



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Consultation on Animal Welfare Licensing Policy Consultation 2023/24



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Purpose

1. The purpose of this report is to outline the results of a consultation on South Kesteven District Council's Animal Welfare Licensing Policy, undertaken during December 2023.
2. The consultation provided an opportunity for stakeholders, licence holders and the public to comment on the introduction of an Animal Welfare Licensing Policy for South Kesteven. The policy includes details about the possession of certain animals or animal related activities within the district of South Kesteven, which must be licensed by the Council.

Scope

3. The scope of this consultation needed to:
 - Communicate the Council's priorities in relation to animal welfare licensing
 - Reflect the Council's obligations in other areas. These included details of:
 - ❖ The activities that require a licence
 - ❖ The protection of animals from harm and their welfare needs
 - ❖ Setting out timescales for granting and renewing licences
 - Communicate the legislation which applies to animal licensing. These include the Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018; the Dangerous Wild Animals Act 1976; the Zoo Licensing Act 1981 and the Animal Welfare Act 2006. The Performing Animals Regulation Act 1925 also applies. It did **not** include the activities covered under the Animal (Low Welfare Activities Abroad Act) 2023 as these are the responsibility of Trading Standards (Lincolnshire County Council)
 - Ensure that the draft policy was reviewed, and feedback received, from as wide a demographic as possible
 - Ensure that the views of those who wished to respond to the consultation have had an opportunity to do so

Objectives

4. The objectives of the consultation were to:
 - Communicate that a review has been undertaken and a new policy has been written which SKDC is hoping to adopt
 - Raise awareness of the legislation that governs animal welfare establishments
 - Measure the degree of support or otherwise for the draft Animal Welfare Policy
 - Inform the decision that will be taken by the Council in respect of the new policy
 - Ensure respondents were given the opportunity to identify any potential issues or comment on the draft policy

Timescales

5. The cabinet member for Corporate Governance and Licensing, Councillor Phil Knowles, was asked to approve a report for Environment Overview and Scrutiny Committee on 3 October to feedback and approve the draft Animal Welfare policy for a 4-week consultation. Members of the Licensing Committee were then asked for their comments and observations, following Environment OSC feedback, at their meeting on 17 November 2023. Launching on 6 December 2023, the consultation on the draft Animal Welfare Policy was open for four weeks - closing on 3 January 2024. Analysis of results took place during the second and third weeks of January, with results being reported back to Environment Overview & Scrutiny Committee on 13 February 2024. It will then be presented to Cabinet on 12 March 2024 prior to approval by Full Council thereafter.

Stakeholders

6. The stakeholders were identified as follows:
 - 74 licence holders
 - SK residents – this includes but is not limited to those who may use or visit licensed establishments e.g., riding schools, kennels etc
 - 78 Town and Parish Councils
 - The Chief Constable of Lincolnshire Police
 - Animal and Plant Health Agency (APHA)
 - Lincolnshire County Council – Trading Standards
 - Lincolnshire Fire and Rescue
 - The Showmen's Guild
 - Market Traders
 - Other sections in SKDC including Environmental Health, Public Protection., Legal Services and Planning

Methodology

7. The table below identifies the method(s) which were used to involve each of the stakeholder types in the consultation:

Stakeholders	Method(s)	Details
Licence holders	Licensing Section contacted all licence holders by email and asked them to complete a survey on-line.	Potential respondents were referred to survey monkey to participate in the consultation. If they had no internet access or didn't want to participate online, a copy of the survey was posted to them.

SK residents	<p>Members of the public were made aware of the consultation through the following channels:</p> <p>Press release to the local press</p> <p>SKDC Social Media Channels</p> <p>SKDC website</p>	<p>Potential respondents were referred to survey monkey to participate in the consultation. If they had no internet access or didn't want to participate online, a paper copy was made available.</p> <p>Press Officer prepared a press release promoting the consultation. Release included the link to the survey and a QR code.</p> <p>Social Media Officer promoted the consultation on social media channels by posting on Facebook and tweeting on Twitter. Posts included a link to the survey. These were prepared and approved by HG in advance of the consultation going live.</p> <p>Webpage contained the following information:</p> <ul style="list-style-type: none"> • a draft version of the policy • link to the survey and QR code
Town & Parish Councils – Bourne, Market Deeping and Stamford	All Town & Parish Councils were contacted by email and asked to complete a survey on-line.	
The Police – Chief Officer of Lincs Police and the Lincolnshire Police and Crime Commissioner	Chief Officer for Lincolnshire Police contacted	<p>Licensing Team contacted the chief officer for Lincolnshire Police on</p> <p>[REDACTED]</p> <p>Police and Crime Commissioner</p> <p>[REDACTED]</p>
Animal and Plant Health Agency (APHA)	Contacted by email and asked to complete a survey on-line	[REDACTED]
Lincolnshire Fire and Rescue	Contacted by email	<p>Licensing Team contacted the chief officer for Lincolnshire Fire and Rescue on</p> <p>[REDACTED]</p>
The Showmen's Guild (The Derbyshire, Nottinghamshire, Mid and South Lincolnshire Division)	Contacted by letter/ email	<p>Licensing Team contacted Showmen's Guild</p> <p>[REDACTED]</p>

Market Traders	Printed copy of survey distributed by Markets Manager	The Consultation Officer contacted the markets manager. He then spoke to market traders and made them aware of the opportunity to take part in the consultation
Other sections in SKDC	Environmental Health Public Protection Planning Legal	Licensing Team contacted other sections within the Council: [REDACTED] [REDACTED] [REDACTED] [REDACTED]

Details

8. The survey used to collect respondents' opinions on the new Animal Welfare Licensing Policy focused on four main areas. Respondents were asked if they agreed with the objectives of the policy and its principles. They were asked if they support the factors the licensing authority will use to judge if a licence should be granted, and were also asked for their overall opinion on the new policy.
9. A press release was issued to promote this consultation in the local media. Unfortunately, no articles appeared in either the Stamford Mercury or the Grantham Journal. The reason for this is not known. The consultation was also promoted via the Council's social media channels during the consultation period. The Facebook post on 6 December reached 1,161 people and 3 clicked on the link. The second Facebook post on 21 December reached 3,028 people and 15 clicked on the link. The third Facebook post on 29th December reached 3,636 and 71 people clicked on the link. There were 231 engagements across all three posts on Facebook. There were 281 views on X (formerly Twitter) and 5 people clicked on the link on 6 December. On 21 December there were 204 views and 1 person clicked on the link. On 29 December, there were 219 views and 1 person clicked on the link.
10. The consultation closed on 8 January 2024 - a few days later than originally planned. 67 responses were received. 15 of the responses to the consultation were received from individuals currently issued with an animal welfare licence and two responses were received from town and parish councils. No responses were received from market traders or the Showmen's Guild.

The results

11. Respondents were told about SKDC's responsibilities in respect of licensing various animal related business activities and the possession of certain animals; and that these are set out in its Animal Welfare Licensing Policy.

12. Covering the licensing of animal welfare activities, the policy is built around the following legislation:

- The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018
- The Dangerous Wild Animals Act 1976
- The Zoo Licensing Act 1982
- The Animal Welfare Act 2006

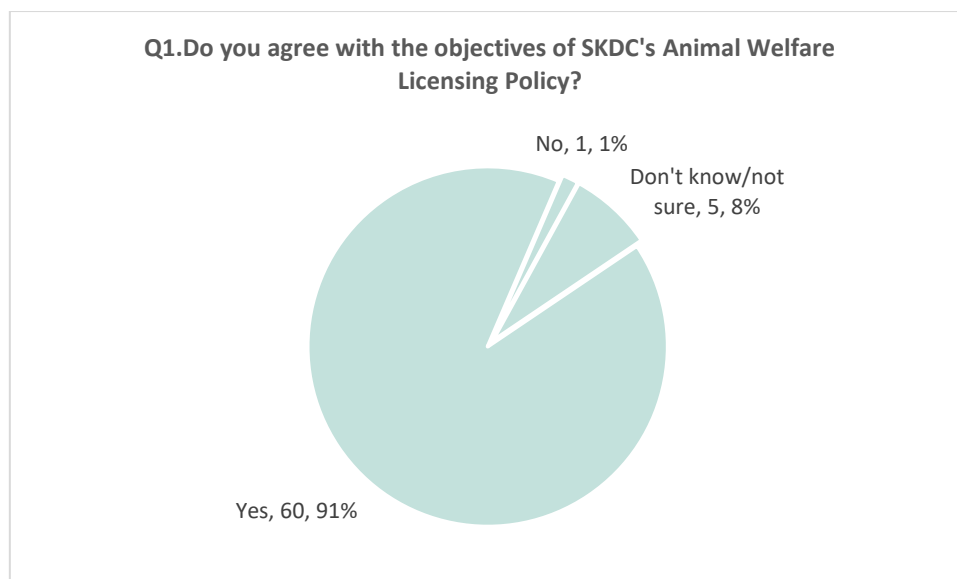
13. Aimed at protecting animals, the legislation sets out the standards of care that are expected when running a business involving animals; and also makes it an offence for any person to possess, own or keep animals in order to carry out certain businesses without a licence issued by their local authority.

14. As many of the activities and processes covered in the Animal Welfare Licensing Policy are determined by legislation, and cannot be changed, respondents were not asked to comment on them. They were however asked for their opinion on its building blocks -the principles, objectives and factors underpinning the policy.

15. The objectives of the Animal Welfare Licensing Policy were identified as follows. To ensure that:

- Any person who carries on, attempts to carry on or knowingly allows a licensable activity to be carried on, holds a licence in accordance with the relevant legislation.
- The licence holder is not disqualified from holding a licence in accordance with the requirements of the relevant legislation.
- The five overarching principles of animal welfare (known as the “five needs”) introduced by the Animal Welfare Act 2006 are upheld in any decision.
- The safeguarding of any children or vulnerable persons in contact with a licensable activity is ensured, in accordance with relevant legislation.
- Each application is considered on its own merits.
- Decisions by the Licensing Authority are transparent and consistent

16. When asked if they agreed with the objectives of the animal welfare licensing policy, nine out of ten respondents said that they did. This is illustrated in the chart overleaf:



17. When asked if they would prefer an alternative, five respondents commented. Two comments were about the policy and how the parameters set out in it should be applied, two were seeking clarification on the policy and what it covers, and one was a statement about why they couldn't answer the question.

“Think they need to visit more than once, Random visits needed...”

“Licensing needs to happen for all breeders in SK”

“Does the policy cover rehoming and charities too?”

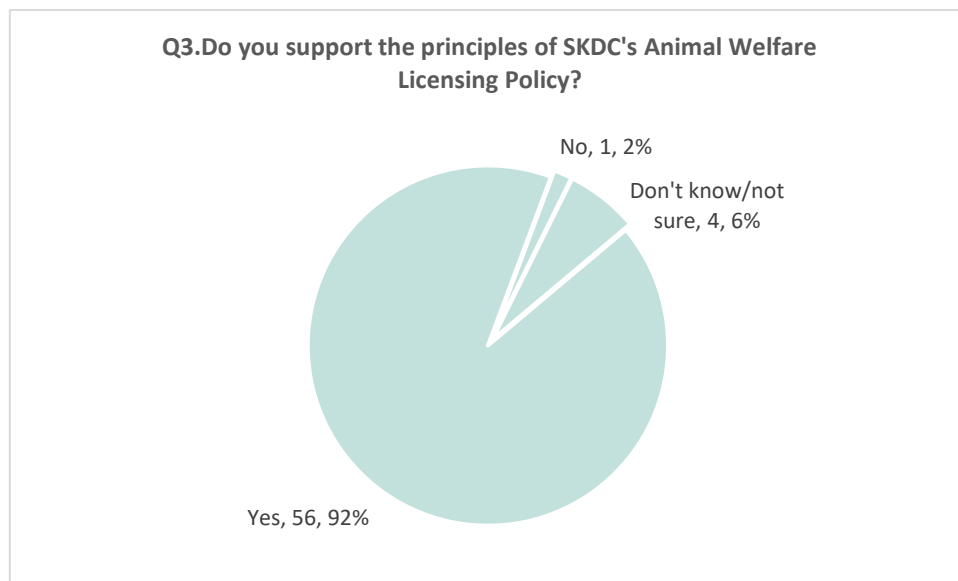
“I thought this was already in the licensing for exhibition”

“I haven't read the definition of licensable activity or the five needs”

18. Respondents were then asked if they supported the principles of the Animal Welfare Licensing Policy. The principles of SKDC's Animal Welfare Licensing Policy are as follows:

- A responsibility to protect the welfare of all fellow creatures
- To ensure the welfare of domestic or captive animals by implementing appropriate standards that promote the “five needs”
- To ensure that those responsible for the management of animal welfare observe recognised standards of good practice
- To ensure that, so far as it falls within its powers, the requirements of all animal-related legislation is rigorously and pro-actively enforced

19. There was strong support for the principles outlined in the policy document. Around 90% of respondents (56 or 91.8%) supported them as illustrated here:



20. When asked to comment, the importance of undertaking spot checks on facilities was mentioned again. The availability of resources to be able to follow these principles was also raised by one respondent.

“Would just like spot checks done too at random....”

“I’m not sure however if SKDC has the resources to manage this”

21. The next section of the survey asked respondents if they agreed with the factors the licensing authority will consider when deciding whether to issue a licence. These include:

- The applicant’s experience: Confidence in the ability to handle and control an animal and a clear demonstrated knowledge of its welfare needs are a paramount consideration
- Premise Suitability: This not only means the condition and security of the premises but also any areas in which animals are to be contained.
- Recording and Storing Information/Records: Before a premise is inspected, officers would expect to see templates of client’s forms, policies and procedures for the operation of the business

22. As illustrated in the graph overleaf, most respondents (57 or 93.4%) agreed with the factors that should be considered when determining whether a licence should be issued. Four comments were received in relation to this section of the policy. Two thought more emphasis should be placed on qualifications or completion of a relevant course, as illustrated overleaf:

“This does not seem robust enough. I would like to see evidence of formal training or qualifications in animal welfare & handling to a national level...”

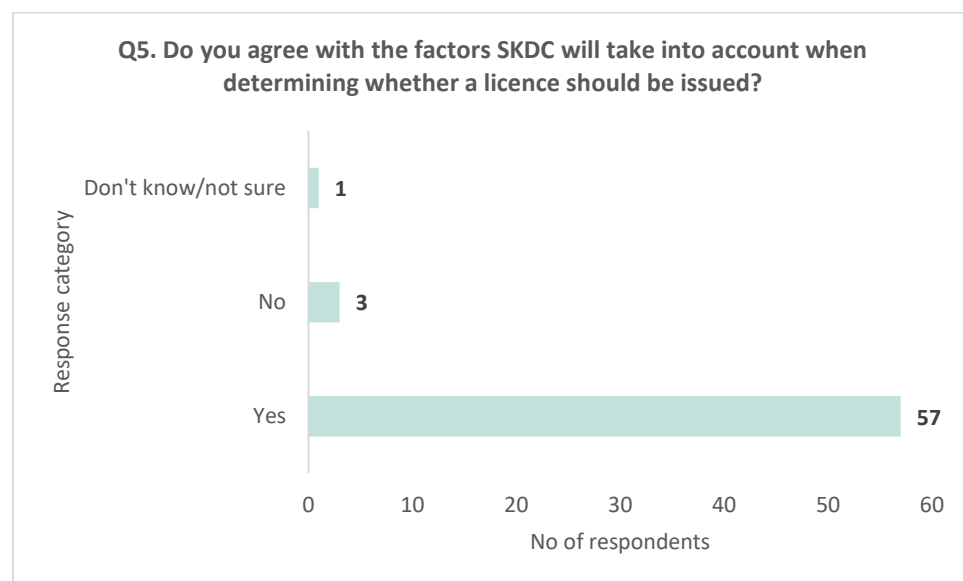
“...offer a course linked to the licence...”

One related to animals kept for research purposes

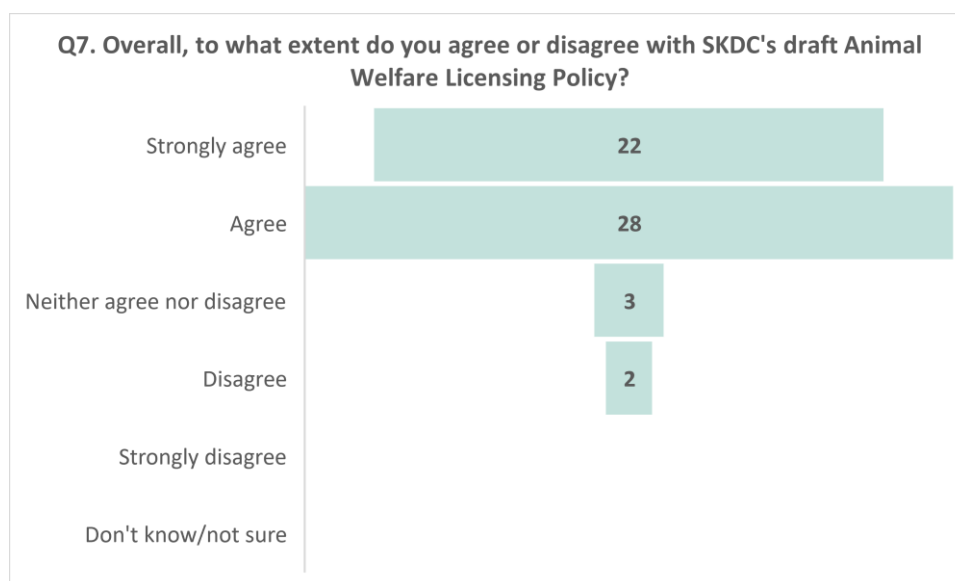
“Any business set up to provide living animals or animal tissue for the pursuance of sciences should provide comprehensive evidence that alternative options have been evaluated first”.

And one thought the existing process was too laborious and should be simplified

“...Record keeping should be reasonable and proportionate to the size of the business...”



23. When asked the extent to which they agreed or disagreed with SKDC’s Animal Welfare Policy, a very small proportion of respondents disagreed, as shown on page 10. Two respondents (3.6%) disagreed with the policy. Three respondents (5.5%) didn’t have an opinion either way. 50 respondents (90.9%) supported it.



24. Those taking part in the survey were then asked if they had any questions or would like to comment on anything included in the Council's Animal Welfare Licensing Policy. Respondents posed a number of questions, including if specific providers required a licence to operate, what the implications would be if a licence was refused, and what the punishments are if the conditions of the licence are not adhered to. These will be considered and responded to (if contact details have been provided) by the Licensing Team Leader in due course.

25. Most responses were received from people living in the district. 43 (81.1%) responses were from residents. 15 responses (28.3%) were from current licence holders and there were a couple of responses from town and parish councils (3.8%).

Conclusion

26. This consultation has illustrated that there is very strong support for the objectives, principles and factors contained within the Animal Welfare Licensing Policy. Over ninety percent of respondents agreed with the objectives and principles outlined in the policy, and also with the factors that should be taken into consideration when determining if a licence should be issued. This was also the case when respondents were asked for their overall opinion of the policy.

27. Whilst it is unfortunate that the consultation was not publicised by the local media (despite a press release being issued), the survey was promoted on the Council's social media platforms. A sizeable

proportion of those who currently hold a licence responded, and feedback was also received from town and parish councils.

28. As such, the Council can be re-assured that those most likely to be affected by the changes have had the opportunity to comment, and although the number of responses is low, there is a strong mandate for the Animal Welfare Licensing Policy and its contents.

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