



## **Applying for an Animal Boarding (Animal Activity Licence) Animal Welfare Act 2006**

**Introduction and the Business Test:** The running of an animal boarding establishment is strictly controlled by the above legislation. To run such a business you need an Animal Boarding Licence (Animal Activity Licence) from the Local Authority.

This includes a boarding kennel (including home boarding or dog day care) or a cattery.

An Animal Boarding Establishment is defined as any premises (including a private house) used to carry on a business of providing accommodation for other people's animals (dogs and/or cats).

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 relevant Guidance Notes 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 an animal boarding establishment licence with this Council is currently £120.00.

Please note that animal boarding 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 to inspect the premises. The premises, facilities and management will be inspected to ensure they comply with the current and relevant animal boarding 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 an animal boarding establishment.

In some circumstances we may also request that a veterinary surgeon undertakes an inspection of the premises. In such cases 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 Providing Boarding (cats, dogs, home boarding for dogs and day care for dogs)

The above conditions can be found in Schedules 2 and 4 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 Providing Boarding (cats, dogs, home boarding for dogs and day care for dogs)

Your licensing (and any 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 inspection – you may still be recharged for any 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/5396/Animal-Boarding>

Licence applications are approved with licence conditions or refused. The number of animals 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 an animal boarding establishment licence the Council will have regard to the following and other relevant matters:

- That the animals will be kept in suitable accommodation at all times. Suitable accommodation takes into account the construction and size of the accommodation, the number of animals to be housed in it, facilities for exercising the animals, cleanliness and temperature, lighting and ventilation provisions.
- That suitable food, drink and bedding materials will be provided and that the animals are exercised and visited regularly.
- That steps are taken to prevent and control the spread of disease among the animals and that isolation facilities are in place.
- That adequate protection is provided to the animals in the case of fire and other emergencies.
- That a register is kept. The register should contain a description of all animals received, their arrival and departure date and the name and address of the owner. The register should be available to be inspected at any time by a local authority officer, veterinary surgeon or practitioner.

Licence renewals (where appropriate) may also be subject to a veterinary inspection. However, 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 an animal boarding 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](mailto:licensing@e-lindsey.gov.uk)

Licensing Team  
East Lindsey District Council  
Tedder Hall  
Manby Park  
Louth LN11 8UP

Tel: 01507 601111

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