



Applying for a Licence to Keep or Train Animals for Exhibition (Animal Activity Licence) Animal Welfare Act 2006

Introduction and the Business Test: The keeping of an establishment for the keeping or training of animals for exhibition is strictly controlled by the above legislation. To run such a business you need a Licence for the Keeping or Training of Animals for Exhibition (Animal Activity Licence) from the Local Authority.

You must have such a licence if you run a business which keeps animals for exhibition, either for entertainment or educational purposes.

This includes mobile animal exhibits that visit schools, weddings, private parties, fairs and other events where an audience is present. It also includes:

- Pony parties where the ponies are not ridden.
- Businesses which keep animals for exhibition via electronic media, for example, animals used in films or TV.
- Businesses which train animals for exhibition, either to an audience or via electronic media.
- Exhibiting domestic animals in a circus.

In addition, it includes any business based outside of England that brings in an animal for exhibition. These businesses must apply to the first Authority in which they will be performing or where the animals are to be kept for the duration of their stay.

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 Keeping or Training Animals for Exhibition 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 current fee for an animal exhibition and training establishment licence with this Council is £120.00. Please note that licences of this type are valid for a period for three years from the date of issue.

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 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 exhibition and training establishment.

Where appropriate, licence applications may also be subject to a veterinary inspection. 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 Keeping or Training of Animals for Exhibition

The above conditions can be found in Schedules 2 and 7 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 Keeping or Training Animals for Exhibition

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 licensing inspection – if a veterinary inspection is required you may still be recharged for the inspection costs 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/9607/Performing-Animals>

Licence applications are approved with licence conditions or refused. The number and types 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 exhibition and training 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 animals 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 animals 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;

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 exhibition and training 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

Licensing Team, East Lindsey District Council, Tedder Hall, Manby Park, Louth LN11 8UP (Tel: 01507 601111)

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