



PET ANIMALS ACT 1951

**LICENSING CONDITIONS
FOR PET SHOPS
WITHIN THE BOROUGH OF
DACORUM**

The Council licences pet shops under the Pet Animals Act 1951.

These conditions made under Section 1 of the Act covers the keeping, display and sale of animals from Pet Shops within the Borough of Dacorum.

Failure to comply with the Conditions will result in the refusal to grant or renew the Licence and may lead to prosecution.

The meaning of the term 'keep a pet shop' is defined at section 7(1) of the Pet Animals Act 1951 and it means the carrying on at premises of any nature (including a private dwelling) of a business of selling animals as pets and it includes keeping animals in such premises with a view to their being sold in the course of such a business whether by their keeper or by any other person.

The Notes are not part of the conditions, but an aid to the interpretation of the
Conditions

1. No animal shall be kept on the premises unless the trader is sufficiently familiar with the care and welfare of that animal.
2. Animals shall, at all times, be kept in accommodation that is adequate in construction, size, amenities and position in the premises.

Notes: (a) No animal (including birds and fish) should be exposed to excessive light, heat or lack of adequate warmth.

(b) Animals (other than fish or reptiles) should not be kept in cellars unless there is adequate ventilation and light to maintain health.

(c) Animals should not be placed in cages exposed to draughts when doors or windows are open.

(d) All cages should be so sited that the floor of the cage is readily visible.

(e) All walls and floors of cages, hutches, boxes or receptacles which are liable to be contaminated by excreta should be constructed of impervious material and floors should be adequately drained.

(f) Where dangerous animals are kept, the cages must be constructed of well fixed 2.5 cm bars or weld mesh. A protective safety barrier should also be present.

(g) Fish should not be held in recirculating systems at densities greater than 0.5 grammes per litre (or 5 small fish per litre).

3. Where animals are kept in cages, hutches, boxes or other receptacles which are placed on top of other cages, hutches, boxes or other receptacles, effective means should be provided for preventing water, food or other droppings falling onto or contaminating the animals food or other surroundings which are underneath.

4. Animals shall be adequately supplied with suitable food and drink, and shall be visited at suitable intervals. All accommodation shall be cleaned daily or often as is necessary. Suitable and sufficient exercise facilities shall be made available and used where appropriate.

Notes: (a) Animals and birds should be visited at intervals not exceeding 24 hours.

(b) The receptacles in which food and drink are supplied shall be so constructed and placed as to reduce faecal contamination to the minimum.

- (c) Adequate feeding space should be provided when more than one animal are caged together. As a guide 12.6 cm. min of trough space should be provided for small caged birds.
 - (d) All animals that so require it should have suitable food and drink provided at least once every twelve hours, except where an adequate supply of food and drink is constantly available.
5. No animal shall be offered for sale which is clinically unhealthy or has a significant abnormality which will materially affect the quality of its life. No mammal shall be sold unweaned or, if weaned, at an age at which it should not have been weaned.

Notes: (a) Puppies or kittens should be not sold until they are at least six weeks old.

(b) Random checks on the age of animals being presented for sale will be carried out.

6. No animals shall be displayed in a cage, hutch, box or other receptacle in such a position that it can be interfered with by other animals or unauthorised persons.

Notes: (a) This condition is to prevent the positioning of animals in a pet shop where they can be handled by members of the public and children, and also to prevent interference from other animals.

(b) The proprietor should be aware that individuals of many species will not mix readily in small areas. This particularly applies to carnivores.

(c) Carnivorous or omnivorous species should not be put in cages close to animals which might form part of their normal prey in the wild state.

7. Animals should not be displayed for sale outside the premises during unsuitable weather.

8. All excreta and soiled bedding shall be stored in suitably covered metal or other impervious containers until removed from the premises as soon as practicable and disposed of to the satisfaction of the appropriate local authority. All refuse containers shall be maintained in a clean condition.

Note: Attention should be paid to the method approved for the disposal of animal waste and its potential hazard to health.

9. All necessary precautions shall be taken to prevent the introduction to the premises, or harbourage, of rodents, insects and any other pests.

Note: For the purposes of this condition the term “rodent” excludes domesticated rodents intended for sale and the term “insects” excludes insects for sale and for feeding.

10. All animal foods shall be stored in suitable covered metal or other impervious closed containers so that the quality of the food can be preserved. These containers should be of such design as to allow easy cleaning.

11. Animals shall not be handed to customers in unsuitable containers.

Note: The proprietor must have adequate facilities for crating and transporting animals humanely and safely, with special reference to exotic species.

12. Suitable written instructions as to their care and welfare must be made available for all animals being offered for sale. No animal shall be sold without such written instructions being provided to the purchaser by the licensee. These instructions must be available on demand by the authorised Inspector.

13. The licensee shall ensure that a responsible person shall at all times be in or within reasonable distance of the premises for the purpose of giving warning and taking other necessary steps in the event of fire or other emergency. In case of absence of the responsible resident, the licensee shall appoint a responsible person residing within a reasonable distance of the premises to have custody of a duplicate key. The name, address and telephone number of such persons shall be notified to the police.

Note: In the case of pet shops within other premises, the owner of other responsible person shall have access to the premises containing pets at all times.

14. Animals and stock shall not be placed or kept in or outside the shop so as to obstruct entrance to or exit from the shop in the case of fire or other emergency.

Note: “Stock” referred to in this condition includes stocks of food and items for resale, as well as shop fittings.

15. Fire Fighting equipment, including extinguishers, shall be provided as approved. The licensee shall ensure that the fire appliances remain accessible and maintained in a good condition.

16. No animal which is suffering from or could reasonably be suspected of having come into contact with any other animal suffering from, any infectious or contagious disease or which is infested with parasites, shall be brought into or kept on the premises unless effectively isolated.

- Notes:
- (a) In the case of imported animals each batch of arrivals should be isolated from all other animals.
 - (b) It is recognised that in the majority of cases effective isolation on pet shop premises will not be possible, and may have to be off the premises.
 - (c) Puppies and kittens should be kept as isolated litters and not added to, or mixed with, other litters.
 - (d) Imported fish should be quarantined for at least five days, during which time any diseases occurring must be treated. This period allows time for fish to settle and to be acclimatised to new water conditions and feeding practices.

17. All sick or injured animals shall received proper care and treatment which shall include the assistance of a veterinary surgeon in appropriate circumstances.
18. The maximum numbers of types of animals permitted to be kept on the premises to which the Licence refers are as set out in the Licence and shall not be exceeded.

Note: While it is recognised that the emphasis of a pet shop owner's business could change from one type of animal to another, the Licence should stipulate the maximum number and type of animals to be kept. If any change in business is anticipated by the licensee, then application should be made to the local authority for amendment of the Licence.

19. The number of animals which may be kept on the premises must be displayed on the premises.

Note: This condition is included as pursuant of s.1(3)(a) of the Act, but display of the whole Licence and Conditions is not legislated for in the Act.

20. Exhibition animals kept in the shop should be provided with proper accommodation and any animals not for sale should have a note stating that fact.

Note: Animals living semi permanently in a shop may need larger accommodation than those for sale.

21. No animals shall be directly imported to a pet shop except by licensees who have satisfied the local authority as to their ability to quarantine or handle consignments of animals under suitable conditions.

22. A register of animals obtained shall be kept by the proprietor of the pet shop which must be produced on demand by the authorised Inspector.

Note: The register need not list every animal separately. It must contain the following:

Description of animals
Date of arrival and departure
Name and address of supplier
Name and address of purchaser

23. Pet shops selling animals on the Schedule to the Dangerous Wild Animals Act should ascertain that the buyer is licensed to keep such animals.

24. No trader through his act, default or sufferance shall cause cruelty or suffering to any animal within his charge and shall take all reasonable steps to ensure that all livestock purchased or consigned by him shall be transported in accordance with relevant legislation and guidance; General movements - Transit of Animals (General) Order 1973; rail transport - British Rail guidelines.

Note: No animal which has adversely suffered from recent transportation shall be sold until it has received appropriate rest and attention.

25. No animals shall be sold to a person whom the trader has reasonable cause to believe is under the age of 12 years.

Note: Contravention of this requirement is an offence under s.3 of the Pet Animals Act 1951.

26. No animal shall be sold to any person whom the trader has reasonable cause to believe is under the age of 17 years, but over the age of 12 years who is unknown to him, unless that person is accompanied by a parent or legal guardian, or provides appropriate written consent.