



## **Applying for a Dog Breeding Licence (Animal Activity Licence) Animal Welfare Act 2006**

**Introduction and the Business Test:** The keeping of a breeding establishment for dogs is strictly controlled by the above legislation. To run such a business you need a Dog Breeding Licence (Animal Activity Licence) from the Local Authority.

You must have a Dog Breeding Licence if you do either or both of the following:

- you run a business that breeds and advertises dogs for sale
- you breed 3 or more litters during a 12 month period

The circumstances which will be taken into consideration in determining whether or not you run a business include:

- whether you are carrying on the activity with a view to making a profit, or
- earn any commission or fee from the activity

Further detailed information regarding the business test can be found in the Guidance Notes for Conditions for Breeding Dogs issued by the Department for Environment Food & Rural Affairs (DEFRA). This document can be found on our website at:

<https://www.e-lindsey.gov.uk/article/9523/Animal-Welfare>

The DEFRA guidance indicates that the following may assist in the consideration of whether or not you are running a business:

*The Government announced in Budget 2016 a new allowance of £1,000 for trading income from April 2017. Anyone falling under this threshold would not need to be considered in the context of determining whether they are a business.*

**Applying for a Licence:** The fee for a dog breeding licence with this Council is currently £120.00.

Please note that dog breeding licences are valid for a period of one, two or three years from the date of issue. However, it is this Authority's policy that successful applicants applying for their first licence under the Animal Welfare Act 2006 will initially be granted a one year licence.

Once the licence application is received by the Council it will be forwarded to an appropriate Council officer, as well as a veterinary surgeon, to inspect the

premises. The premises, facilities and management will be inspected to ensure they comply with the current dog breeding licence conditions and the DEFRA guidance to Licensing Authorities. The determination of the licence application will include whether you are considered to be a fit and proper person to be the operator of a dog breeding establishment.

The cost of the veterinary inspection will be recharged to you as the licence applicant.

Before you make your licence application you must make sure that you are aware of the following licence conditions:

- General Licence Conditions for All Animal Welfare Licensed Premises
- Specific Licence Conditions for the Breeding of Dogs

The above conditions can be found in Schedules 2 and 6 of the following document:

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

You must also make sure that you are aware of the following documents issued by the Department for Environment Food & Rural Affairs (DEFRA):

- Procedural Guidance Notes for Local Authorities
- Guidance Notes for Conditions for Breeding Dogs

Your licensing and veterinary inspection will look to ensure that your business is able to comply with the requirements laid down in the above documents. Please ensure that you are ready for the veterinary inspection – as you may still be recharged for the veterinary inspection if you are found to be unable to comply with the above requirements.

The above documents can be found on the Council's website at:

<https://www.e-lindsey.gov.uk/article/9523/Animal-Welfare>

The licence application form can be found at:

<https://www.e-lindsey.gov.uk/article/5397/Dog-Breeders>

Licence applications are approved with licence conditions or refused. The number of dogs that may be accommodated at the premises will be specified on the licence.

Based on the information gathered from the application and inspection, we will assess the risk rating for the premises and award a 1 to 5 star rating. Low-risk premises can attain up to 5 stars, and premises that have been assessed as higher risk can be awarded 1 to 4 stars.

When considering an application for a dog breeding establishment licence the Council will have regard to the following and other relevant matters:

- The need for animals to be protected from pain, suffering, injury and disease;
- Whether the dogs have access to suitable accommodation at all times, with regard to the construction and size of the quarters, number of occupants, ventilation, cleanliness, exercise facilities, temperature and lighting;
- Whether the dogs will be suitably fed, watered, visited and supplied with adequate bedding material;
- That all reasonable steps are in place to prevent and control the spread of infectious/contagious diseases.
- Whether appropriate steps will be taken to protect the animals in the event of a fire or other emergency;
- That the dogs will be suitably cared for when being transported to and from the breeding establishment, i.e. food, drink, bedding, exercise
- That bitches are not mated if they are less than one year old;
- That bitches do not give birth to more than 6 litters of puppies each;
- That bitches do not give birth more than once in a 12 month period.

Licence renewals (where appropriate) may also be subject to a veterinary inspection. Renewal applications will normally be inspected by Council Officers, with veterinary inspections only taking place where there are specific concerns which warrant such a course of action.

**Failed Application Redress:** A licence applicant whose application is refused can appeal within 28 days to the First-Tier Tribunal. A licence holder who wishes to appeal against the star rating for their business can appeal to the Council.

**Planning Permission:** Any premises from which a dog breeding establishment operates may require planning permission. Applicants are advised therefore to contact this Authority's Development Control Department, for further information regarding planning matters. Building works may also require approval from the Council's Building Control Section.

**Further Information:** If you have any general licensing questions then please do not hesitate to contact the Licensing Team by email at:

licensing@e-lindsey.gov.uk

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 East Lindsey District Council  
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Guidance Note Last Revised 11 October 2018