question 9. Business checks

9.	Do you ensure the pet shop being licensed is a “business” by checking			
	they are registered for business rates		that any necessary planning consents for use of the premises as a pet shop have been obtained	
	public liability insurance is in place		Other	

Article 7 of the Pet Animals Act 1951 makes it clear that pet shops are businesses.¹⁰

Councils were asked to provide information on the types of checks they carried out to ensure that pet shops being licensed were legitimate businesses. They were asked to select all that applied from the following:

- That the pet shop is registered for business rates
- That necessary planning consents for the use of the premises as a pet shop have been obtained
- That public liability insurance is in place
- Other

The questionnaire used did not directly prompt councils that responded “other” to specify what type of checks they did perform. It also did not provide an option for “none”. In those cases where this question was left blank, OATA followed up with these councils to confirm the question had deliberately been left blank due to the lack of a suitable option. Confirmation was provided in 100% of the cases that the council in question did not perform any checks.

Again, responses to this question could include a combination of answers and therefore, percentages for each category have been calculated independently as a fraction of the total number of participating councils.

The majority of councils seem to rely mainly on public liability insurance(61% of all councils) to check the pet shop being licensed is a business (**Table 11**).

¹⁰ **Art.7** References in this Act to the keeping of a pet shop shall, subject to the following provisions of this section, be construed as references to the carrying on at premises of any nature (including a private dwelling) of a business of selling animals as pets, and as including references to the keeping of animals in any such premises as aforesaid with a view to their being sold in the course of such a business, whether by the keeper thereof or by any other person.

Table 11. Councils conducting different types of checks to ensure pet shops being licensed are legitimate businesses.

Type of check	No and (%) of councils
Registration for business rates	51 (18.2%)
Planning consents for use of premises as a pet shop	124 (44.3%)
Public liability insurance	170 (60.7%)
Other	37 (13.2%)
None	55 (19.6%)

As stated above, councils could choose either just one of the options provided or a combination thereof. The majority of councils carry out just one of the specified checks (**Fig.8**). Of these, only 1.0% check that the licensed pet shop is registered for business rates, compared to 73.7% that check that public liability insurance is in place (**Fig. 9**).

Of the 65 councils that perform 2 of the 3 specified checks, 92.2% include public liability insurance checks as part of the combination (9.2% check for business rates and public liability insurance; 83.0% check for planning consents and public liability insurance) (**Fig. 10**).

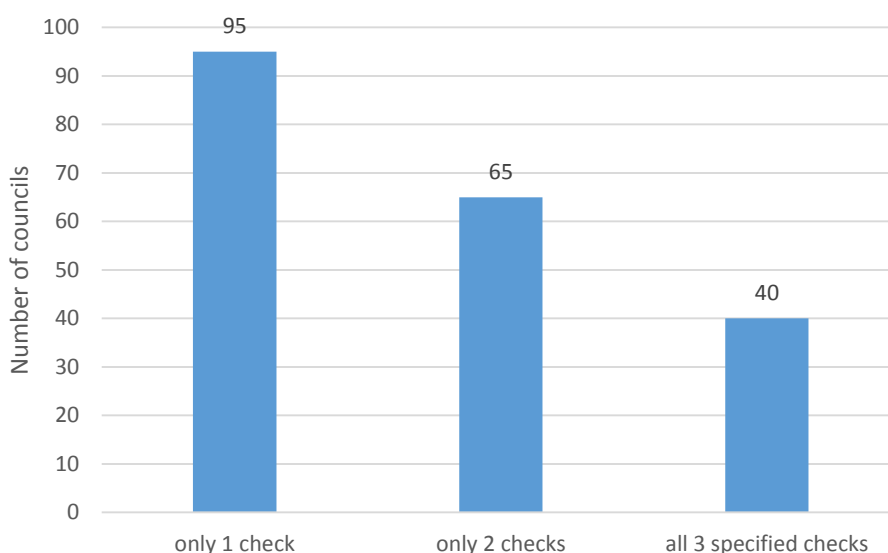


Figure 8. Number of checks performed by council to ensure the pet shop being licensed is a legitimate business

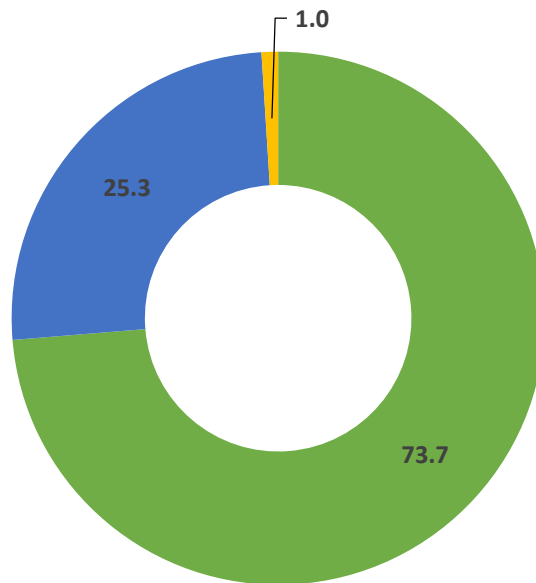
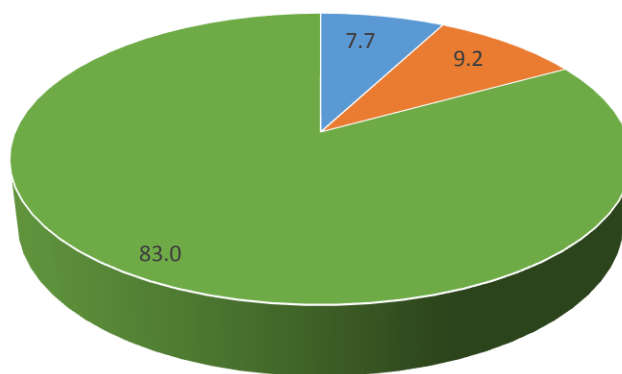


Figure 9. Percent of councils that only perform 1 of the specified checks on pet shops to ensure they are a legitimate business and types of checks performed



- Business rates and planning consents
- Business rates and PL insurance
- Planning consents and PL insurance

Figure 10. Percent of councils that perform 2 of the specified checks on pet shops to ensure they are a legitimate business and types of checks performed

Appendix 1: Questionnaires sent to local authorities in 2016 and 2012



ORNAMENTAL AQUATIC TRADE ASSOCIATION LTD

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FREEDOM OF INFORMATION REQUEST- PET SHOP LICENSING-FEB 2016

Council

Name of officer completing questionnaire

1.	In total how many pet shops do you license? (Insert Number)			
	Of these how many are licensed to sell: Insert (Number for each)			
	Dogs		Small mammals	
	Cats		Reptiles	
	Birds		Fish	
	Primates			

2.	How many pet shops are in private dwellings? (Insert Number)	
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3.	Who carries out your pet shop licensing visits? (Put X in Box)			
	Environmental Health Officer		Dog Warden	
	Licensing Officer		Vet	
	Other			

If "Other" please specify who:

4.	Upon what do you base your pet shop license conditions? (Put X in Box)			
	1992 LGA Guidelines		2013 Pet Vending Guidelines	
	1998 LGA Guidelines		Pet Care Trust QA standards	
	PA Inspection Plan		Other	

If "Other" please specify what:

5.	How frequently do you conduct licensing visits? (Put X in Box)			
	Annually		More frequently than annually	
	Less frequently than annually			

If not annually please specify:

6.	For what other reasons will you visit a pet shop? (Put X in Box's)			
	Pre booked monitoring visit		Complaints	
	Unannounced spot checks		Other	

If other please specify most frequent reason:

7.	What do you charge annually for a pet shop license? (Insert Cost)		
8.	Do (or have) those officers licensing pet shops undertaken relevant specialist training? (Put X in appropriate Box)	Please answer	
Yes		No	

9.	Do you ensure the pet shop being licensed is a "business" by checking (Put X in appropriate Boxes)			
	they are registered for business rates		that any necessary planning consents for use of the premises as a pet shop have been obtained	
	public liability insurance is in place		Other	

FREEDOM OF INFORMATION REQUEST- PET SHOP LICENSING (2012)

Council

Name of officer completing questionnaire

1.	Who carries out your pet shop licensing visits?			
	Environmental Health Officer	<input type="checkbox"/>	Dog Warden	<input type="checkbox"/>
	Licensing Officer	<input type="checkbox"/>	Vet	<input type="checkbox"/>
	Other	<input type="checkbox"/>		<input type="checkbox"/>

If "Other" please specify who:

2.	Upon what do you base your pet shop license conditions?			
	1992 LGA Guidelines	<input type="checkbox"/>	2012 draft Guidelines	<input type="checkbox"/>
	1998 LGA Guidelines	<input type="checkbox"/>	Pet Care Trust QA standards	<input type="checkbox"/>
	Other	<input type="checkbox"/>		<input type="checkbox"/>

If "Other" please specify what:

3.	How frequently do you conduct licensing visits?			
	Annually	<input type="checkbox"/>	More frequently than annually	<input type="checkbox"/>
	Less frequently than annually	<input type="checkbox"/>		<input type="checkbox"/>

If not annually please specify:

4.	For what other reasons will you visit a pet shop?			
	Pre booked monitoring visit	<input type="checkbox"/>	Complaints	<input type="checkbox"/>
	Unannounced spot checks	<input type="checkbox"/>	Other	<input type="checkbox"/>

If other please specify most frequent reason:

5.	What do you charge annually for a pet shop license?	£
6.	Do (or have) those officers licensing pet shop licensing undertake relevant specialist training?	Please answer "Yes" or "No"
7.	Would you consider sending officer(s) on specialist training courses if they were available?	Please answer "Yes" or "No"

Please return by email to keith@ornamentalfish.org or by post to Keith Davenport, OATA, Wessex House, 40, Station Road, Westbury, Wiltshire, BA13 3JN.

Appendix 2: Summary of Results Freedom of Information Request on Pet Shop Licensing, 2014

Summary of Results

Freedom of Information Request on Pet Shop Licensing, 2014

Total number of responding councils: 311

1.	In total how many pet shops do you license? 2,322			
	Of these how many sell: Responses below are based on a total of 2,208 pet shops in 281 councils. Analysis excludes Northern Ireland (26 councils; 97 pet shops), South Cambridgeshire (11 pet shops) and Taunton Deane (6 pet shops) who have not specified how many shops sell each different type of animal. Isle of Scilly and City of London don't license any pet shops.			
	Dogs	92 (4.2%)	Small mammals	1,275 (57.7%)
	Cats	169 (7.7%)	Reptiles	1,031 (46.7%)
	Birds	938 (42.5%)	Fish	1,658 (75.1%)
	Primates	32 (1.4%)		

2.	How many pet shops are in private dwellings?	110 (4.7% of all licensed pet shops)
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Total number of councils licensing pet shops in private dwellings: 74 (23.8% of responding councils)

3.	Who carries out your pet shop licensing visits?			
	Environmental Health Officer	104 (33.4%)	Dog Warden	37 (11.9%)
	Licensing Officer	85 (27.3%)	Vet	75 (24.1%)
	Other	104 (33.4%)		

4.	Upon what do you base your pet shop license conditions?			
	1992 LGA Guidelines	36 (11.6%)	2013 Pet Vending Guidelines	86 (27.7%)
	1998 LGA Guidelines	124 (39.9%)	Pet Care Trust QA standards	18 (5.8%)
	1951 Pet Animals Act	33 (10.6%)	Other	82 (26.4%)

A number of different documents were cited by councils who responded "other", including CIEH guidance, other councils' conditions, their own guidance, and OATA documents. A low number of councils (3) stated they did not know what their pet shop licensing conditions were based on. 26 councils in Northern Ireland base their licensing conditions on the Pet Shop Regulations for Northern Ireland.

5.	How frequently do you conduct licensing visits?			
	Annually	252 (81.0%)	More frequently than annually	36 (11.6%)
	Less frequently than annually	17 (5.5%)	Risk-based visits	9 (2.9%)

6.	For what other reasons will you visit a pet shop?			
	Pre booked monitoring visit	80 (25.7%)	Complaints	285 (91.6%)
	Unannounced spot checks	190 (61.1%)	Other	17 (5.5%)

7.	What do you charge annually for a pet shop license? £		
	Max	£462.00	
	Min	£20.00	
	Mean	£131.86 (S.D. £75.51)	
	Median	£118.40 (Q ₁ = £88.50; Q ₃ = £160.00)	

There was wide variation on charges of annual fees, with some councils using banding categories to set charges, while others used shop floor area, and still others set charges depending on the type of animals sold (yet, in one instance, a council stated that they did not record the type of animals sold by each shop in spite of using this criterion to set their annual fees).

8.	Do (or have) those officers licensing pet shops undertake relevant specialist training?	YES	NO
		233 (74.9%)	78 (25.1%)

NB: No details were requested on what councils considered relevant training.

9.	Do you ensure the pet shop being licensed is a “business” by checking			
	they are registered for business rates	49 (15.8%)	that any necessary planning consents for use of the premises as a pet shop have been obtained	129 (41.5%)
	public liability insurance is in place	178 (57.2%)	Other (unspecified)	30 (9.6%)
			None	76 (24.4%)

Number of councils that perform:	1 of the specified checks above	116
	2 of the specified checks above	66
	All 3 of the specified checks above	36

Of the 116 councils performing only 1 of the checks above

Public liability insurance	81 (69.8%)
Planning consents	33 (27.4%)
Business rates	2 (1.7%)

Of the 66 councils performing only 2 of the checks above

Planning consents and public liability insurance	55 (83.3%)
Business rates and public liability insurance	6 (9.1%)
Business rates and planning consents	5 (7.6%)

Less than half of the responding councils check within their office for the necessary planning consents or registration for business rates.