



Llywodraeth Cymru
Welsh Government

Number: WG48246

Welsh Government
Consultation Document

Licensing of Animal Welfare Establishments, Activities and Exhibits

Consultation on the development of a National Model for the regulation of animal welfare

Date of issue: 08 December 2023

Action required: Responses by 01 March 2024

Mae'r ddogfen hon ar gael yn Gymraeg hefyd / This document is also available in Welsh
Rydym yn croesawu gohebiaeth a galwadau ffôn yn Gymraeg / We welcome correspondence and telephone calls in Welsh

Overview

This consultation focuses on proposals to license animal welfare establishments, activities and exhibits and forms part of the first phase of development of a National Model for the regulation of animal welfare. A targeted call for evidence was completed earlier this year, asking Local Authorities, the Third Sector and other interested agencies, to identify perceived gaps in existing legislation. It is envisioned the National Model would extend licensing to currently unlicensed animal-related activities and update the licensing framework for other licensable animal-related activities.

We now seek public opinion on those areas identified and would also welcome any further submissions of evidence to support greater regulation. Once concluded, we intend to consider all public responses received, in combination with those from the first targeted call for evidence, to determine licensing priorities moving forwards.

Sections 1,2 and 3 of this consultation provide background on the current position. Section 4 will provide you with background information on the questions we will be asking and why. Please ensure you read this section carefully before answering the questions.

How to respond

Responses can be submitted by email, post or via an online form on the Welsh Government website at www.gov.wales/consultations

E-mail/postal responses should be sent to the address below to arrive by 01 03 2024 at the latest. Please ensure you state "Licensing of Animal Welfare Establishments, Activities and Exhibits" into the subject box.

Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

Contact details

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This document is also available in Welsh: [Trwyddedu sefydliadau lles, gweithgareddau ac arddangosfeydd anifeiliaid](#)

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The Welsh Government will be data controller for Welsh Government consultations and for any personal data you provide as part of your response to the consultation.

Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. The lawful basis for processing information in this data collection exercise is our public task; that is, exercising our official authority to undertake the core role and functions of the Welsh Government. (Art 6(1)(e))

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. In the case of joint consultations this may also include other public authorities. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g. a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.

In order to show that the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

You should also be aware of our responsibilities under Freedom of Information legislation and that the Welsh Government may be under a legal obligation to disclose some information.

If your details are published as part of the consultation response then these published reports will be retained indefinitely. Any of your data held otherwise by Welsh Government will be kept for no more than three years.

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For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the UK GDPR, please see contact details below:

Data Protection Officer:
Welsh Government
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The contact details for the Information
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Section 1 – Introduction

Animal Welfare is a Welsh Government priority, and our ambition is for all animals in Wales to have a good life. This ambition is reflected in the current Programme for Government (PfG), which includes four animal welfare commitments spanning farmed, companion and other kept animals. Our [Animal Welfare Plan for Wales 2021-2026](#) (AWPW) sets out how we will implement these commitments across the government term.

For the purposes of this consultation our focus is the first commitment to 'Develop a National Model for the regulation of animal welfare, introducing registration for animal welfare establishments, commercial breeders for pets or for shooting and animal exhibits.'

As we will set out in the sections below, whilst the Animal Welfare Act 2006 affords some blanket protections to all animals involved in or affected by the activities within this consultation, much of the activity specific regulation is decades old or simply does not exist.

Research indicates we are a nation of animal lovers and animal welfare features higher on Wales' public agenda than any other UK nation, with 97% of respondents signalling its importance in Born Free's December 2022 survey.

We recognise there is public expectation animal welfare standards are robustly enforced in all activities ongoing in Wales and that inflexible, outdated, or non-existent regulation does not best serve this. To maintain step with modern day practices, changing types of animal-related businesses and new standards of good practice in animal welfare it is essential that we periodically revisit regulation, ensure it is fit for purpose, update as necessary and close any loopholes being exploited.

A National Model, which introduced licensing for currently unregulated areas and strengthened existing legislation which is outdated or lacks uniformity, would drive improvements in standards of keeping and allow for more robust enforcement of such standards.

Geographical Scope

Animal welfare is a devolved matter and this consultation applies to the proposed introduction of regulations on animal welfare establishments, exhibits and activities in Wales only. The appropriate Government should be approached for further information on regulation in other parts of the UK. England and Scotland have their own licensing arrangements.

Audience

This consultation is open to everyone. The Welsh Government would particularly like to hear from anyone impacted by or interested in this area, such as: animal sanctuaries and rescue centres, animal welfare organisations, local authorities, veterinary professionals, academics, and administrators/owners of animal activities, exhibits and establishments.

Duration

This consultation starts on 08 12 2023.

This consultation closes on 01 03 2024.

This constitutes a full public consultation period of 12 weeks.

Welsh Government Consultation Process

Consultation is an essential part of the policy-making process. It gives us an opportunity to collect evidence, consider your opinion and utilise expertise on a proposed area of work, which assists in developing a way forward.

Responses received will be analysed and used as part of the decision-making process, along with a range of other available information and evidence. Following closure of the consultation and after taking time to consider responses, we will publish a report summarising the consultation results and setting out the proposed way forward.

Section 2 – What current Regulations do we have in place relating to the topics in this consultation?

The Animal Welfare Act 2006

The Animal Welfare Act 2006 (“the 2006 Act”) places a duty of care on anyone responsible for an animal, to ensure its welfare. Any person responsible for an animal, whether on a permanent or temporary basis, must take reasonable steps to ensure that the needs of an animal are met at all times. The 2006 Act enshrines the five welfare needs, which all animals have a right to, namely:

- need for a suitable environment – place to live
- need for a suitable diet
- need to be able to exhibit normal behaviour patterns
- need to be housed with, or apart from, other animals
- need to be protected from pain, suffering, injury, and disease

Section 13(7) of the 2006 Act provides powers for Welsh Ministers to introduce licensing schemes which promote the welfare of animals, by way of Regulations.

The Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021

The Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021 (LAIA) came into force 10 September 2021. The Regulations are made under powers contained in the Animal Welfare Act 2006 and require that any person wishing to carry out the activity listed below in the course of a business must obtain a licence from the local authority where their premises are situated. The licensing arrangements currently cover:

- The sale of animals as pets in Wales, including a ban on the commercial third-party sale of puppies and kittens

To obtain a licence under these Regulations, a business needs to meet all of the minimum welfare standards required.

The Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014

The Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014 effectively revoked and replaced the outdated Breeding of Dogs Act 1973 in Wales. The regulations introduced stricter criteria for licenced

breeding establishments and established an attendant to adult dog ratio at a minimum of one full time member of staff to 20 adult dogs.

The Animal Boarding Establishments Act 1963

The 1963 Animal Boarding Establishments Act 1963 requires establishments that board animals as a business to be licensed by the Local Authority. The act defines "boarding establishments" as those premises, including private dwellings, where the business consists of providing accommodation for other people's cats and dogs. When deciding to issue a licence, the Local Authority shall consider the suitability of the conditions (e.g., size of quarters, lighting, food, water, disease control, etc.) present at the boarding establishment.

A current loophole in the 1963 Act has been identified in that under "the main activity of the person's business" any dog trainers and dog groomers who also board dogs as an extra service do not need to be licensed.

The Riding Establishments Acts 1964 and 1970

Under the Riding Establishments Acts 1964 and 1970, riding establishments are required to be licensed by Local Authorities.

The term 'riding establishment' means the carrying on of a business "of keeping horses to let them out on hire for riding, or for use in providing instruction in riding for payment, or both.

"Horse" is defined as including "any mare, gelding, pony, foal, colt, filly or stallion and also any ass, mule or jennet".

In addition to horses and ponies in traditional riding schools, trail riding, orienteering and trekking and establishments offering these activities require a licence.

The running of beach ponies and donkeys, instruction in playing polo (other than on the pupil's own horse) and the hiring of horses for hacking and hunting also require a licence.

The Performing Animals (Registration) Act 1925

The Performing Animals (Regulation) Act 1925 requires that all persons who exhibit or train animals for public performance, must register with their local authority. Registered persons are given a certificate of registration.

The act does not apply to the training of animals for legitimate military, police, agricultural or sporting purposes or the exhibition of these animals in demonstration or similar events.

Section 3 – Definitions

We recognise terminology in this area can be technical. Below is a list of useful terms and definitions, which we hope will assist in understanding and encourage meaningful and informed responses.

- **Animal Rescues** – typically provide short-term shelter, care and rehabilitation with the goal of finding a suitable long-term home for an animal.
- **Animal Sanctuaries** – typically provide permanent, lifelong or long-term shelter, care and rehabilitation for an animal, generally without intention to re-home.
- **Animal Welfare Plan for Wales** – Our guiding document and action plan. It outlines our priorities for 2021-2026 and sets out how we intend to build on the progress made since powers were devolved in 2006.
- **Companion animal** – A domesticated animal kept as a pet, most typically dogs and cats but also extending to other species.
- **Devolution** – The term used to describe the process of transferring powers to make laws and decisions from the centre (Westminster) to the nations and regions of the United Kingdom.
- **Devolved Powers** – Powers transferred from the UK Government to legislatures and executives in each nation. In Wales, these are the Senedd (Welsh Parliament) and Welsh Government. These powers give the Devolved Governments the ability to create laws and make decisions in specific areas. For instance, animal health and welfare are devolved to Wales.
- **Equines** – Equine is intended to cover all horses, ponies, donkeys and hybrids including mules.
- **Exhibition** – Exhibition in the course of a business for educational or entertainment purposes (a) to any audience attending in person, or (b) by the recording of visual images of them by any form of technology that enables the display of such images.
- **Fostering** – The temporary placement of animals in the care of a home. Fostering volunteers are often utilised by rescue and re-homing organisations as an additional means to take in and care for animals.
- **Husbandry** - the care, and breeding of animals.
- **In-scope** – Under consideration/relevant to the current discussion.
- **Licensing** – When someone applies for approval to carry out an activity and commits to certain conditions and limitations. The licensee may have to pay a fee and prove capability in some way to obtain the licence.

- **Local Authority** – A county council or county borough council in Wales.
- **National Model** – The licensing and regulation of organisations and businesses which focus on kept animals, to ensure consistency of approach, and a robust and consistent delivery of regulatory requirements across Wales.
- **Performing animal** – Any animal that is taken away from its usual home environment or social group or that is trained/set up to behave in a particular way for a production.
- **Programme for Government** – A document which lays out the Welsh Government’s priorities to deliver over the Senedd term. It spans all policy areas including animal welfare.
- **Registration** – A means of informing authorities that you intend to do something. A fee is normally required. Under the Animal Welfare Act 2006, registrations can be issued from one to three years.
- **Rehabilitation Centre** – A facility that typically takes in sick, injured or orphaned animals/wildlife for treatment and care, with the goal of releasing them back into their natural environment. These facilities may operate on a professional basis or be affiliated with an organisation or charity, or may be more informal enterprises, operating out of a private individual’s home.
- **Repeal** – to revoke or overturn a law or act of parliament.
- **Reserved Powers** – As set out under ‘Devolved Powers’, Wales has the power to make decisions and create laws in several specific areas. Not all areas are devolved however, and the UK Parliament and UK Government retain certain powers in areas including policing and justice. These are known as reserved powers.
- **Wild/Exotic animal** – Any animal not normally domesticated in Great Britain.

Section 4 – Where are we now?

Previous Consultations 2017- 2022

Following a 2017 public consultation, the Minister announced her intention to introduce a licensing scheme for Mobile Animal Exhibits (MAEs) in Wales.

However, following further consideration, it was established that by limiting the scheme to mobile exhibits, the welfare standards of animals used in some static exhibits may not receive *any* form of scrutiny. This discrepancy was deemed unacceptable. The scope of the licensing scheme was therefore widened to include *all* animal exhibits which meet a given criteria, to be defined in law.

A full public consultation took place in 2019 on draft Regulations and accompanying Guidance; a summary of responses is available at www.gov.wales/animal-exhibits.

As some of the consultation responses provided evidence to suggest additional animal activities should be added to the scope of the licensing criteria, our intention was to hold a third, short consultation in March of 2020. This was to allow organisations which undertook these activities the opportunity to comment on the draft Regulations and also to seek wider comments from all stakeholders on the amendments made to the Regulations and Guidance based on the results of the 2019 consultation.

Because of the Coronavirus pandemic and the effect the restrictions were likely to have on many stakeholders (for example, furloughing staff or focusing attention on ways of working/caring for their animals during the lockdown period), the difficult decision was taken to postpone the consultation.

Completion of Targeted Call for Evidence November 2022-February 2023

In November 2022, the Welsh Government wrote to all Local Authorities in Wales, Animal Welfare Network Wales (AWNW), Companion Animal Welfare Group Wales (CAWW), and Directors of Public Protection Wales (DPPW) to establish the facts of the current position, pinpoint any gaps within existing legislation and identify areas currently without regulation. The scope of this review was limited to companion animals (including dogs) and other kept animals (for example birds of prey, equines, and exotic animals) only.

Feedback from this targeted call for evidence has now been collated and its findings form the basis of this consultation.

The call for evidence posed two questions, namely:

1. What animal welfare legislation are your Officers responsible for enforcing?
2. What issues your Animal Welfare Enforcement Officers face, both with the current licensing legislation in force and where existing legislation does not provide sufficient protection for a specific animal activity? Please provide as much evidence as possible to support your answer.

Respondents reported issues with current legislation and further identified legislative gaps to be addressed, where there is currently no regulation. The following areas were consistently identified as candidates for further regulation.

Consider introducing licensing for currently unregulated commercial and/or enterprises such as:

- Pet day care, dog walking, dog play parks, home boarding, pet care facilities, dog/cat grooming services, pet sitters, behaviourists and animal trainers
- Human-animal encounters such as pet therapy e.g. animals taken in to schools and care homes, llama/alpaca walks, cat cafes, 'borrow my pet enterprises,' pony painting parties and puppy/dog yoga
- Sanctuaries and other rehoming and rescue facilities

Consider introducing a licensing scheme for mobile animal exhibits, widening the scope of existing legislation.

Consider licensing owners and/or keepers or trainers of dogs used for racing purposes.

Public Consultation Intention

We now seek public opinion on those gaps identified and ask you to consider the potential licensing of the following activities, identified as part of the targeted call for evidence:

- a) Pet Day Care
- b) Dog Walking
- c) Dog Play Parks
- d) Home Boarding (Pets) such as kennels and catteries
- e) Pet care facilities such as animal rehabilitation or conservation facilities, for instance, hedgehog hospitals
- f) Pet Grooming
- g) Pet Sitters
- h) Animal Trainers including animal behaviourists, training and socialisation classes
- i) Rescue Centres
- j) Animal Sanctuaries
- k) Re-homing Centres
- l) Fostering
- m) Animal encounters such as pet therapy, cat cafes, 'borrow my pet' enterprises, puppy yoga, llama/alpaca walks, pony painting parties
- n) Mobile and Static Animal Exhibits such as birds of prey exhibits, reptile or exotic animal exhibits/handling
- o) Owners, keepers or trainers of racing dogs, including greyhounds.
- p) Livery Services
- q) Primates as pets

We also value any contributions of evidence you can provide to support the licensing of the above activities. The consultation includes a free text question where you can raise any further activities not listed above and include evidence in support of your suggested addition(s).

We are aware of significant public interest in the welfare of racing greyhounds. Further to a question on the licensing of owners, keepers or trainers of racing dogs, the consultation also includes a request for evidence to justify or negate consideration of a phased ban in future.

Once concluded, we intend to consider all public responses received, in combination with those from the first targeted call for evidence, to determine licensing priorities moving forwards.

Rationale for Licensing Proposals

The rationale for these proposals is to enhance and protect animal welfare through the introduction of a statutory licensing scheme which will set minimum standards that all licence holders must comply with. Where licensing is already in place but regulations are determined to be outdated, weak or inflexible the licensing framework will be updated and brought in line with the wider National Model. In the absence of adequate, consistent, and effective licensing, Local Authorities' ability to enforce standards, deal with breaches and ensure welfare needs are being met, is severely restricted.

Licensing will ensure that individuals offering such services are:

- subject to appropriate checks before being granted a licence,
- subject to periodic inspection by local authorities,
- suitably experienced and/or qualified to deliver the services offered,
- operating to defined statutory standards,
- accountable when licence conditions are breached or animal welfare is compromised,
- listed on a publicly available register (held and maintained by the licensing body) to reassure the public that persons offering a particular service are properly licensed.

It is anticipated any new licensing requirements would be introduced via additions to the Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021, referred to in this consultation as the LAIA Regulations. These govern the sale of animals as pets, including a ban on the commercial third-party sale of puppies and kittens. Where licensing currently exists but is determined to be

outdated, inflexible or insufficient for present day needs, it is anticipated its governing legislation will be repealed and brought under LAIA Regulations as part of the National Model.

Timeline

Our long-term ambition is for all animals in Wales to have a good life.

We are hopeful that the development of a National Model for the regulation of animal welfare establishments, activities and exhibits will affect positive progress in pursuit of this goal.

Activities up for consideration in this consultation are varied and wide ranging; in the animals they involve, the number of establishments affected, and the activity areas covered (from therapeutic to entertainment to commercial etc.)

Updating or creating new legislation is resource intensive. Whilst appreciating all activities included in this consultation are important, updating legislation may take considerable time.

We therefore envision a phased approach to the introduction of any new licensing schemes/the alteration of those already in existence.

Considerations which are likely to impact the priority ordering of this phased approach might include:

- Volume of animals impacted / involved
- Number of establishments / enterprises in operation
- Complexity of the enterprise in terms of resourcing, expertise required etc and the associated level of risk this poses
- Strength of public / sector / expert concern
- Submissions of evidence
- Does regulation already exist or is this currently unregulated?

As a case study example, animal rescue centres are currently unregulated, with a significant number operating in Wales, hosting thousands of animals. They are complex establishments in terms of expertise, staffing, facilities, financing, and veterinary care, which can lead to risks in the animal welfare needs of its occupants. We therefore anticipate animal rescue licensing being prioritised as part of our approach.

Section 4 – Overview Table

The activities in-scope of this consultation are currently unregulated in Wales or subject to minimal regulation only. The rationale behind the introduction of a standardised statutory licensing scheme (National Model) is to enhance and protect animal welfare and set minimum standards that all licence holders must comply.

Category	Definition	Examples of Activities
Animal Welfare Establishments	An animal welfare establishment is defined as a person, organisation or establishment who holds themselves out to receive vulnerable animals on a regular basis, whether companion, farmed, wild, protected, or other animals, with a view to rehabilitating and either rehoming or releasing (back to the wild) or providing long-term care.	<ul style="list-style-type: none"> • Animal rescues • Animal sanctuaries • Rehabilitation Centres such as Hedgehog Hospitals • Rehoming Centres
Animal Activities	Animal activities are wide ranging and diverse. As such there is no definitive, catch all description.	<ul style="list-style-type: none"> • Animal Behaviourists • Animal Trainers • Cat boarding • Dog kennel boarding • Dog Play Parks • Dog Walking • Doggy Day Care • Equine Hire • Fostering • Home Boarding (including

Category	Definition	Examples of Activities
		<p>franchise systems of pet care)</p> <ul style="list-style-type: none"> • Human animal engagement services (including pet therapy, animal cafes, puppy yoga, llama walks etc) • Livery services • Pet sitting services • Socialisation, obedience, or training classes
Animal Exhibits	<p>Individuals, groups, charities, or commercial enterprises that</p> <p>a) exhibit animals for entertainment, fundraising, education, therapy and/or other purposes, and</p> <p>b) keep or train animals for those purposes.</p> <p>Exhibition may be to:</p> <ul style="list-style-type: none"> • Any audience attending in person, or • By the recording of visual images of them by any form of technology that enables the display of such images <p>The activities described above do not include any activity permitted under a licence for a zoo under the Zoo Licensing Act 1981.</p>	<ul style="list-style-type: none"> • Animals taken to children's parties • Animals taken to schools for educational purposes • Hawking displays • Reindeer at Christmas events • Travelling falconry • Birds of prey centres

Category	Definition	Examples of Activities
Owners and/or Keepers or Trainers of racing dogs (including greyhounds)	Owners and/or keepers or trainers of dogs which are intended to participate in commercial racing.	<ul style="list-style-type: none"> • Racing dachshunds • Racing greyhounds • Racing terriers
Greyhound Racing	A sport in which greyhounds race around a circular or oval track in pursuit of a moving dummy hare and spectators bet on the outcome.	There is currently one greyhound racing track in Wales registered under the Greyhound Board of Great Britain (GBGB)

Section 5 – More about the questions we will be asking

Question 1

Question 1 asks you to consider whether Animal Establishments should be subject to licensing. If you answer yes to the question, we would ask you to provide your reasoning in the box provided.

Animal Establishments

Sanctuaries, Re-Homing and Rescue Centres

Animal sanctuaries, re-homing and rescue centres are not currently regulated in Wales. We estimate approximately 80 are in operation in Wales. At present, it is impossible to provide a definitive number given the lack of regulation in this area and variations in visibility and operation, for instance – do they have an online presence, are they a registered charity, is it run by an individual in their home etc. As an example, an individual could decide tomorrow to take in hedgehogs for rehabilitation in their spare bedroom or they might be a well-known, established charity with formal governing documents, charitable status, and a public profile.

Included in this category are premises of prominent UK organisations such as the RSPCA, Dogs Trust and Cats Protection, as well as smaller charity run centres and independents. Rehoming activities might also involve organisations or individuals operating without premises to keep animals, such as organisations rehoming dogs directly from rescue centres in other countries.

These establishments may operate on a sole-species or multi-species basis, perhaps catering to all companion animals or to one group alone, as with donkey sanctuaries and hedgehog hospitals. Whilst sanctuaries may allow visitors or hold open days, animals generally remain on site on a permanent basis.

Whilst the majority are run by individuals or organisations with the best interests of animals at heart, managing these establishments can be complex. To ensure a high standard of welfare is maintained, they require ongoing funding, expertise in how to manage the animals' health and welfare needs, access to veterinary services and adequate housing amongst other requirements.

Some concerns include:

- Inappropriate premises or housing conditions for the number of animals being accommodated.
- Lack of suitably trained staff to cater for animals' needs.
- Animals might not be best matched to new owners, resulting in them needing to be returned, rehomed elsewhere, or abandoned.
- Rehoming centres operating as pet retailers, circumventing the need for them to be licensed under current legislation.

- Some animals that are imported, legally or illegally, for rehoming may be carrying diseases not normally found in the UK.
- Without strict policies and procedures in place, establishments can find themselves overwhelmed and with insufficient resource (financial, staffing, facilities, access to veterinary expertise) to cope with the animals being surrendered.
- The cost-of-living crisis has compounded issues, with added strain on resources and increased cases of animal abandonment or voluntary surrender.

The implementation of a licensing regime would require organisations to meet minimum standards and have in place well-constructed business plans, adequate resource streams, and risk management. Regular inspections would ensure standards are being consistently met and any issues identified, advice administered, and progress monitored.

The overall aim is to regulate this area to protect animal welfare in a way that is not unduly burdensome for those currently doing a good job, while being effective in dealing with cases where welfare is not being sufficiently delivered or where unscrupulous individuals are effectively operating commercially under the guise of a charity.

Beyond their care and re-homing centre facilities, and the centre-based members of staff and volunteers, several rescue and re-homing organisations also rely on individuals external to their facilities to “foster” animals in their own homes on a temporary basis, until a permanent new home can be found. This can be in addition to traditional kennel and cattery units or can be the only way the organisation arranges to home and care for the animals. Care needs to be taken to ensure that the standard of care provided in a foster home is satisfactory and in line with the licensing requirements of the parent organisation.

Question 2

Question 2 asks you to consider whether Animal Activities should be subject to licensing. If you answer yes to the question, we would ask you to provide your reasoning in the box provided.

Animal Activities

Pet care facilities, pet day care, pet sitting, dog walking, home boarding, pet play parks, pet grooming etc

We have witnessed a significant rise in pet ownership in recent years. In response, many activities, businesses and enterprises involving animals have been set up to meet owners' needs. Traditionally, boarding facilities were chiefly used when owners went on holiday, however these facilities and newer enterprises offering pet care, pet sitting and dog walking, are now commonly being used while owners are at work. However, there are inconsistencies among Local Authorities in how the current licensing requirements of the Animal Boarding Establishments Act 1963 are applied.

For those premises which are not licensed, it is unknown whether these businesses have adequate facilities or knowledge to ensure the welfare of the pets in their care. Unfortunately, problems identified with welfare in these establishments sometimes only become noticeable when something goes wrong. Current regulations are out of step with the introduction of these newer ventures and need to be updated to ensure any business responsible for looking after pets is legislated for appropriately.

When licensing pet sitters, it is not intended the license will extend to informal arrangements such as family members who take care of animals when relations are on holiday etc.

Livery Services

Currently in Wales the provision of livery services is unregulated, with no licence or equine qualifications required to own or run a livery business. The absence of regulation and minimum standards to protect animal welfare and ensure accountability is a matter of concern.

Human-animal encounters (including pet therapy)

Human-animal encounters may include those offering wellbeing or pet therapy visits to places such as care homes, hospitals, mental health treatment facilities, schools, universities and domestic settings. These activities are often advertised as wellbeing boosters, alleviating stress, encouraging rehabilitation or promoting calm to service users.

There are a number of pet therapy organisations or charities who have, at their core, an animal health and welfare commitment towards the therapy animal to ensure their wellbeing and sentience is respected and have robust policies and procedures in place to support this. However, there is evidence of individuals who regularly bring their pets to premises, where there are vulnerable adults and children, for pet therapy sessions without having set procedures, risk assessments or training in place. Although these animals may be of a docile nature and used to the family environment, sometimes bringing them in to an unknown situation can cause them stress, especially when presented with a number of individuals wanting to handle them. A licensing scheme would ensure that anyone wishing to offer this service would have the correct procedures, insurance and training in place, not only to ensure the welfare of the animal but also the individuals being visited.

Alpaca and Llama trekking has become very popular in recent years. These animals can be susceptible to disease and other health issues and require particular care. Licensing trekking establishments would ensure good husbandry practices are put in place and maintained to keep the animals healthy and ensure their welfare needs are met.

Puppy yoga is another example where a companion animal is used to enhance a human experience. Concern has been raised following reports of a number of instances in which puppies, used in yoga workshops, have been mistreated and their needs not met e.g. needing to sleep for long periods in the day, over stimulation, lack of supervision regarding puppies' toileting needs etc.

Animal-themed cafes (permanent and 'pop up') are businesses that typically offer fee-paying customers live, often hands on interaction with animals on their premises, such as cat cafes. There is concern that the animals' needs are secondary to the enjoyment of the customer, and such environments can subject the animals to overstimulation and interrupt their natural sleep habits amongst other issues. Introducing licensing would ensure the animals' welfare needs are prioritised and understood.

Question 3

Question 3 asks you to consider whether a licensing scheme to strengthen existing legislation should be introduced for mobile and static animal exhibits, in a yes / no / don't know tick box format. If you answer yes to the question, we would ask you to provide your reasoning in the box provided.

Animal Exhibits (AEs) are varied and there is currently no standardised licensing regime or requirement for routine inspection. Some may be registered under the Performing Animals (Regulation) Act 1925, but registrations under that Act are one-off and there are no mandatory inspection requirements. Consequently, there are concerns welfare standards cannot be guaranteed and standards of many of Wales' exhibited animals are not being routinely assessed.

Animals may be transported over long distances, kept in unsuitable environments, exposed to unfamiliar or unnatural situations, and subjected to welfare-compromising husbandry practices to make them more amenable to exhibition. In both static and mobile animal exhibits, animals may also be handled by untrained members of the public and subjected to overstimulation and stress.

Whilst the Animal Welfare Act 2006 provides power for enforcers to act where a welfare concern is identified, Local Authorities or other enforcers would only ordinarily visit an unregulated AE if an animal welfare complaint was received. Where animals are kept at domestic dwellings and only in the public eye as part of an AE for limited periods of time, as may be the case particularly for mobile AEs (MAEs), any welfare concerns may never be brought to the attention of enforcers.

Some examples of animal exhibits include, but are not limited to:

- Mobile Animal Exhibits - An exhibit that travels from place to place to exhibit animals (pet rabbits, reptiles etc) for example, at schools, weddings, private parties, fairs and other events where an audience is present. They may return to a permanent base every night; others may be more transient in nature.
- Static Animal Exhibits – such as petting zoos, bird of prey displays or centres. These may include static centres or travelling displays of birds who may be exhibited on perches or on gloves, as well as in flying displays.
- Animals kept or trained for use in any TV, film, or theatre production.
- Animals exhibited for educational or entertainment purposes, such as in schools or at parties.

A licensing scheme would implement a framework which would allow inspections to take place, as well as introducing minimum conditions, against which Local Authorities can assess standards of animal health and welfare. We do not envisage including dog, cat or similar hobby shows within this updated licensing regime.

Question 4

Question 4 asks you to consider whether owners and/or keepers or trainers of racing dogs (including greyhounds) should be subject to licensing, in a yes / no / don't know tick box format.

As with all animals, racing dogs (including greyhounds) are currently afforded protection under the Animal Welfare Act 2006.

For the purposes of this part of the consultation, consideration is given to the possibility of licensing owners and/or keepers or trainers of racing dogs (including greyhounds) with a view to improving their lifelong welfare (from birth to retirement) when bred or raised specifically for sport.

With no licensing scheme currently in place, dogs trained and kept for racing are not inspected at their residential or training premises.

We anticipate a licensing regime to keep a dog for racing, would include regular visits from the licensing authority who would ensure the dog's welfare needs are consistently met.

The licensing of premises (stadia) in which races are held is not within scope of this consultation.

Question 5

Question 5 asks you to submit evidence to justify or negate consideration of a phased ban on greyhound racing in future. We ask that you tick the box to indicate which most appropriately reflects your opinion on whether a phased ban should be given consideration. We then ask you to enter your reasoning in the free text box.

We are aware of significant public interest in the welfare of racing greyhounds. A 2022 petition calling for a ban on greyhound racing in Wales received over 35,000 signatures. Following publication of the Petitions Committee's report, a debate was held on 8th March 2023. The Government response to the Petition Committee's report is available [here](#).

Wales has only one greyhound racing track, Valley Greyhound Stadium. This track is currently licensed by the Greyhound Board of Great Britain (GBGB). Not to be confused with licensing by the Government this arrangement sees the industry body, in this case GBGB, set standards to which the stadium must comply with to keep their membership. GBGB inspect the track to ensure compliance with their standards. The track has been a member of GBGB since August 2023.

Further to a question on the licensing of owners, keepers or trainers of racing dogs, the consultation also includes a request for evidence to justify or negate consideration of a phased ban in future.

With regard to the activity of racing dogs, there are steps which can be considered to improve their welfare at a track. These could include membership of a racing organisation or the insistence of a trackside vet for every race, and there are other options which could limit the racing itself, such as setting a maximum number of events per year or, if there was evidence to support it, introducing a phased ban on all racing over a specified length of time.

We are proposing an iterative, or step-by-step, process to greyhound racing, where changes will be reviewed prior to taking any next steps to assess if improvements are being realised.

We recognise this is an emotive issue. In considering responses we will also need to take into consideration the potential consequences of each intervention.

We ask respondents to consider this range of interventions, and how we could review each step. We recognise how tighter licensing may see welfare improvements but not stop the racing of dogs. Conversely, a phased ban, may stop regulated racing, but lead to an increase in unlawful events.

Question 6

Question 6 asks you for your thoughts on the effects that any of these proposed changes would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

This is a mandatory question included in all WG consultations.

Question 7

Question 7 relates to Question 6 and asks you for your thoughts on how any proposed changes could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating it no less favourably than English.

This is a mandatory question included in all WG consultations.

Question 8

Question 8 references all of the in-scope activities we have covered in this consultation and gives you the opportunity to raise any further comments you might have on the issues covered.

This question is optional and you may find that your answers to the previous questions have covered all you wished to say. If not, you may wish to use this box to:

- elaborate on previous answers to provide greater detail on specific issues
- raise further activities / establishments / exhibits not listed

In the interests of effectively processing your submission and best using the evidence or information you provide, we ask that your response to this question is clear and concise and relevant to the consultation subject. If you wish to elaborate on a previous question, we ask that you clearly reference the question number referred to or indicate the subject your submission relates to. We encourage you to use bullet points, paragraphs or headers to structure your response.

Consultation Response Form

Name:

Email / Telephone number:

Country of Residence:

Please tick most appropriate:

- | | |
|-------------------------------|--------------------------|
| Organisation/Private Business | <input type="checkbox"/> |
| Charity | <input type="checkbox"/> |
| Member of the Public | <input type="checkbox"/> |
| Local Government | <input type="checkbox"/> |
| Other | <input type="checkbox"/> |

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick the box:

Question 1

Do you agree that Animal Welfare Establishments (animal sanctuaries and animal rescue and rehabilitation centres) should be subject to licensing?

Yes No Don't Know

If yes to question 1, please provide reasoning in the box below:

Question 2

Do you agree that Animal Activities (human engagement services, doggy day care, dog walking, home boarding, livery services etc) should be subject to licensing?

Yes No Don't Know

If yes to question 2, please provide reasoning in the box below:

Question 3

Do you agree that a licensing scheme be introduced to strengthen existing legislation re animal exhibits i.e. people who take animals to parties such as reptiles, birds of prey centres or other travelling and static animal exhibits?

Yes

No

Don't Know

If yes to question 3, please provide reasoning in the box below:

Question 4

Do you agree that owners and/or keepers or trainers of racing dogs (including greyhounds) should be subject to licensing?

Yes

No

Don't Know

If yes to question 4, please provide reasoning in the box below:

Question 5

We are aware of significant public interest in the welfare of racing greyhounds. Further to the above question on the licensing of owners, keepers, or trainers of racing dogs, we seek evidence to justify or negate consideration of a phased ban in future.

Please tick the box which most appropriately reflects your opinion on whether a phased ban should be given consideration.

For a phased ban Against a phased ban
Undecided

Please provide your submission and reasoning in the box below and indicate whether your submission is either **for** or **against** consideration of a future phased ban:

Question 6

We would value your view on the effects that any of these proposed changes would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Question 7

Please also explain how you believe any of these changes could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Question 8

We have outlined the issues we are considering with regard to licensing animal establishments, activities and exhibits and considering future regulation of dog racing and have asked you to give specific answers to

our questions above. If you have any further comments you would like to make on these issues, please enter in the text box below:

