





**Brighton & Hove
City Council**

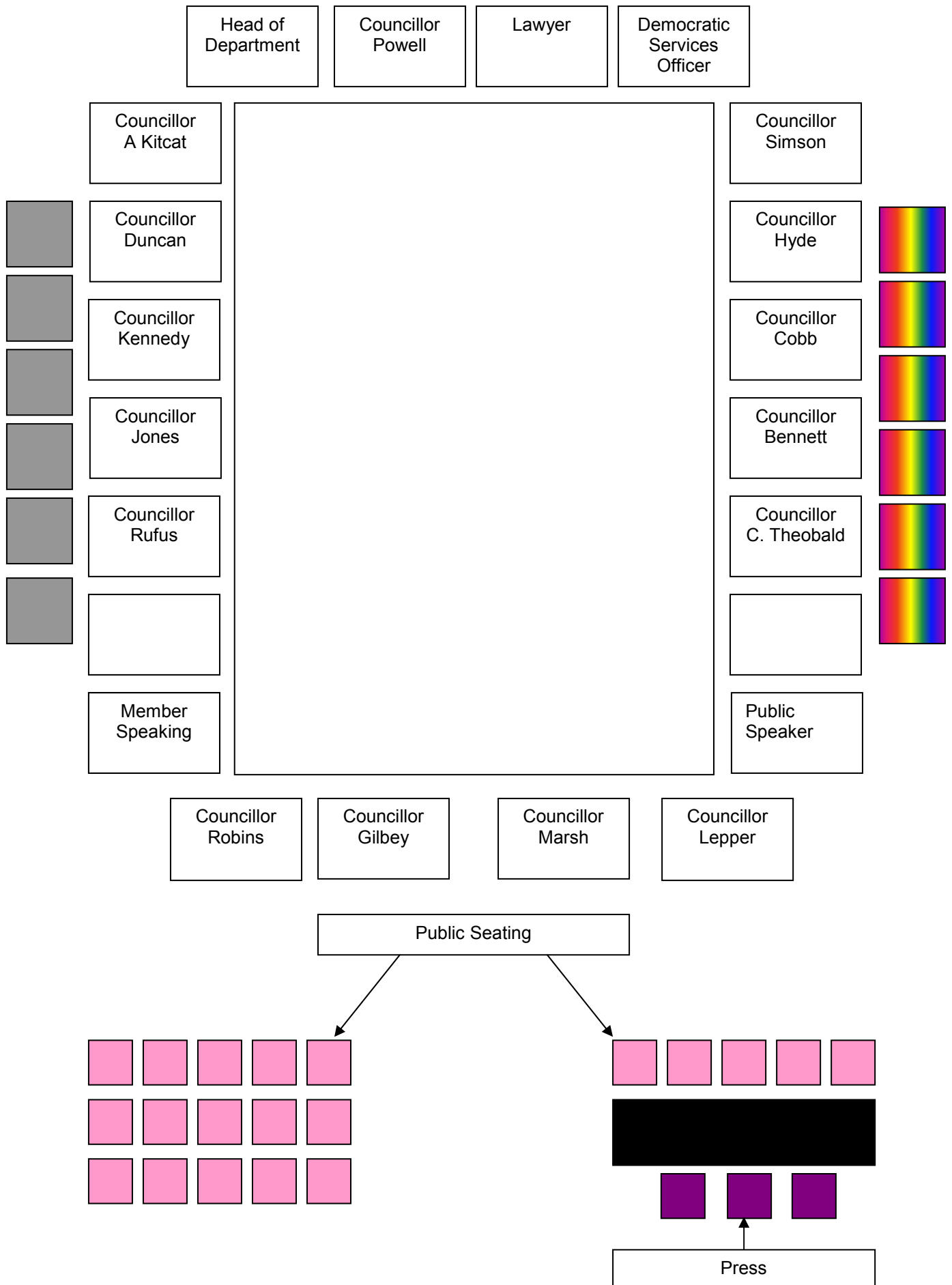
Licensing Committee

(Non-Licensing Act 2003 Functions)

Title:	Licensing Committee (Non Licensing Act 2003 Functions)
Date:	20 November 2014
Time:	3.00pm
Venue	Council Chamber, Hove Town Hall
Members:	Councillors: Powell (Chair), Duncan , Simson (Opposition Spokesperson), Lepper (Opposition Spokesperson), Bennett, Cobb, Gilbey, Hyde, Jones, Kennedy, A Kitcat, Marsh, Robins, Rufus and C Theobald
Contact:	Penny Jennings Democratic Services Officer 01273 291065 penny.jennings@brighton-hove.gov.uk

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Democratic Services: Meeting Layout



AGENDA

10 PROCEDURAL BUSINESS

(a) Declaration of Substitutes: Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.

(b) Declarations of Interest:

- (a) Disclosable pecuniary interests not registered on the register of interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

(c) Exclusion of Press and Public: To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part 2 of the Agenda states in its heading either that it is confidential or the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the categories of exempt information is available for public inspection at Brighton and Hove Town Halls.

11 APPOINTMENT OF DEPUTY CHAIR

To formally appoint the Deputy Chair for the remainder of the current municipal year.

12 MINUTES OF THE PREVIOUS MEETING

Minutes of the meeting held on 26 June 2014 (copy attached)

LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)

13 CHAIR'S COMMUNICATIONS

14 PUBLIC INVOLVEMENT

To consider the following matters raised by members of the public:

(a) **Petitions:** to receive any petitions presented by members of the public to full Council or 10 working days prior to the meeting ;

(b) **Written Questions:** to receive any questions submitted by the due date of 12 noon on 12 November 2014;

(c) **Deputations:** to receive any deputations submitted by the due date of 12 noon on 12 November 2014.

15 ISSUES RAISED BY MEMBERS

To consider the following matters raised by Members:

(a) **Petitions:** to receive any petitions submitted to the full Council or 10 working days in advance of the meeting;

(b) **Written Questions:** to consider any written questions;

(c) **Letters:** to consider any letters;

(d) **Notices of Motion:** to consider any Notices of Motion

16 LICENCE FEES 2015/2016

9 - 28

Report of the Director of Public Health (copy attached)

Contact Officer: Tim Nichols Tel: 29-2163

Ward Affected: All Wards

17 PET VENDING - MODEL LICENSING CONDITIONS

29 - 118

Report of the Director of Public Health (copy attached)

Contact Officer: Roy Pickard Tel: 29-2145

Ward Affected: All Wards

18 BHCC CLEANER TAXIS PROJECT - NATIONAL PILOT

119 -
132

Report of the Director of Public Health (copy attached)

Contact Officer: Peter Sargent, Samuel Rouse Tel: 29-1241,

Ward Affected: All Wards

19 NON PAYMENT OF FARES NOTICE

133 -
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LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)

Report of the Director of Public Health (copy attached)

Contact Officer: Martin Seymour Tel: 296659

Ward Affected: All Wards

20 HACKNEY CARRIAGE WAITING LIST CONDITIONS 137 - 146

Report of the Director of Public Health (copy attached)

Contact Officer: Martin Seymour Tel: 296659

Ward Affected: All Wards

21 HACKNEY CARRIAGE UNMET DEMAND SURVEY AND CONSULTATION ON WHEELCHAIR ACCESSIBLE VEHICLE PROVISION 147 - 152

Report of the Director of Public Health (copy attached)

Contact Officer: Martin Seymour Tel: 296659

Ward Affected: All Wards

22 ETHNICITY MONITORING OF THE HACKNEY CARRIAGE/PRIVATE HIRE TRADE FOR 2013/14 153 - 194

Report of the Director of Public Health (copy attached)

Contact Officer: Martin Seymour Tel: 296659

Ward Affected: All Wards

23 ITEMS TO GO FORWARD TO COUNCIL

To consider items to be submitted to the Council for information.

In accordance with Procedure Rule 24.3a, the Committee may determine that any item is to be included in its report to Council. In addition, any Group may specify one further item to be included by notifying the Chief Executive no later than 10am on the eighth working day before the Council meeting at which the report is to be made, or if the Committee meeting take place after this deadline, immediately at the conclusion of the Committee meeting

LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Penny Jennings, (01273 291065, email penny.jennings@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Wednesday, 12 November 2014

BRIGHTON & HOVE CITY COUNCIL

LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)

3.00PM 26 JUNE 2014

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Powell (Chair), Duncan (Deputy Chair), Simson (Opposition Spokesperson), Carden, Deane, Bennett, Gilbey, Jarrett, Phillips, Robins, Rufus, C Theobald, Wealls and Wells

Apologies: Councillor Marsh

PART ONE

1 PROCEDURAL BUSINESS

1a Declaration of Substitutes

1.1 Councillor Deane declared that she was substituting for Councillor Jones. Councillor Jarrett declared that he was substituting for Councillor Kennedy. Councillor Wealls declared that he was substituting for Councillor Hyde. Councillor Wells declared that he was substituting for Councillor Cobb. Councillor Carden declared that he was substituting for Councillor Lepper.

1b Declarations of Interest

1.2 There were none.

1c Exclusion of the Press and Public

1.3 In accordance with section 100A of the Local Government Act 1972 ('the Act'), the Committee considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press or public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I of the Act).

- 1.4 **RESOLVED** - That the press and public be not excluded from the meeting during consideration of any item appearing on the agenda.

2 MINUTES OF THE PREVIOUS MEETING

- 2.1 Councillor Gilbey referred to paragraph 29.14 of the minutes stating that she had been advised that Westbourne Motors had relocated and no longer carried out MOT's and that her query had related to the Rapid Auto Centre who had hoped to take on this work.
- 2.2 **RESOLVED** – That the minutes of the Licensing Committee (Non Licensing Act 2003 Functions) Meeting held on 26 March 2014 as amended above be agreed and signed as a correct record.

3 CHAIR'S COMMUNICATIONS

- 3.1 The Chair confirmed that since the last meeting of the Committee suspensions, revocations and formal warnings had been issued as set out below:

1 driver had had their licence revoked for receiving a drug related caution;

1 driver had been suspended on medical grounds; and

4 drivers had received a formal warning.

- 3.2 **RESOLVED** – That the position be noted.

4 PUBLIC INVOLVEMENT

4a Petitions

- 4.1 There were none.

4b Written Question

- 4.2 There were none.

4c Deputations

- 4.3 There were none.

5 MEMBER INVOLVEMENT

5a Petitions

- 5.1 There were none.

5b Written Questions

5.2 There were none.

5c Letters

5.3 There were none.

5d Notices of Motion

5.4 There were none.

6 NEW MODEL PET SHOP LICENSING CONDITIONS

- 6.1 The Committee considered a report of the Director of Public Health detailing the new model licensing conditions for Pet Vending drawn up by the Chartered Institute of Environmental Health (CIEH), set out in Appendix 1 to the report. Pet Shops in the city were regulated under the Pet Animals Act 1951 and it was recommended that these new model be adopted as set in the recommendations set out in paragraphs 2.1 and 2.2 of the report. The new model licence conditions had been developed nationally and it was expected by the CIEH that these conditions would be adopted by local authorities.
- 6.2 It was explained that the British Veterinary Association, Cats Protection League, Department for Environment, Food and Rural Affairs (Defra), Dogs Trust, Federation of Companion Animal Societies, Feline Advisory Bureau, Local Government Association, Ornamental Aquatic Trade Association, Pet Industry Federation, Rabbit Welfare Association & Fund, Reptile and Exotic Pet Trade Association, Royal Society for the Prevention of Cruelty to Animals had been consulted by the CIEH in preparing these model conditions. It was considered that failure to adopt the new national model licence conditions would run the risk that animal welfare might be compromised by inconsistent pet shop licensing as councils adopted different licensing guidelines.
- 6.3 The Council had consulted the 12 pet shops located in the City, a wide range of views had been expressed, set out in Appendix 3 to the report. The Pet Industry Federation, had also written in to the Council with their views.
- 6.4 The Animal Protection Agency, which was based in Brighton had approached the Council to request that the EMODE leaflet was given to pet purchasers by Pet Shops as a condition of the licensing process, copies of the leaflet were set out at Appendix 2 to the report. The Animal Protection Agency had indicated that they would like the EMODE leaflet to be given to prospective purchasers as a condition of licence. The majority of pet shops in the city had responded to the Council's consultation indicating that they did not want to use the EMODE system. The Pet Industry Federation had expressed concerns about the origins and validity of the document. Pet shops were currently required to make available pet care information and all of those in Brighton and Hove did so.
- 6.5 The Legal advice in respect of this matter was set out in paragraph 7 of the report. In a nutshell it was that existing legislation required that pet care leaflets made available at the point of sale. However, to require favouring one particular leaflet was not necessary or enforceable, represented a duplication and was open to challenge.

6.6 It is proposed that the recommendations set out in Paragraphs 2.1 and 2.2 of the report on Page 11 of the circulated agenda papers be amended and replaced by the following:

Proposed by: Councillor Ben Duncan (Deputy Chair)

Seconded by: Councillor Stephanie Powell (Chair)

RECOMMENDATIONS:

- 2.1 That the Committee notes that progress has been made regarding the possible use of the CIEH published Model Licence Conditions for Pet Vending and that the issue warrants further discussion and consultation;
 - 2.2 That the Committee notes that progress has been made regarding the possible mandatory distribution of the EMODE leaflet to prospective pet shop customers and that the issue further warrants discussion and consultation;
 - 2.3 That officers are directed to consult further on the EMODE leaflet, to explore whether objections from all trade bodies can be satisfied; that a full review is conducted, and that this item is brought back to the scheduled November 2014 Licensing Committee (Non Licensing Act 2003 Functions) for full discussion' ; and
 - 2.4 That the committee note the work done in the use of CIEH model licence conditions for pet vending.
 - The committee request that further research is done into how these proposed changes will improve/not improve the lives of animals in the pet trade, and as such, that the item is brought back post-publication of the review, and work done by officers, for full discussion at the next scheduled meeting of the Committee in November 2014.
- 6.6 Councillor Duncan spoke in support of his proposed amendment stating that whilst recognising the work carried out by the CIEH he was aware that a number of organisations had not given their full support to the model conditions as framed. He was aware that a number of animal charities and sanctuaries located around the city were extremely concerned at the number of animals that were either abandoned or presented for re-homing, robust measures to prevent/reduce this would be welcomed as were any measures that would ensure appropriate care of more exotic animals. He had reason to believe that the current proposals would be subject to legal challenge and on that basis he contended that it would be more appropriate to delay implementation and to proceed in the manner proposed as the Council would then be able to adapt to any changes made in the interim.
- 6.7 The Chair, Councillor Powell concurred with the views expressed by the Deputy Chair and commended the proposed amendment. Whilst not in the public domain currently information she had been made aware of gave her every reason to believe that the model conditions proposed would be challenged and altered subsequently and for that reason she supported the amendments.
- 6.8 In answer to questions of Councillor Simson the Head of Regulatory Services and the Legal Adviser to the Committee stated that they remained of the views set out in the officer report. It

was explained that although the RSPCA and some other organisations had not expressed full support for the model conditions that was because they wanted other conditions included which legal advice indicated were not legally enforceable.

- 6.9 Councillor Simson asked whether those who bred and sold animals privately would be covered by these conditions and it was explained that they were not. Councillor Simson stated that in her view these businesses were more likely to give rise to animals being taken on whose owners were unaware of the responsibilities they were taking on rather than animals purchased from pet shops. Councillor Carden concurred in that view. Councillor Simson also sought clarification that the proposals were more robust than the existing legislation. It was confirmed that they were and that if the recommendations as set out in the officers report were agreed that they would be capable of amendment in the light of any subsequent changes in legislation.
- 6.10 Councillor Robins sought confirmation of the sliding scale in relation to the degree of difficulty associated with ownership of different types of pets. He considered that the leaflet was quite difficult to understand.
- 6.11 Councillor Rufus sought of the date at which existing pet shop licences in the city were due for renewal and it was explained that would be 1 December. On that basis Councillor Rufus did not consider that an undue delay as a result of proceeding on the basis suggested by the amendment and bringing a further report to the next scheduled meeting of the Committee.
- 6.12 Councillor Gilbey stated that she was aware that a new pet shop was likely to open in her ward soon and it was explained that current conditions under which all pet shops operated would apply until such time as any changes were agreed.
- 6.12 A vote was then taken on the proposed amendment which had been proposed by Councillor Duncan the Deputy Chair and seconded by Councillor Powell, the Chair. Fourteen Members of the Committee were in attendance at the meeting when the vote was taken and the amendments were agreed on a vote of 8 to 6. The original recommendations set out in the report therefore fell and the amended recommendations became the substantive ones. A further vote was then taken and the recommendations were agreed on vote of 8 to 6.
- 6.13 **RESOLVED** – (1) That the Committee notes that progress has been made regarding the possible use of the CIEH published Model Licence Conditions for Pet Vending and that the issue warrants further discussion and consultation;
- (2) That the Committee notes that progress has been made regarding the possible mandatory distribution of the EMODE leaflet to prospective pet shop customers and that the issue further warrants discussion and consultation;
- (3) That officers are directed to consult further on the EMODE leaflet, to explore whether objections from all trade bodies can be satisfied; that a full review is conducted, and that this item is brought back to the scheduled November 2014 Licensing Committee (Non Licensing Act 2003 Functions) for full discussion' ; and
- (4) That the committee note the work done in the use of CIEH model licence conditions for pet vending.

The committee request that further research is done into how these proposed changes will improve/not improve the lives of animals in the pet trade, and as such, that the item is brought back post-publication of the review, and work done by officers, for full discussion at the next scheduled meeting of the Committee in November 2014.

Note: Councillor Marsh was not present at the meeting during the discussion or voting on this item.

7 LOWERING EMISSIONS FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

- 7.1 The Committee considered a report of the Director of Public Health detailing proposals for lowering emissions (harmful to human health and Green House Gases) for Hackney Carriage and Private Hire Vehicles in the city.
- 7.2 In answer to questions by Councillor Wealls it was confirmed that the recommendations if agreed would not apply to buses but would apply to all licensed vehicles operating as taxis in the city.
- 7.3 Councillor Gilbey sought confirmation that these changes would be carried over into the “Blue Book” when it was next updated and it was confirmed that they would.
- 7.4 Councillor Duncan commended the report which he considered represented an excellent initiative.
- 7.5 A vote was taken and the 14 Members present voted unanimously to agree the recommendations set out in the report and below.
- 7.6 **RESOLVED** – (1) That the Committee its gives approval for cut engine/cut pollution signs to be placed on all taxi ranks; and

(2) That the Committee requires all Hackney Carriage and Private Hire Vehicles to have cut engine/cut pollution signs placed on the rear of the vehicle as part of its livery.

8 DEREGULATION BILL 2014 TAXI LICENSING AMENDMENTS - IMPLICATIONS

- 8.1 The Committee considered a report of the Director of Public Health setting out details of the amendments made to the Deregulation Bill 2014 that which had implications for the Hackney Carriage and Private Hire trades.
- 8.2 The Head of Regulatory Services explained that on 14 March 2014 the Department for Transport (DfT) had written to taxi and private hire stakeholders to inform them that amendments had been introduced to the Deregulation Bill as part of its drive to reduce the overall burden of regulation on business and individuals and cut ‘red tape’ during this Parliament. Ministers had identified for inclusion in the Bill three measures which were straightforward to make in isolation and which they considered would generate significant benefits for the taxi and private hire trades.

The three measures which have been added to the Deregulation Bill were:

- (i) Allowing private hire operators to sub-contract bookings to operators licensed in a different district. This change will improve operators' ability to meet passengers' needs. And it will help to make the passenger's experience so much more convenient.
- (ii) Allowing anyone with an ordinary driver's licence to drive a private hire vehicle when it is "off-duty". The principal benefit of this measure is that a PHV could be used as a family car, freeing up many families from the need to run a second car and saving them money; and
- (iii) Making the standard duration for all taxi and PHV driver licences three years; and five years for all PHV operator licences. Shorter durations will only be granted on a case by case basis, where it is justifiable for a particular reason. This will reduce the financial and administrative burden of having to make more frequent licence renewals.

8.3 The Dft had also asked the taxi and private hire trades outside London to give examples of conditions attached to their licences which they considered to be overly restrictive or unreasonable so that they could consider the case for Government involvement in the licence conditions set by local authorities. The Trade, Unions, NALEO, LGA, Meeting of the Minds Group and Suzy Lamplugh Trust had all expressed over these proposals which were considered to be ill thought out especially as the Law Commission had published its Draft Bill on 23 May 2014 (Appendix 4 to the report).

8.4 Licensing officers also had concerns especially in relation to the change to three year licences. Fee setting was tightly regulated and local authorities were facing unprecedented budget challenges. Although the vast majority of licence holders were responsible and transparent, annual licensing arrangements could pick up criminal convictions and relevant medical conditions that licensees may have omitted to declare, changed addresses, etc, during the currency of the licence. Triennial Licences would increase that risk.

8.5 The city taxi trade itself appeared fearful that opening the market to out of town operators might facilitate big transport companies using a loss leader approach to drive out local operators, to the detriment of local business, and eventually passengers, as competition reduced as local operators became displaced. Fares would rise as a result of newly formed monopolies muscling in on the market.

8.6 The Head of Regulatory Services explained that officers considered that the call for 'examples of conditions attached to licences would be overly restrictive or unreasonable and it was therefore viewed with concern. There could be diminution of the standards that had been developed over time, working in partnership with business and based on local evidence, that recognised the city as the visitor, leisure and conference based economy that it was. Examples could be conditions relating to livery, English language standards, driver standards, vehicle emissions standards and air quality and local community safety (CCTV requirements).

8.7 Councillor Duncan stated that he was of the view that notwithstanding that these amendments had been made in reality there might be little movement on them until after the 2015 General Election.

8.8 Councillor Gilbey stated that it was difficult to see how the changes would work in practice.

- 8.9 Councillor C Theobald referred to the fact that traffic became gridlocked in the station area including taxis seeking to drop off and pick up there. Councillor Duncan agreed that this needed to be addressed. The Head of Regulatory Services explained that this was recognised as a “pinch point” and that the taxi trade and bus operators were in discussion to seeking solutions to these problems. The matter had also been discussed at the recent Taxi Forum meeting.
- 8.10 Councillor Jarrett stated that he shared the concerns expressed and that in his view relaxation of conditions could result in a reduction in public safety both for customers and other road users as well as being overly restrictive and unreasonable in other areas.
- 8.11 Councillor Powell the Chair concurred with all that had been said, she was particularly concerned that accessibility and equality issues could be compromised. The city’s Green MP had also spoken out against these proposed changes and it was hoped that against the backdrop of serious concerns that had been voiced from a number of quarters that ultimately, these proposals might be diluted.
- 8.12 **RESOLVED** - That Committee notes the proposed amendments to the Deregulation Bill 2014 and possible implications.

9 ITEMS TO GO FORWARD TO COUNCIL

- 9.1 There were none.

The meeting concluded at 4.15pm

Signed

Chairman

Dated this

day of

LICENSING COMMITTEE (NON-LICENSING ACT 2003 FUNCTIONS)

Agenda Item 16

Brighton & Hove City Council

Subject:	Licence fees 2015/2016		
Date of Meeting:	20 November 2014		
Report of:	Head of Regulatory Services		
Contact Officer:	Name:	Tim Nichols	Tel: 29-2163
	Email:	tim.nichols@brighton-hove.gcsx.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report sets out the proposed licence fees and charges for 2015/16 relating to Street Trading, Sex Establishments and Sex Entertainment Licences, Gambling premises, taxi licensing and other licensing functions.

2. RECOMMENDATIONS:

- 2.1 That the committee approves the following variation to licence fees:
- Hackney carriage driver fee +58.7%, hackney carriage vehicle fee +5.1%, private hire driver fee +25.6% and private hire vehicle fee -51.5%.
 - Sex entertainment venues and sex establishments are decreased by -38.5%.
 - Street trading fees - decreased by -5% (street artists & misc. short term - 6.3%).
 - All Gambling Act 2005 fees remain the same.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 In order to ensure that council tax payers are not subsidising work concerning licensing administration, income is raised by licence fees which aim to cover the cost of administration of each regime within constraints of regulation. Licence fees should not be used to raise revenue. We have reviewed the way we have calculated the charges so that they are now based on a recent detailed analysis of officer time. The regulation of setting fees is detailed and changes as a result of legislation and cases; outlined below.

3.2 Licence Fee Setting – general principles

1. There must be a proper determination of the authorisation fee (see Hemming [2013] EWCA Civ 591).
2. A clear understanding of the policy and objects of the regime in question is required. It follows that the relevant considerations for vetting an applicant for a street trading licence will be different to those required for a sex establishment (see R v Manchester City Council ex parte King (1991) 89 LGR 696; also R (on

the application of *Davis & Atkin v Crawley Borough Council* [2001] EWHC 854 (Admin)). Particular attention needs to be had to those statutory provisions where a power is given to the local authority for the determination of an authorisation fee and other administrative fees.

3. Applicability of the European Services Directive (see *Hemming* [2013] EWHC 1260 (Admin) and [2013] EWCA Civ 591: The Directive applies to street trading and sex licensing; not gambling or taxis.

4. Different fee levels for different types of application. A licensing authority is entitled to set either the same or different fee levels for different types of applications: i.e. grant, renewal, variation, alteration or transfer. *R v Greater London Council, ex parte Rank Organisation* [1982] LS Gaz R 643.

5. Recovery of deficit. In *R v Westminster City Council, ex parte Hutton* (1985) 83 L.G.R. 461 it was held that where the fee income generated in one year fails to meet the costs of administering the licensing system, it is open to the local authority to make a proportionate increase in the licence fee for the following year so as to recoup the cost of the shortfall (*Hutton* at p 518). This longstanding principle was confirmed in *Hemming* [2012].

6. Accounting for surplus. In *Hemming* [2012] EWHC 1260 (Admin) and [2013] EWCA Civ 591 the court determined surpluses as well as deficits are to be carried forward. The licensing authority is not entitled to make a profit. (*R v Manchester ex parte King* 1991 89 LGR 696.

7. Rough and ready calculations. In *Hemming* [2012] EWHC 1260 (Admin) and [2013] EWCA Civ 591, the court did not require pin-point precision year on year. The council does not have to adjust the licence fee every year to reflect any previous deficit or surplus, so long as it 'all comes out in the wash' eventually. And the adjustment does not have to be precise: a rough and ready calculation which is broadly correct will do.

8. Anticipated costs. Cases demonstrate that the fee level may be fixed by reference to anticipated costs of administering the authorisation scheme.

9. Over-estimation. If the fee levied in the event exceeds the cost of operating the scheme, the original decision will remain valid provided it can be said that the district council reasonably considered such fees would be required to meet the total cost of operating the scheme. *R v M ex parte King*.

Hackney Carriage & Private Hire

- 3.3 The Council must be able to show that it calculates hackney carriage and private hire licensing fees in accordance with the specific requirements of the Local Government (Miscellaneous Provisions) Act 1976. This requires that such fees have to be reasonable to recover the cost of issue and administration of licences. They cannot be used to raise revenue or fund activities such as taxis marshalls. This has been confirmed in a recent court case *Cummings and Others v Cardiff City Council* which also confirmed that fees set must have regard to any surplus or deficit in previous years for each regime (hackney carriage or private hire) The Act allows the following costs to be recovered in the fees:

- The reasonable cost of carrying out vehicle inspection to decide if a licence should be granted
- The reasonable costs of providing hackney carriage stands
- Any reasonable administrative or other costs in connection with vehicle inspection and providing hackney carriage stands and
- Any reasonable administrative or other costs in the control and supervision of hackney carriage and private hire vehicles.

The Council aims to be transparent in recording or presenting its method for calculating licence fees. This report aims to do that.

- 3.4 A trading position has been established, taking into account all expenditure that the Council has incurred in administering the service, including both direct and indirect costs. (Indirect costs for example would include an element of management time to oversee the activity, a legitimate expense in administering the licensing function). The results are set out in the table below.

Financial Year	Balance on Taxi License Fees £000*
2013/14 Actual	46 deficit
2014/15 Forecast	37 deficit
2015/16 Budget	0
Total	83 deficit

- 3.5 The proposed fee changes reduce the annual deficit with an aim to bring the trading account to a breakeven position. *Cummings & Others v Cardiff City Council 2014* confirmed that licensing authorities must take into account previous deficits and surpluses when setting fees. The Council budget setting does not normally facilitate carrying forward deficits, and so, in line with corporate charging policy officers recommend aiming for full cost recovery within the annual financial period to avoid creating deficits. Corporate fees and charges policy aims to increase the proportion of income contributed by users of services where appropriate, rather than the cost being met from the general council tax payer. Charges should not be levied on services where there is no legal basis to charge for a service but charges for services provided should be set to recover costs including central overheads. Detailed Trading Accounts are attached in Appendix 1-3.

Sex establishments and Street trading

- 3.6 *R v. Manchester ex parte King* - fees should be set at a level reasonably expected to cover costs. Surplus should be reinvested in service.

The Provision of Services Regulations 2009 is likely to have the effect that fees may need to accommodate “charges provided for by a competent authority which applicants may incur under an authorisation scheme must be reasonable and proportionate to the cost of the procedures and formalities under the scheme and must not exceed the cost of those procedures and formalities.” Recent case law, *Hemming (and others) v Westminster City Council (2012)*, has held that this cannot include the cost of investigating and prosecuting persons, firms or companies who operate sex establishments within the Council’s area without a licence.

3.7 Sex establishments: A breakdown of inspections carried out during 2012/13 by officers shows that an insignificant amount of inspections related to unlicensed premises. The administration of sex establishments and SEVs is broken down as follows:

There are 5 Sex Establishments in total, for which renewal applications are processed annually, including officers carrying out annual inspections to ensure compliance with their licence. It is unlikely that a further sex establishment licence would be granted as this would be contra policy.

SEVS: There are 3 SEVs in total. SEV fees are based on licence renewals. It is unlikely that a further SEV licence would be granted as this would be contra policy. Annual inspections are carried out to ensure compliance with their licence.

3.8 A trading position has been established, taking into account all expenditure that the Council has incurred in administering the service, including both direct and indirect costs. (Indirect costs for example would include an element of management time to oversee the activity, a legitimate expense in administering the licensing function). The results are set out in the table below.

Financial Year	Sex establishments and sex entertainment venues £000*
2013/14 Actual	22 surplus
2014/15 Forecast	18 surplus
2015/16 Forecast	0
Total	40 surplus
Assumption: Reduce licence fees by 38.5% to bring trading account to a net nil position.	

The proposed fee changes reduce the annual surplus with an aim to bring the trading account to a breakeven position. Detailed Trading Accounts are attached in Appendix 1-3.

3.9 Following the same principles as stated previously, a trading position has been established for Street Trading. During 2013/14, the majority of inspections carried out by officers are recoverable. The administration of street trading is wholly recoverable, broken down as follows:

Zone A:-

3 traders at 50 sq ft – all pay quarterly
2 traders at 42 sq ft - Ditto

Zone B:-

17 traders – 2 have paid in full, 15 pay by quarterly instalments

Upper Gardner Street Saturday Market:-

Total 51 traders – 3 pay in full with the remainder of the traders paying by quarterly instalments.

- 3.10 Taking into account all the council expenditure incurred in administering the service including an element of management time to oversee the activity, the results are set out in the table below.

Street Trading		
Financial Year	£'000	(Surplus)/ Deficit
2013/14 Actual		17 surplus
2014/15 Forecast		13 surplus
2015/16 Budget		9 surplus
Total		-39surplus
Assumption: Reduce licence fess by 5% as agreed last financial year to reduce surplus position.		

Fees should be set each year to recover the expected cost of administering the service. Initial forecasts suggest that charging for street trading at the current charge rate would result in a surplus in 2014/15 of approximately £13,000. The proposed fee changes (-5%) reduce the annual surplus with an aim to bring the trading account to a breakeven position. Detailed Trading Accounts are attached in Appendix 1-3.

Gambling Act 2005

- 3.11 There will be no increase in gambling fees and it is assumed we will maintain fees at 2014/15 levels to reduce surplus position. Trading accounts can be found at appendix 2.

Gambling Act		
Financial Year	£'000	(Surplus)/ Deficit
2013/14 Actual		8 deficit
2014/15 Forecast		3 surplus
2015/16 Budget		3 surplus
Total		2 deficit
Assumption: Maintain fees at 2014-15 levels to reduce deficit position.		

- 3.12 A table showing the fee increases can be seen at appendix 4.
- 3.13 Licensing (Income and Banking) was audited between August and October 2012.

The internal auditors reported that Substantial Assurance is provided on the effectiveness of the internal controls over the Licensing Income and Banking system. This opinion means that the effective controls are in place to manage the key risks to the system.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

Fees must be set.

5. COMMUNITY ENGAGEMENT AND CONSULTATION

5.1 Council's finance officer and legal services.

6. CONCLUSION

Fees must be set.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 License fees are set annually at a level that it is reasonably believed will cover the costs of providing the service, and in accordance with the legal principles involved. This is necessary in order to ensure that council tax payers are not subsidising work concerning licensing administration. Detailed trading accounts are attached in Appendix 1-3.

Finance Officer Consulted: Steven Bedford

Date 20/10/14

Legal Implications:

7.2 Legal constraints on setting fees

Fees must be charged in accordance with the requirements of the legislation under which they are charged. Thus for instance the Licensing Act 2003 gives the Council no discretion as they are set centrally by the relevant government department. Other legislation such as the Local Government (Miscellaneous Provisions) Act 1982 which covers a whole raft of activities and includes street trading and sex establishments simply states that we may charge such fees as we consider reasonable.

The term 'Reasonable' however does not imply wide discretion but incorporates important legal principles and constraints. These were highlighted in the case of *R v Manchester City Council ex parte King* concerning street trading. This case held that the fees charged must be related to the costs incurred in providing the street trading service. They must not be used to raise revenue generally. This principle is key and applies to other licensing regimes such as sex establishments. This means the fees must be set at a level reasonably expected to cover the cost of providing the service.

This principle has been reinforced by the introduction of the European Services Directive which took effect from the end of 2009. It aims to ensure that licence applications and procedures are transparent and burdens on business kept to a minimum. The processes must be non-discriminatory, justified, proportionate,

clear, objective, made in advance, transparent and accessible. The domestic legislation will require “any charges provided for by a competent authority which the applicant may incur under an authorisation scheme must be reasonable and proportionate to the cost of the authorisation procedures and formalities under the scheme and must not exceed those procedures and formalities”. Any fee charged for establishing a service can only be based on cost recovery and cannot be set at an artificial high level to deter service sectors from an area. It was held in the recent case of Hemming (and others) v Westminster City Council (2012) EWHC 1260 (Admin) and (2013) EWCA Civ 591 that when determining what is a reasonable fee for the grant or renewal of a licence to operate a sex establishment, the Council is not, as a consequence of the European Services Directive, entitled to take into account the cost of investigating and prosecuting persons firms or companies who operate sex establishments within the Council’s area without a licence. The same principle would also apply to the cost of unlicensed street traders. The Council should schedule regular fee reviews.

Therefore the trading accounts must be carefully looked at in accordance with these principles. There is a risk of challenge by way of Judicial Review in cases where fees are set at an unreasonable or unlawful level.

Lawyer Consulted: Rebecca Sidell

Date: 20/10/14

Equalities Implications:

- 7.3 There are no direct equalities implications.

Sustainability Implications:

- 7.4 There are no direct sustainability implications.

Any Other Significant Implications:

- 7.5 The council has to adapt if we are to meet the funding gap over the next four years that we are expecting. This follows savings already made over the past four years. This gap is caused by reductions in the way we are funded centrally from Government at the same time as general costs of providing services are increasing with demand for services also rising growth in the local population. People are living longer and the population is becoming more diverse. So the way people live and their needs are changing, and demand for services has gone up as a result. People’s basic expectations about how and when they contact services provided by the council have changed. It is in Council interests for more services to take advantage of new technology, so that we can tailor provision to their needs, but it also requires significant investment at a time of reducing resources. None of these things alter the nature of the council’s purpose or our responsibilities. But they do mean that the way in which the council as an organisation is run and managed, and the way in which the authority responds to demand for services has to change radically at a pace with society and financial necessity. Corporate fees and charges policy aims to increase the proportion of income contributed by users of services where appropriate, rather than the cost being met from the general Council taxpayer. All decisions for service change are taken openly, through democratic process, but we can expect that the council will

become a smaller organisation. Environmental sustainability, city regeneration, transport, culture, leisure & tourism are priorities.

SUPPORTING DOCUMENTATION

Appendices:

- 1-2 Trading Accounts.
- 3-4. List of fees and charges.

Documents in Members' Rooms

- 1. None.
- 2. None.

Background Documents

- 1. None.

Appendix 1

Licence Fee - Three Year Accounts			
2013-14 Financial Year Actual			
CIPFA Standard Subjective	Sex Establishments £	Street Trading (Legal) £	Gambling Act £
Direct Employees	16,419	26,467	27,909
Indirect Employees	61	104	104
Premises	4	8	8
Transport	216	370	369
Supplies and Services	416	714	710
Support Services	7,156	12,277	12,219
Management Overheads	3,893	6,680	6,648
Total Expenditure	28,164	46,620	47,966
Total Income	-49,832	-63,628	-39,756
Total (Surplus) / Deficit	-21,668	-17,008	8,209

2014-15 Financial Year Forecast			
CIPFA Standard Subjective	Sex Establishments £	Street Trading (Legal) £	Gambling Act £
Direct Employees	17,385	27,671	29,751
Indirect Employees	137	235	233
Premises	112	191	190
Transport	125	215	214
Supplies and Services	1,048	1,799	1,790
Support Services	7,116	12,210	12,151
Management Overheads	3,744	6,424	6,393
Total Expenditure	29,667	48,744	50,724
Total Income	-48,100	-61,808	-53,917
Total (Surplus) / Deficit	-18,433	-13,064	-3,193

2015-16 Financial Year Budget			
CIPFA Standard Subjective	Sex Establishments £	Street Trading (Legal) £	Gambling Act £
Direct Employees	17,551	27,928	30,041
Indirect Employees	139	239	238
Premises	114	196	195
Transport	127	219	217
Supplies and Services	1,069	1,834	1,826
Support Services	7,258	12,454	12,394
Management Overheads	3,773	6,473	6,442
Total Expenditure	30,031	49,342	51,352
Total Income	-29,600	-58,724	-53,917
Total (Surplus) / Deficit	431	-9,382	-2,564
Total Three-Year (Surplus) / Deficit	-39,669	-39,454	2,452

Appendix 2

Taxi Licencing - Three Year Accounts				
2013-14 Financial Year Actual				
CIPFA Standard Subjective	Hackney Carriages - Vehicles £	Hackney Carriages - Drivers £	Private Hire - Vehicles £	Private Hire - Drivers £
Direct Employees	48,250	62,499	17,099	21,521
Indirect Employees (Non DBS)	805	1,132	331	423
Indirect Employees (DBS)	0	18,142	0	9,055
Premises Related	178	250	73	93
Transport Related	515	724	212	271
Driver Assessments/Checks	0	20,426	0	10,195
Supplies and Services	7,895	11,096	3,245	4,150
Support Services	13,275	18,657	5,456	6,978
Management Overhead	20,008	28,120	8,223	10,518
Total Expenditure	90,927	161,045	34,639	63,206
Total Income	-96,377	-89,931	-72,427	-45,355
Total (Surplus) / Deficit	-5,450	71,114	-37,788	17,852

2014-15 Financial Year Forecast				
CIPFA Standard Subjective	Hackney Carriages - Vehicles £	Hackney Carriages - Drivers £	Private Hire - Vehicles £	Private Hire - Drivers £
Direct Employees	42,618	57,441	17,454	21,150
Indirect Employees (Non DBS)	675	949	278	355
Indirect Employees (DBS)	0	16,676	0	8,324
Premises Related	149	210	61	79
Transport Related	478	672	196	251
Unmet Demand Survey	6,033	0	0	0
Driver Assessments/Checks	0	21,679	0	10,821
Supplies and Services	7,243	10,179	2,977	3,807
Support Services	14,449	20,307	5,939	7,596
Management Overhead	18,086	25,419	7,433	9,507
Total Expenditure	89,732	153,531	34,338	61,890
Total Income	-86,900	-101,161	-65,132	-49,023
Total (Surplus) / Deficit	2,832	52,370	-30,794	12,868

2015-16 Financial Year Budget				
CIPFA Standard Subjective	Hackney Carriages - Vehicles £	Hackney Carriages - Drivers £	Private Hire - Vehicles £	Private Hire - Drivers £
Direct Employees	37,221	48,278	14,368	17,148
Indirect Employees (Non DBS)	687	966	282	361
Indirect Employees (DBS)	0	17,010	0	8,490
Premises Related	152	214	63	80
Transport Related	487	684	200	256
Unmet Demand Survey	12,067	0	0	0
Driver Assessments/Checks	0	22,112	0	11,038
Supplies and Services	7,386	10,380	3,036	3,883
Support Services	14,742	20,719	6,059	7,749
Management Overhead	18,311	25,735	7,526	9,626
Total Expenditure	91,053	146,099	31,534	58,631
Total Income	-91,300	-145,857	-31,594	-58,669
Total (Surplus) / Deficit	-247	242	-60	-38
Total Three-Year (Surplus) / Deficit	-2,865	123,725	-68,642	30,681

Appendix 3		LICENCING FEES			
		2014-15	2015-16	Change	
		Agreed Fee	Proposed Fee		
		£	£	%	
Sex Establishments and Venues					
Sex Entertainment Venue		£6,012.50	£3,700.00	-38.5%	
Sex Establishments - Grants		£6,012.50	£3,700.00	-38.5%	
Sex Establishments - Renewal		£6,012.50	£3,700.00	-38.5%	
Sex Establishments - Occasional		£2,004.00	£2,000.00	-0.2%	
Street Trading					
Upper Gardner Street		£564.00	£536.00	-5.0%	
Zone B		£676.00	£642.00	-5.0%	
Zone A 50 sq. ft.		£4,642.00	£4,410.00	-5.0%	
Zone A 42 sq. ft.		£3,813.00	£3,622.00	-5.0%	
Street Artists		£32.00	£30.00	-6.3%	
Misc. Short Term		£32.00	£30.00	-6.3%	
Farmers Maker (per stall)		£242.00	£230.00	-5.0%	
Small Street Marker (per occasion)		£323.00	£307.00	-5.0%	
Gambling Act					
Existing Casino - Reg 4 (2) (a)		£300.00	£300.00	0.0%	
Existing Casino - Reg 4 (2) (b)		£1,195.00	£1,195.00	0.0%	
Existing Casino - Reg 6 and Reg 8		£1,694.00	£1,694.00	0.0%	
Existing Casino - Reg 10		£11.55	£11.55	0.0%	
Existing Casino - Reg 11		£1,195.00	£1,195.00	0.0%	
Existing Casino - Reg 12		£1,195.00	£1,195.00	0.0%	
Existing Casino - Reg 13		£11.55	£11.55	0.0%	
Existing Casino - Reg 14		£1,195.00	£1,195.00	0.0%	

LICENCING FEES				
	2014-15		2015-16	
	Agreed Fee	Proposed Fee	Change	%
	£	£		%
Bingo Premises - Reg 4 (2) (a)	£300.00	£300.00		0.0%
Bingo Premises - Reg 4 (2) (b)	£1,195.00	£1,195.00		0.0%
Bingo Premises - Reg 5 (2) (a)	£617.50	£617.50		0.0%
Bingo Premises - Reg 5 (2) (b)	£1,195.00	£1,195.00		0.0%
Bingo Premises - Reg 6 and Reg 8	£594.00	£594.00		0.0%
Bingo Premises - Reg 10	£11.55	£11.55		0.0%
Bingo Premises - Reg 11	£1,195.00	£1,195.00		0.0%
Bingo Premises - Reg 12	£1,195.00	£1,195.00		0.0%
Bingo Premises - Reg 13	£11.55	£11.55		0.0%
Bingo Premises - Reg 14	£1,195.00	£1,195.00		0.0%
Bingo Premises - Reg 15	£1,195.00	£1,195.00		0.0%
AGCs - Reg 4 (2) (a)	£300.00	£300.00		0.0%
AGCs - Reg 4 (2) (b)	£1,000.00	£1,000.00		0.0%
AGCs - Reg 5 (2) (a)	£617.50	£617.50		0.0%
AGCs - Reg 5 (2) (b)	£1,195.00	£1,195.00		0.0%
AGCs - Reg 6 and Reg 8	£594.00	£594.00		0.0%
AGCs - Reg 10	£11.55	£11.55		0.0%
AGCs - Reg 11	£1,000.00	£1,000.00		0.0%
AGCs - Reg 12	£1,195.00	£1,195.00		0.0%
AGCs - Reg 13	£11.55	£11.55		0.0%
AGCs - Reg 14	£1,195.00	£1,195.00		0.0%
AGCs - Reg 15	£300.00	£300.00		0.0%
Betting Tracks - Reg 4 (2) (a)	£1,195.00	£1,195.00		0.0%
Betting Tracks - Reg 4 (2) (b)	£1,195.00	£1,195.00		0.0%
Betting Tracks - Reg 5 (2) (a)	£617.50	£617.50		0.0%
Betting Tracks - Reg 5 (2) (b)	£1,195.00	£1,195.00		0.0%
Betting Tracks - Reg 6 and Reg 8	£594.00	£594.00		0.0%
Betting Tracks - Reg 10	£11.55	£11.55		0.0%

LICENCING FEES				
	2014-15		2015-16	
	Agreed Fee £	Proposed Fee £	Change %	
Betting Tracks - Reg 11	£1,195.00	£1,195.00	0.0%	
Betting Tracks - Reg 12	£950.00	£950.00	0.0%	
Betting Tracks - Reg 13	£11.55	£11.55	0.0%	
Betting Tracks - Reg 14	£950.00	£950.00	0.0%	
Betting Tracks - Reg 15	£1,195.00	£1,195.00	0.0%	
FECs - Reg 4 (2) (a)	£300.00	£300.00	0.0%	
FECs - Reg 4 (2) (b)	£1,000.00	£1,000.00	0.0%	
FECs - Reg 5 (2) (a)	£617.50	£617.50	0.0%	
FECs - Reg 5 (2) (b)	£1,195.00	£1,195.00	0.0%	
FECs - Reg 6 and Reg 8	£456.50	£456.50	0.0%	
FECs - Reg 10	£11.55	£11.55	0.0%	
FECs - Reg 11	£1,000.00	£1,000.00	0.0%	
FECs - Reg 12	£950.00	£950.00	0.0%	
FECs - Reg 13	£11.55	£11.55	0.0%	
FECs - Reg 14	£950.00	£950.00	0.0%	
FECs - Reg 15	£1,155.00	£1,155.00	0.0%	
Betting Other - Reg 4 (2) (a)	£300.00	£300.00	0.0%	
Betting Other - Reg 4 (2) (b)	£1,195.00	£1,195.00	0.0%	
Betting Other - Reg 5 (2) (a)	£617.50	£617.50	0.0%	
Betting Other - Reg 5 (2) (b)	£1,195.00	£1,195.00	0.0%	
Betting Other - Reg 6 and Reg 8	£374.00	£374.00	0.0%	
Betting Other - Reg 10	£11.55	£11.55	0.0%	
Betting Other - Reg 11	£1,195.00	£1,195.00	0.0%	
Betting Other - Reg 12	£1,195.00	£1,195.00	0.0%	
Betting Other - Reg 13	£11.55	£11.55	0.0%	
Betting Other - Reg 14	£1,195.00	£1,195.00	0.0%	
Betting Other - Reg 15	£1,195.00	£1,195.00	0.0%	
Lotteries New - Reg 12	£40.00	£40.00	0.0%	

LICENCING FEES			
	2014-15	2015-16	
	Agreed Fee	Proposed Fee	Change
	£	£	%
Lotteries New - Reg 14	£40.00	£40.00	0.0%
Renewal - Reg 12	£20.00	£20.00	0.0%
Renewal - Reg 14	£40.00	£40.00	0.0%

LICENCING FEES	2014-15		2015-16	
	Agreed Fee	Proposed Fee	Change	
	£	£	%	

Appendix 4	TAXI LICENCE FEES				2015-16 Change %
	2014-15		2015-16		
	Agreed Fee £	Proposed Fee £	Agreed Fee £	Proposed Fee £	
First Application (drivers)	£81.00	£101.00			24.7%
DBS Check*	£44.00	£44.00			0.0%
Hackney Carriage Drivers Licence	£63.00	£100.00			58.7%
Private Hire Drivers Licence	£60.50	£76.00			25.6%
Hackney Carriage Vehicle Licence (Full Year)	£158.00	£166.00			5.1%
Hackney Carriage Vehicle Licence (Half Year)	£79.00	£83.00			5.1%
Private Hire Vehicle Licence (Full Year)	£134.00	£65.00			-51.5%
Private Hire Vehicle Licence (Half Year)	£67.00	£32.50			-51.5%
Hackney Carriage Plate Deposit	£33.00	£33.00			0.0%
Private Hire Plate Deposit	£24.00	£24.00			0.0%
Private Hire Operator Licence (1 or 2 Cars)	£60.00	£29.00			-51.7%
Private Hire Operator Licence (3 or more Cars)	£210.00	£103.00			-51.0%
Hackney Carriage Substitute Vehicle Fee	£26.00	£25.00			-3.8%
Private Hire Substitute Vehicle Fee	£25.00	£25.00			0.0%
Knowledge Test Fee	£27.50	£25.00			-9.1%
Route Test Fee	£38.50	£35.00			-9.1%
Note that likely legislative changes may require local authorities to provide for three year driver licenses and five year operators licenses. The following fees will be charged and the reviewed annually to assess the impact on the costs of administering the licensing function.					
Hackney Carriage Drivers Licence (2 Years)		£200.00			NEW
Hackney Carriage Drivers Licence (3 Years)		£300.00			NEW
Private Hire Drivers Licence (2 Years)		£152.00			NEW

TAXI LICENCE FEES			
	2014-15	2015-16	
	Agreed Fee	Proposed Fee	Change
	£	£	%
Private Hire Drivers Licence (3 Years)		£228.00	NEW
Private Hire Operator Licence - 1 or 2 Cars (5 Years)		£145.00	NEW
Private Hire Operator Licence - 3 or more Cars (5 Years)		£515.00	NEW
<i>*Note that DBS fees are not set by Brighton & Hove City Council</i>			

LICENSING COMMITTEE (NON-LICENSING ACT 2003 FUNCTIONS)

Agenda Item 17

Brighton & Hove City Council

Subject: Pet Vending Model Licensing Conditions

Date of Meeting: 20 November 2014

Report of: Director of Public Health

Contact Officer: Roy Pickard

Tel: (01273) 29-2154

Ward(s) affected: All

FOR GENERAL RELEASE

PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report outlines the results of the consultation required by the committee recommendation of 26th June 2014.
- 1.2 The committee recommended:
- 1.3 That progress has been made regarding the possible use of the CIEH published Model Licence Conditions for Pet Vending and that the issue warrants further discussion and consultation;
- 1.4 That progress has been made regarding the possible mandatory distribution of the EMODE leaflet to prospective pet shop customers and that the issue further warrants discussion and consultation;
- 1.5 That officers are directed to consult further on the EMODE leaflet, to explore whether objections from all trade bodies can be satisfied; that a full review is conducted, and that this item is brought back to the scheduled November 2014 Licensing Committee (Non Licensing Act 2003 Functions) for full discussion' ; and
- 1.6 That the committee note the work done in the use of CIEH model licence conditions for pet vending.
- 1.7 The committee request that further research is done into how these proposed changes will improve/not improve the lives of animals in the pet trade, and as such, that the item is brought back post-publication of the review, and work done by officers, for full discussion at the next scheduled meeting of the Committee in November 2014.

2. RECOMMENDATIONS:

- 2.1 That the committee does not agree the use of this version of the new CIEH published model licence conditions 2013 for Pets Vending.
- 2.2 That committee agree that pet shops be encouraged to stock and distribute the EMODE leaflet to prospective customers on a voluntary basis.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The Chartered Institute of Environmental Health (CIEH) have drawn up new model licence conditions for Pet Vending. (Appendix 1). Contributing consultees were the British Veterinary Association, Cats Protection League, Department for Environment, Food and Rural Affairs (Defra), Dogs Trust, Federation of Companion Animal Societies, Feline Advisory Bureau, Local Government Association, Ornamental Aquatic Trade Association, Pet Industry Federation, Rabbit Welfare Association & Fund, Reptile and Exotic Pet Trade Association, Royal Society for the Prevention of Cruelty to Animals,
- 3.2 Pet Shops in the city are regulated under the Pet Animals Act 1951. The current licence conditions were devised in 1998. (Appendix 2).
- 3.3 The Animal Protection Agency has approached the Council to request that the EMODE leaflet is given to pet purchasers by Pet Shops as a condition of the licensing process. (Appendix 3 & 4).

4. Recent peer review of the CIEH Model Licence Conditions by the Animal Protection Agency.

- 4.1 The Animal Protection Agency has recently carried out a peer review. (Appendix 5).
- 4.2 The paper was published in the journal of Animal Welfare, Science, Ethics and Law journal underwent strict scientific scrutiny prior to publication by two independent peer-review experts selected entirely by the journal editor, as well as by the veterinary editor of the journal. The recommendations of the journal's peer-reviewers as well as the editor were incorporated into the article, resulting in its acceptance and formal publication.
- 4.3 Its conclusion was that: "We regard the premises for the MCPVL to be important and timely, and the CIEH itself provides an appropriate and 'natural' medium in the UK for the dissemination of the guidance. It may, however, be noteworthy that of the approximately 20 organisations, and scientific and veterinary experts who worked to develop the guidance, 10 withdrew from the project. The MCPVL document is a lateral, and in some cases retrograde, rather than progressive move in pet animal husbandry that blurs weak standards rather than improves them. The 6 AWSELVA Journal 18(1) 2014 guidance is arguably an example of what occurs when consultations go wrong, science is ignored, and soft options are adopted. Whilst strong reviewer cautions have resulted in a considerable amount of very poor material being deleted since prepublication drafts (most notably regarding the reptile and amphibian, and public health sections), in our view the MCPVL remains unfit for purpose. That said, the document has certainly been improved by the extensive deletions. However, improving material by expunging much of its substance must be considered a guarded compliment."

- 4.4 The Veterinary Times recently published an article on this, detailing the concerns of the Animal Protection Agency and the response by the CIEH. (Appendix 7)
- 4.5 **The CIEH has responded to this peer review with a statement as follows:**
- 4.6 Chartered Institute of Environmental Health rejects criticism of its Pet Shop Guidance.
- 4.7 The 'Model Conditions for Pet Vending Licensing' published by the Chartered Institute of Environmental Health (CIEH) in September 2013 are intended to offer local authorities and pet shops updated guidance on pet shop husbandry and sales practices but have been criticised by the Animal Protection Agency as being: “unfit for purpose.”
- 4.8 Graham Jukes, OBE, CIEH Chief Executive said: “We know of and reject the criticism of the guidance by the Animal Protection Agency. During the process of production of the guidance we entertained extensive correspondence and having considered all the information presented to us, the guidance we have produced represents good and effective practice in the field and is designed to assist those who set licence conditions in such premises.”
- 4.9 The groups consulted in putting the guidelines together included the British Veterinary Association, Cats Protection, Department for Environment, Food and Rural Affairs (Defra), Dogs Trust, Federation of Companion Animal Societies, Feline Advisory Bureau, Local Government Association, Ornamental Aquatic Trade Association, Pet Industry Federation, Rabbit Welfare Association & Fund, Reptile and Exotic Pet Trade Association and the Royal Society for the Prevention of Cruelty to Animals
- 4.10 Bob Mayho, CIEH Principal Policy Officer, said: “A working party was convened to prepare the document, which met over several months and consultation with all the parties involved was a continuous process. Immediately prior to publication on the CIEH web site, in September 2013, all of the organisations were asked to confirm they were content for the document to be published. The guidance has been widely welcomed and adopted by local authorities.”

5. Consultation

- 5.1 A number of work streams were developed as a result of the committee decision of the 26th June 2014. Officers consulted with the Chartered Institute of Environmental Health, the RSPCA, the Animal Protection Agency, The Pet Federation Agency, Pet Shops, Animal Sanctuaries and the general public. The results of this consultation is below:

5.2 The Chartered Institute of Environmental Health.

- 5.2.1 The CIEH was asked whether there are any changes proposed to the recent Model Licence Conditions or whether you are aware of any possible legal or scientific challenge of the model licence conditions.

5.2.2 The CIEH responded that they were unaware of any legal challenge to the model licence conditions.

5.3 The RSPCA

5.3.1 We asked the RSPCA their views on the CIEH model licence conditions and the lack of an RSPCA logo on the document. The following response was received from Lenny Rolles, Senior Parliamentary Adviser, Local Government:

5.3.2 “In terms of the RSPCA's involvement, we are happy to be listed as one of the groups that were consulted but we cannot endorse it. Whilst we feel the document does represent an improvement on the current situation, it does not go as far as we would like. An official endorsement could make it difficult for the Society to push for better practice. It was for these reasons that we asked for our logo to be removed from the cover.

5.3.3 “I hope this clarifies the situation for you. Should you wish to discuss this or any other animal welfare matter please don't hesitate to contact me.”

5.4 The Animal Protection Agency.

5.4.1 We asked the Animal Protection Agency whether they planned to change the EMODE leaflet in light of committees comments relating to ease of use and the health question.

5.4.2 The Animal Protection Agency confirmed that they have no plans to change the EMODE leaflet and responded as follows concerning this and the consultation process:.

5.4.3 “With regard to the point relating to ease of use, the leaflet has already been tested with members of the public and no issues were raised on this front. The requirement for research to answer the specific questions is unavoidable if the system is to provide a sound and reliable result. This is the only scientifically-based assessment system of its kind that is accessible to non-scientists and has been simplified as far as possible in leaflet form. We accept that not everyone will make use of it, but it is important that potential animal purchasers do at least have access to objective information.

5.4.4 With regard to the point relating to the 'intrusive' health question. As the leaflet user does not have to show the leaflet to anyone else, we fail to see how it could be intrusive any more than self-check questions in health advice pamphlets displayed in doctor's surgeries. This important self-assessment question also raises awareness of the fact that vulnerable individuals are particularly at risk from animal-to-human diseases from pets.

5.4.5 Additionally, the Animal Protection Agency wish to Convey that, for reasons we have set out in previous correspondence, your consultation does not conform to normal standards and thus cannot be used to inform the Council.

5.4.6 To convey that we along with independent lawyers and legal counsel experienced in the Pet Animals Act do not agree with city council's narrow

interpretation of the Act, and instead these more senior figures maintain that there are no legal obstacles to EMODE being attached as a licence condition.

5.4.7 Convey that, for reasons set out in the AWSELVA review, the CIEH guidance should not be adopted by the Council as a licence condition.

5.4.8 Convey that 72% of Councils have not adopted the CIEH MCPVL”.

5.5 The Pet Industry Federation

5.5.1 We asked the Pet Industry Federation their views on the recommendations of the 26th June, in particular

5.5.2 that officers are directed to consult further on the EMODE leaflet, to explore whether objections from all trade bodies can be satisfied; that a full review is conducted, and that this item is brought back to the scheduled November 2014 Licensing Committee (Non Licensing Act 2003 Functions) for full discussion' ; and

5.5.3 The committee request that further research is done into how these proposed changes will improve/not improve the lives of animals in the pet trade, and as such, that the item is brought back post-publication of the review, and work done by officers, for full discussion at the next scheduled meeting of the Committee in November 2014.

5.5.4 The Pet Industry Federation comments were:

5.5.5 The Animal Protection Agency (APA) is a UK organisation committed to ceasing the trade in wildlife for pets.

5.5.6 The Pet Industry Federation refutes the APA's claim that the CIEH MLC for pet shop licensing is “unfit for purpose” and also refutes its claim that pet shops commonly lie about the origins of their livestock. This statement cannot be substantiated with factual evidence.

5.5.7 The Pet Industry Federation also contests the group's claim that the trade contributors on the Model Conditions for Pet Vending Licensing were unqualified.

5.5.8 The contributions to the drafting of the Model Conditions for Pet Vending Licensing from the Pet Industry Federation (formally the Pet Care Trade Association) were forwarded by a group of experts including vets, zoologists, and others with considerable experience in animal husbandry.

5.5.9 The 2013 revision of the Model Conditions for Pet Vending Licensing were developed and endorsed by a wide and wholly representative range of experts in animal health, husbandry and welfare, covering a plethora of taxa. It included representatives from the veterinary profession, animal charities and the pet industry.

5.5.10 The 2013 revision vastly surpasses the conditions published in 1992 and 1998 and exceeds the standards required in pet shops, as set out in the 1951 Pet Animals Act (the Act which pet shop licences are issued against). The 2013

revision is based on robust data and evidence to enable local authority representatives to inspect and license pet retail establishments in a consistent way, and with the welfare of those animals at its core.

5.5.12 Comment on EMODE.

5.5.13 After consultation with some of our MRCVS qualified advisors, the Pet Industry Federation would not recommend that this document be handed out at point of sale.

5.5.12 Retailers selling pets have the responsibility, as detailed in the Model Conditions for Pet Vending Licensing, to provide written pet care information. We do not believe this leaflet provides the right kind of information for these purposes. We further believe that insisting that this particular leaflet be handed out is in excess of the council's legal authority (ultra-vires). (appendix 8)

5.5.13 Please see the attached statement with further views on the EMODE publication.(Appendix 9)

5.6 Pet Shops

All 12 pet shops were written to, asking them: The Councils licensing committee is looking at the issue of implementation of the new Model Licence Conditions, and would like to hear your views on whether you foresee any practical difficulty on their implementation or any other comments you may have.

We had had no response from the 12 pet shops.

5.7 Local Animal Sanctuaries

10 local animal sanctuaries were emailed asking them their views on the committees recommendation:

That officers are directed to consult further on the EMODE leaflet, to explore whether objections from all trade bodies can be satisfied; that a full review is conducted, and that this item is brought back to the scheduled November 2014 Licensing Committee (Non Licensing Act 2003 Functions) for full discussion' ; and

The committee request that further research is done into how these proposed changes will improve/not improve the lives of animals in the pet trade, and as such, that the item is brought back post-publication of the review, and work done by officers, for full discussion at the next scheduled meeting of the Committee in November 2014.

The animal sanctuaries contacted were the RSPCA, Raystede Centre For Animal Welfare, Dogs Trust Shoreham Rehoming Centre, Paws Animal Sanctuary, International Animal Rescue, WRAS, Old Clayton Kennels and Cattery, Rogers Wildlife Rescue, Lumpy Lodge Rescue Sanctuary For Rabbits & Guinea Pigs and Hen Heaven.

We have had no response from the animal sanctuaries.

5.8 The Public

11 people responded to the public consultation,(Appendix 6) on the councils consultation portal. This consultation was publicised by the press office in a press release.

9 people agreed that the Council should adopt the CIEH new model licence conditions for pet shop licensing. 1 disagreed and 1 did not know. The comments were:

- I understand from my involvement in animal welfare groups that the CIEH document has been met with much criticism whereas EMODE is published & in the public domain & has much scientific evidence in support.
- Its about time pet shops became accountable to animal welfare as being paramount ,instead of just profit & minimal regulations, and stopped the trade in exotic animals
- All exotic pets should be banned from future sale.

11 people agreed that the EMODE leaflet should be given to potential purchasers of pets by pet shops. The comments were:

- However I do think step 1 table 1 is VERY confusing. It should be made MUCH clearer. Which end do you look at it from? Which colour is the one to watch? Why do dogs and cats float in the middle?
- Yes but I think the table should be a little clearer to interpret.
- The leaflet isn't very good, is it?

6. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 6.1 The costs associated to the recommendations in this report will be met from the existing Animal Welfare revenue budget within the Environmental Health and Licensing service. The net budget for the service in the 2014-15 financial year is approximately £279,000, which includes the direct costs of the service, support service costs and management and administration support..

Finance Officer Consulted Steve Bedford

Date: 02/10/14

Legal Implications:

- 6.2 The relevant legislation is the Pet Animals Act 1951. Breach of a condition is an offence under this Act and liable on summary conviction to a fine not exceeding level 2 (£500)and/or to imprisonment for a term not exceeding 3 months. The pet animals act 1951 states at paragraph 1 (3) that any conditions imposed should be necessary or expedient and related to the objects specified in paragraphs a) to e) of the subsection: (a) that animals will at all times be kept in accommodation suitable as respects size, temperature, lighting, ventilation and cleanliness; (b) that animals will be adequately supplied with suitable food and drink and (so far as necessary) visited at suitable intervals; (c) that animals, being mammals, will not be sold at too early an age;

(d) that all reasonable precautions will be taken to prevent the spread among animals of infectious diseases;

(e) that appropriate steps will be taken in case of fire or other emergency;

The act gives a right of appeal against the imposition of any condition and breach of such condition is liable to prosecution. The model conditions contain a condition at 14.1 which states that the licensee must ensure that the purchaser is informed of the correct care of the animal covering feeding, housing etc. The guidance then states that pet care leaflets should be made available. A further condition in recommendation 2.2 relating to this and favouring one particular leaflet is not necessary, or enforceable and is a duplication and open to challenge. Given the resistance expressed in the consultation from the Pet Federation Industry, legal challenge is likely and would have merit. There would be a potential cost for the Council. Legal advice is that the recommendation in the report at 2.2 should be amended to remove the reference to imposition of a formal condition and instead to suggest a voluntary approach along the following lines: 'The committee agree that pet shops be encouraged to stock and distribute the EMODE leaflet to prospective customers on a voluntary basis.'

Lawyer Consulted: Rebecca Sidell

Date: 09.11.14

Equalities Implications:

6.3 None.

Sustainability Implications:

6.4 None.

SUPPORTING DOCUMENTATION

Appendices:

1. New CIEH Model Licence conditions
2. Current Model Licence conditions.
3. EMODE leaflet
4. Assigning Degrees of Ease or Difficulty for Pet Animal Maintenance: The EMODE System Concept.
5. Resource Review: Model Conditions For Pet Vending Licensing, 2013. Chartered Institute for Environmental Health.
6. The public consultation results
7. The Veterinary Times.
8. Pet Industry Federation - Comments on the Model Conditions for Pet Vending Licensing 2013 and EMODE for Brighton Council.
9. The Pet Industry Federation's Response to the Pets: easy or difficult to keep (EMODE) publication



Model Conditions for Pet Vending Licensing 2013



September 2013



This document has been prepared in the best interests of animal welfare and to improve pet shop management. No liability rests with contributing bodies for the circumstances arising out of the application of conditions contained within the document.

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Introduction

The Model Conditions set out in this document are the working group's recommendations for the basic minimum standards considered necessary to ensure the health, safety and welfare of animals in pet shops.

Licensing authorities should apply and enforce the licence conditions sensibly and appropriately.

These Model Conditions should not be considered as a complete manual on animal husbandry. It is a living document which will be revised from time to time to take into account new knowledge of animal physiology and behaviour as well as advances and development in standards of animal welfare.

Local authorities in England, Scotland and Wales issue licences to proprietors of pet shops and other pet vendors under the provisions of the Pet Animals Act (1951). Before granting a licence the local authority must be satisfied that the animals are kept in accommodation that is suitable; that they are supplied with appropriate food and drink; and are adequately protected from disease and fire. The local authority may attach conditions to the licence, may inspect the licensed premises at all reasonable times and may refuse a licence if the standards at the premises are unsatisfactory or if the terms of the licence are not being complied with.

Under the Animal Welfare Act (2006)¹ which applies in England and Wales and the Animal Health and Welfare (Scotland) Act 2006² in Scotland those responsible for animals, including pet vendors, have a responsibility towards the welfare of the animals in their care. Under these Acts it is an offence to cause unnecessary suffering to a protected animal, whether by an act or omission. Vendors also have a legal 'duty of care' towards the animals in their care. Vendors must therefore take such steps as are reasonable in all the circumstances to meet the welfare needs of the animals, to the extent required by good practice. The Acts define an animal's needs as including:

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

During the inspection, prior to the issue of a licence, it is important that the five needs as outlined above are considered. Defra, the Welsh Assembly Government and the Scottish Government have produced various Codes of Practice under the Animal Welfare Acts, which outline in more detail certain species' needs that can be referred to for guidance. Issues specific to pet shops and other pet vendors are covered in this document.

The Animal Welfare Acts also increased the minimum age at which a person can buy an animal to 16 and prohibit giving animals as prizes to unaccompanied children under this age. In Scotland, there is a prohibition on giving animals as prizes.

Another key objective in developing these model licensing conditions is to encourage conditions in pet shops licensing and a consistency of approach across local authorities which minimises the risk of transmission of disease from animals to humans, alongside the need to protect animals from cruelty and ill-treatment and to encourage good standards of animal husbandry in pet vending.

Humankind shares a world with animals; it is unsurprising therefore that we also share some diseases. Zoonoses, or zoonotic disease are infectious diseases transmissible between humans and other animals; many thousands of zoonotic disease have been identified. While the reported instances of transmission are infrequent, they nevertheless represent significant disease prevalence. The risk to humans depends on the kind of disease and the type of exposure.

¹ www.defra.gov.uk/foodfarm/farmanimal/welfare/act

² www.oqps.gov.uk/legislation/acts/acts2006/pdf/asp_20060011_en.pdf

Legislation/Orders that are relevant³:

England

- Pet Animals Act 1951
- Dangerous Dogs Act 1991
- Dangerous Wild Animals Act 1976
- Breeding of Dogs Act 1973
- EU Regulation on the protection of animals during transport (EC) 1/2005
- Welfare of Animals (Transport)(England) Order 2006
- Animal Welfare Act 2006
- Docking of Working Dogs' Tails (England) Regulations 2007
- Mutilations (Permitted Procedures)(England) Regulations 2007
- EU Wildlife Trade Regulations: Council Regulation (EC) No. 338/97, implements CITES (Convention on International Trade in Endangered Species of Flora and Fauna) in the European Community
- The Conservation of Habitats and Species Regulations 2010, implements the EU Habitats Directive: Council Directive 92/43 EEC.

Scotland

- Pet Animals Act 1951
- Dangerous Dogs Act 1991
- Control of Dogs (Scotland) Act 2010
- Dangerous Wild Animals Act 1976
- Breeding of Dogs Act 1973
- EU Regulation on the protection of animals during transport (EC) 1/2005
- Welfare of Animals (Transport)(Scotland) Order 2006
- Animal Health and Welfare (Scotland) Act 2006
- The Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Regulations 2010
- The Licensing of Animal Dealers (Young Cats and Young Dogs) (Scotland) Regulations 2009

Wales

- Pet Animals Act 1951
- Animal Welfare Act 2006
- The Welfare of Animals (Transport) (Wales) Order 2007
- The Docking of Working Dogs' Tails (Wales) Regulations 2007
- Mutilations (Permitted Procedures) (Wales) Regulations 2007
- Dangerous Dogs Act 1991
- Dangerous Wild Animals Act 1976
- Breeding of Dogs Act 1973
- EU Regulation on the protection of animals during transport (EC) 1/2005
- The Conservation of Habitats and Species Regulations 2010, implements the EU Habitats Directive: Council Directive 92/43 EEC.

The working group agreed that the LGA Model Standards⁴ needed to be updated whilst anticipating secondary legislation under the Animal Welfare Act 2006. These conditions should therefore not be seen as a substitute for secondary legislation.

³ All legislation referred to in this document is intended to represent the most recent version

⁴ Local Government Association (1998) "The Pet Animals Act 1951: Model standards for pet shop licence conditions", LGA Publications

The groups consulted included:

- British Veterinary Association
- Cats Protection
- Chartered Institute of Environmental Health
- Department for Environment, Food and Rural Affairs (Defra)
- Dogs Trust
- Federation of Companion Animal Societies
- Feline Advisory Bureau
- Local Government Association
- Ornamental Aquatic Trade Association
- Pet Industry Federation
- Rabbit Welfare Association & Fund
- Reptile and Exotic Pet Trade Association
- Royal Society for the Prevention of Cruelty to Animals

Special thanks also to:

- Peter Scott – Zoo and Aquatic Veterinary Group/Companion Animal Welfare Council
- William H Wildgoose – Fish Veterinary Society/Midland Veterinary Surgery
- Ian Strachan – Scottish Government
- Wood Green Animal Shelters
- OneKind

Definition of terms

** A batch should be defined as a group of animals arriving from the same supplier, at the same time

**m² is a measurement of area. One m² measures one metre by one metre. Consequently two m² measures 2 metres by 1 metre. (4 square metres measures 2 metres by 2 metres).

Schedule A – General conditions

1. Licence Display

1.1 Condition

The licence or a copy of the licence must be suitably displayed to the public in a prominent position

Guidance

For security reasons, the licence should not display the licence holder's home address.

2. Accommodation

2.1 Condition

Animals must at all times be kept in accommodation designed to prevent escape and an environment suitable to their species and condition with respect to behavioural needs, situation, size, temperature, ventilation, and cleanliness. All accommodation must avoid drafts and overexposure to direct sunlight and must be kept in good repair.

Guidance

Animals should be able to move around freely, climb, fly, swim and jump where appropriate, and be comfortable in their environment. Definitions of appropriate sizes and materials are in the appropriate schedules to this document. Regular maintenance and repair will prevent injury from damaged housing. Temperature monitoring devices should be provided. It is important to avoid draughts.

2.2 Condition

Ventilation must be provided to all interior areas without the creation of excessive, localized draughts. Ventilation is important as an aid to disease control and aims to decrease smell accumulation and prevent excessive humidity of the atmosphere.

Guidance

The spread of airborne infections can be a significant risk. Excessive or inadequate humidity can cause other health problems.

2.3 Condition

If animals are displayed outdoors, they must have protection appropriate to their species

Guidance

This should include shelter from wind, rain or snow and/or the sun and predators if appropriate.

2.4 Condition

In order to control the spread of disease, and to prevent injury, housing must be constructed of non-porous materials or be appropriately treated. Junctions between all sections need to be fully cleanable.

Guidance

Appropriate housing will prevent direct transmission of disease and injuries. This will maintain structural integrity and ensure dry, easily cleansed surfaces. In general, untreated wood is not an appropriate material as it cannot be thoroughly cleaned.

2.5 Condition

Animals must be kept in housing which minimises stress from other animals or the public. Signage must be in place to deter public interference.

Guidance

An area to hide away, if needed, will help to reduce stress levels for the animals. In addition to signs, other measures maybe required, such as limiting access to some sides of animal enclosures. Care should be taken to avoid sensory contact between prey and predator species.

2.6 Condition

All animals for sale must be readily accessible and easy to inspect by staff.

Guidance

This should help to ensure that the cage is kept clean and hygienic and animals can be easily observed for illness or injury

2.7 Condition

Accommodation must be cleaned as often as necessary to maintain good hygiene standards

Guidance

To maintain a clean environment, a cleaning Standard Operating Procedure (SOP) should be provided and should detail the routine daily cleaning regime and the procedure for cleaning between periods of occupation. Soiled bedding should be removed frequently to ensure animals do not have to lie in it.

2.8 Condition

Where accommodation is on a tiered system, water, food or droppings must not be allowed to enter the lower housing

Guidance

This will prevent contamination of the lower cages. This does not apply to centrifuged fish systems or aviaries where perching and ground birds are housed together.

2.9 Condition

All accessories provided for environmental enrichment in the accommodation must be appropriate for the species.

Guidance

To stimulate the performance of natural behaviours.

3. Exercise Facilities

3.1 Condition

Suitable and sufficient facilities must be available where appropriate.

Guidance

Animals must be able to exhibit normal behaviour patterns and this may require the provision of suitable space for exercise.

4. Register of Animals

4.1 Condition

A purchase register must be maintained for all animals detailing their source and identification where appropriate,

Guidance

This can be by cross referenced to an invoice file. The purpose of the register is to ascertain the source of the animals.

4.2 Condition:

A sales register must be maintained for:

4.2.1 Dogs

4.2.2 Cats

4.2.3 Psittacines

4.2.4 Species contained in the Schedule to the Dangerous Wild Animals Act 1976

Guidance

The purpose of the register is for emergency contact of purchasers. The name, address and telephone number of the purchaser should be obtained. This is not required for other species.

4.3 Condition

Animals under veterinary treatment must be identifiable.

5. Stocking Numbers and Densities

5.1 Condition

No animals other than those specified in the licence, may be stocked.

The licence conditions should clearly state the numbers for each species or species group that may be kept on the premises, except fish. Please refer to Schedules for individual species for more details.

Animals are defined as any vertebrate animals; invertebrates are exempted from the regulations.

5.2 Condition

Where appropriate, all animals must be housed in social groups of suitable size.

Guidance

Details can be found in the relevant schedules.

6. Health Disease and Acclimatisation

6.1 Condition

All animals for sale must be in good health

Guidance

Vendors and staff are responsible for providing the animals' needs including good health care. Illness and obvious parasitic infection should be addressed before the animal is sold. Veterinary advice should be sought in any case of doubt.

Transport and the introduction to a novel environment are stressful and animals should be allowed to acclimatise before being further stressed by being offered for sale. Where animals are obtained for sale to a specific client it may be acceptable for the animal to be sold immediately.

All animals should receive appropriate vaccination where required for the species, as advised by the retailer's veterinary surgeon. Veterinary advice must be sought whenever necessary.

A Record of Treatment should be provided to the purchaser. Vaccination courses should begin at the appropriate age for each species.

6.2 Condition

Any sick or injured animal must receive appropriate care and treatment without delay. These must only be treated by appropriately competent staff or veterinary surgeons.

Guidance

"Care and treatment" may include euthanasia but under no circumstances may an animal be euthanised other than in a humane and effective manner. In case of doubt, veterinary advice must be sought.

6.3 Condition

Provision must be made for the isolation of sick/injured/infectious animals and those that might reasonably be expected to be carrying serious infectious diseases.

Guidance

Isolated animals should be kept in a secure, comfortable location where their condition and needs can be kept, also detailing treatment. For ornamental fish, in-line UV treatment or other sterilising devices effectively provide a means of isolating individual tanks in multiple tank systems. They must be of a proper size and maintained in accordance with manufacturers' recommendations.

6.4 Condition

Any animal with an abnormality which would materially affect its quality of life, must not be offered for sale. When in doubt, veterinary advice should be sought.

Guidance

Information on any known conditions should be provided to the new owner.

6.5 Condition

All reasonable precautions must be taken to prevent the outbreak and spread of disease. 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.

Guidance

Precautions should include regular cleaning (see 2.6) and good personal hygiene of staff in addition to effective quarantine of incoming groups of animals except for fish. Staff handling animals should wash or disinfect, and rinse if appropriate, their hands between groups. The shop should be registered with a veterinary practice and there should be veterinary input to SOPs where appropriate. It is important that the supplying breeders should have a policy for inherited and infectious disease control agreed. Staff should be aware of zoonotic transmission.

6.6 Condition

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

Guidance

"Rodent" and "Insect" excludes animals for sale or feeding

7. Food and Drink

7.1 Condition

Animals must be supplied with adequate amounts of food and drink, appropriate to their needs at suitable intervals. All food must be suitable for the species concerned.

Guidance

Water should be available at all times except for those species where it may be harmful. An SOP should be produced for basic nutritional needs for each species or species group, and age group if appropriate. The owner should be advised to continue feeding consistent with the diet given by the pet shop.

7.2 Condition

Food and Drink receptacles must be appropriate to the species, constructed and positioned to minimise faecal and urine contamination and spillage. Receptacles must be cleaned out at regular intervals.

Guidance

Faecal and urine contamination is a risk to health. Maintaining a clean environment may require regular cleaning of receptacles. Receptacles should be thoroughly cleaned before being moved between batches/groups

8. Food Storage

8.1 Condition

All food, excluding live foods intended for feeding to animals on the premises, must be stored in impervious closed containers.

Guidance

Such containers prevent spoilage of the food or attraction of rodents or pests to the premises.

8.2 Condition

The containers and equipment used for feeding must be kept in a clean and sound condition.

Guidance

There must be suitable facilities for cleaning of receptacles and equipment which should be separate from staff facilities.

9. Observation

9.1 Condition

All animals must be attended to at regular intervals, except where defined in the schedule, at least once daily, and appropriate to the individual animal.

Guidance

Regular checks and observation records aid in early detection of illness, injury or behavioural problems and should be considered very important for all animals.

A system of recording observation should be maintained.

10. Disposal of Waste

10.1 Condition

All excreta and soiled bedding for disposal must be kept in a hygienic manner and stored in impervious containers with close fitting lids - away from direct sunlight.

Guidance

This is important for biosecurity and odour reduction.

Excreta and soiled bedding should be removed from the premises on a regular basis, at least weekly, disposed of to the satisfaction of the appropriate local authority, and in accordance with current regulations and good waste management practice. Premises should maintain a contract for removal with an appropriate company and adhere to local authority regulations.

There should be appropriate arrangements in place for removal of dead animals.

11. Transportation to the Premises

11.1 Condition

When receiving animals, the licensee must make reasonable effort to ensure that they are transported in a suitable manner.

11.2 Condition

Any animals received or consigned shall be transported according to the regulations laid down in current legislation.

11.3 Condition

Animals must be transported or handed to purchasers in suitable containers,

Guidance

Buyers should be advised how to transport animals home so as to minimise stress.

12. Sale of Animals

12.1 Condition

No mammal shall be sold un-weaned or, if weaned, at an age at which it should not have been weaned.

Guidance

Young mammals require nutritional and behavioural support from their mothers.

12.2 Condition

In the case of non-mammals, they must be capable of feeding themselves.

13. Dangerous Wild Animals as defined by the Dangerous Wild Animals Act 1976

13.1 Condition

When dangerous wild animals are kept, the cages must be of a secure construction appropriate to the species and kept locked.

Guidance

Safety of staff and the general public should be of utmost importance and safety barriers may aid in this, as well as prevention of escape.

13.2 Condition

The local authority must be notified in the event that the pet shop wishes to offer for sale, any animal on the Schedule to the Dangerous Wild Animals Act.

Guidance

The primary requirements of the Act are to protect the public but there are also welfare implications.

Although it is acknowledged that there is an exemption contained within the Act in relation to pet shops, it is recommended that consideration should be given to complying with any special requirement(s) specified in the Act for the safe accommodation and care of the animal.

Licensees selling animals on the Schedule to the Dangerous Wild Animals Act should inspect the purchaser's licence to keep such an animal, and inform the issuing authority of the details of the purchase. Licensees should take note of the latest guidance from Defra/Scottish Government.

14. Pet care advice, staff training and knowledge

Condition

New applicants must have a qualification or be registered with a recognized body such as City & Guilds. They must have suitably progressed in 12 months and have completed the qualification within 2 years.

Guidance

Qualifications should be City & Guilds or Level 3 equivalent and appropriate to the species kept.

14.1 Condition

The licensee must ensure that the purchaser is informed of the correct care of the animal covering feeding, housing, handling, husbandry, accessories and veterinary care.

Guidance

Pet care leaflets or other similar written instructions suitable for the species (or group of species) in question should be made available to customers free of charge at the time of purchase, in addition to any offer to purchase pet care books or leaflets. Information can be in the form of Codes of Practice issued by governments. In addition, information may also be made available electronically.

14.2 Condition

Appropriate reference materials on the care of each species must always be available for use by staff.

Guidance

Further advice can be obtained from the organisations listed in the 'Useful Contacts' section at the back of this document.

14.3 Condition

Staff members must be able to provide suitable advice to purchasers and answer questions as required by them.

No animal should be stocked or sold unless the staff or at least one member of staff on call is familiar with the care and welfare of the animals stocked and has a recognised qualification and/or suitable experience/training.

14.4 Condition

The licensee must be able to demonstrate appropriate staff training is carried out and that that staff are competent in pet shop management and animal handling.

Guidance

Further advice, guidance and training can be obtained from the organisations listed in the Useful Contacts section.

15. Fire and other emergency precautions

15.1 Condition

Suitable emergency precautions and written procedures must exist and be made known to all staff, including arrangements for evacuation of animals.

Guidance

Staff should be aware of these procedures and a copy should be displayed for staff to refer to as and when needed. Evacuation should be regularly practised and practices recorded. All staff should undergo regular training and records should be kept of such training.

15.2 Condition

Entrances and exits must be clear of obstructions at all times.

Guidance

To facilitate risk free evacuation if needed, when designing accommodation, consideration should be given to using systems which would allow timely removal of the animals in the case of emergency. This provision would not usually apply to aquaria and ponds.

15.3 Condition

Suitable fire fighting, prevention and detection equipment must be provided, maintained, regularly serviced and sited as advised by the local fire protection/prevention officer and approved by the local authority.

Guidance

This will ensure that, if needed, the equipment will function correctly. Staff should be properly trained on the use of equipment provided.

15.4 Condition

The licensee, or a designated key holder, must at all times be within reasonable travelling distance of the premises and available to attend in case of emergency.

Guidance

A reasonable distance would, in normal conditions, be interpreted as no more than 20 minutes travelling time.

15.5 Condition

A list of key holders must be logged with the local police and local authority.

Guidance

For contact in cases of emergency.

15.6 Condition

In the interests of animal welfare, the following notice must be displayed prominently at the front of the premises: "In case of an emergency dial 999".

Guidance

For information of the public in cases of emergency, when a staff member is not on site.

15.7 Condition

When pet shops are sited within other premises, the licensee or key holders must have access at all times to the premises containing the animals.

Guidance

This is vital for access to the animals at all times to ensure correct care is provided

15.8 Condition:

All electrical installations and appliances must be maintained in a safe condition.

Guidance

For health and safety of staff and animals.

15.9 Condition

There must be an effective contingency plan for essential heating, ventilation and aeration/ filtration systems, as appropriate.

Guidance

Some species are very sensitive to temperature fluctuation.

Schedule B – Dogs

1. Condition

Puppies must be weaned before leaving the mother.

Guidance

To ensure puppies can eat the food provided. Puppies must be 8 weeks old or over. Council Regulation (EC) No. 1/2005 on the protection of animals during transport and related operations prohibits the transport of puppies without their mother before this age.

2. Condition

The minimum kennel size must be:

- 2.1 For a batch of small breed puppies – max 6 pups – 1.5m² for sleeping, plus 2m² for exercise
- 2.2 For a batch of medium breed puppies – max 4 pups – 2m² for sleeping, plus 2m² for exercise
- 2.3 For a batch of large breed puppies – max 2 pups – 2m² for sleeping, plus 2m² for exercise

These are minimum requirements, for larger batches the size of the pens should be adjusted pro-rata accordingly. Ideally the puppies should have free access to the exercise area at all times. Any covered pens should have a minimum height of 1.8m or removable covers to allow adequate access by staff for cleaning. These are minimum standards and meeting the correct size of pens alone are not a defence if the welfare of the animals are in question.

Guidance

The kennel area should be large enough to allow separate sleeping and activity areas. The kennel should allow each puppy to be able to walk, turn around and wag its tail without touching the sides of the kennel. The puppies should have sufficient room to play, stand on their hind limbs and to lie down without touching another individual. The kennel size required will increase in relation to the size and number of puppies housed at any one time. The length and the width should be sufficient to allow all the puppies to lie outstretched without their noses or tails touching the walls or other individuals. In certain circumstances it is permissible to have separate exercise areas to sleeping areas but in such cases puppies must be given access to the exercise area at

least four times a day. Any separate exercise area should be fully cleaned and disinfected between its use by different batches of puppies.

3. Condition

Suitable and sufficient exercise facilities must be available and accessible where appropriate..

4. Condition

Extreme temperatures must be avoided.

Guidance

Puppies are relatively sensitive to high/ low temperatures. Temperatures should not normally go below 12°C or exceed 26°C

5. Condition

General bedding must include an adequate amount of absorbent material.

Guidance

The use of enough absorbent material allows urine and faeces to be contained and reduce contamination of the puppies.

6. Condition

Any soiled material must be removed at least four times a day or as required to ensure the puppy does not have to lie in a soiled area.

Guidance

Puppies do not discriminate in where they toilet and this maintains a clean environment. A cleaning schedule or SOP should be provided

7. Condition

A specific lying place must be provided lined with soft material,

Guidance

The use of soft material will prevent skin lesions being caused by soiling or pressure sores.

8. Condition

Puppies must be fed at least four times daily, at appropriate intervals.

Guidance

The diet should be appropriate for puppies.

9. Condition

Puppies must have frequent, quality contact time with staff.

Guidance

“Suitable intervals” for puppies to be visited are frequent, as they require to be socialised. It is recommended that this should be a minimum of 4 times per day with 20 minutes of interaction per batch. There should be an SOP.

10. Condition

Batches of puppies must not be mixed until they have been on the premises for seven days or have shown no sign of infectious disease for seven days.

Guidance

Puppies are particularly susceptible to disease as they have immature immune systems. The new owner should be advised to register the puppy with a vet.

11. Condition

Ideally, single puppies must not be left alone in a kennel, but where they are, special attention should be paid to specific human interaction. When they are mixed they should be of similar size, age and temperament and there should be good supervision of mixing.

Guidance

Isolating healthy puppies does not allow them to exhibit natural behaviour patterns.

12. Condition

There must be environmental enrichment in all kennels.

Guidance

To allow puppies to exhibit normal behaviour patterns. Toys should only be given under supervision and should be easily cleaned or replaced between batches.

** Please see ‘Schedule A – General Conditions’ for food, water and isolation conditions

Schedule C – Cats

1. Condition

Kittens must be weaned before leaving the mother.

Guidance

To ensure kittens can eat the food provided. Kittens must be 8 weeks old or over. Council Regulation (EC) No. 1/2005 on the protection of animals during transport and related legislation prohibits the transport of kittens without their mother before this age.

2. Condition

The minimum pen floor area for a batch of up to 4 kittens, up to 12 weeks of age, must be 1 m², with a minimum height of 0.6m (for example, 0.6m x 1 x 1) No dimension must be less than 0.6m. Any shelving or platforms must be in addition to the minimum floor area. Each additional kitten must have 0.25m² additional floor space.

Guidance

Kittens require adequate space to play together and to have space for a litter tray and bed. Varying heights to enable climbing should each also be provided. There should be adequate space for feeding, drinking, sleeping and litter tray to be kept separate.

3. Condition

Extreme temperatures must be avoided.

Guidance

Kittens are relatively sensitive to low temperatures owing to their small body weight. Temperatures should not normally go below 15°C or exceed 26°C.

4. Condition

Disposable or washable bedding must be provided and kept clean.

Guidance

Kittens need a warm sleeping, soft area, away from the litter tray and food.

5. Condition

A litter tray and appropriate litter must be available at all times and cleaned and disinfected at least once daily with an

appropriate disinfectant which is safe for use with cats and cleaned as appropriate. The disinfectant should be anti-viral and used in accordance with manufacturers' instructions, as some disinfectants are toxic to cats.

6. Condition

Kittens must be fed at least four times daily, at appropriate intervals.

Guidance

The diet should be appropriate for kittens.

7. Condition

Batches must not be mixed and if several batches are kept in one area then the pen must have solid sides.

Guidance

Diseases spread very easily between litters, both by direct contact or by sneezing. Kittens are particularly susceptible to disease as they have immature immune systems. The new owner should be advised to register the kitten with a vet.

8. Condition

Kittens must have frequent, quality contact time with staff.

Guidance

It is recommended that this should be a minimum of 4 times per day with 20 minutes of specific interaction per batch. Kittens should be protected from over-handling by staff or the public as they require time to rest.

9. Condition

There must be environmental enrichment in all cages such as toys, climbing frames and platforms.

Guidance

To allow kittens to exhibit normal behaviours, particularly climbing. Toys should be easily cleaned or replaced between batches.

Schedule D – Rabbits

1. Condition

Rabbits must be correctly sexed and housed in same sex groups.

Guidance

Rabbits are easier to sex at 8 weeks than any earlier, which will help prevent mis-sexing and unwanted litters.

2. Condition

The minimum enclosure size must be:

0.4m² for up to 4 standard juvenile rabbits and a height of 0.4m. 0.5m² for up to 2 giant breed juvenile rabbits and a height of 0.5m.

These are minimum requirements, for larger batches, larger breeds or adult rabbits the size of the pens should be adjusted pro-rata accordingly.

Guidance

Dwarf Lops/Dutch rabbits are the most commonly available in pet shops and weigh up to 4kgs. The height should allow the rabbit to rear up to perform natural behaviour. Rabbits should be kept in store in groups. Rabbits need to be able to move freely and to be able to perform vital behaviours such as caecotrophy and rearing.

3. Condition

There must be environmental enrichment in all enclosures. A hiding place must be provided.

Guidance

To allow rabbits to exhibit normal behaviours, indestructible toys; cardboard boxes; chewing substrates should be provided. Toys should be easily cleaned or replaced between batches. Rabbits are prey animals and should have the opportunity to hide if scared or stressed.

4. Condition

Extreme temperatures must be avoided.

Guidance

Ambient temperature should not normally go lower than 12°C or exceed 26°C. Providing cool water, cool packs in their bedding, air movement and air conditioning may each help to avoid the stress caused to rabbits by high environmental temperatures.

5. Condition

Rabbits must be provided with a suitable substrate and bedding material in sufficient amounts.

Guidance

Rabbits need a warm, softly-bedded sleeping area away from the litter and food/water.

6. Condition

Visibly soiled substrate and bedding must be removed daily. The pen should be thoroughly cleaned and disinfected before introducing a new animal.

Guidance

The disinfectant should be effective against both viral, bacterial and parasitic infection and safe for use on rabbits. Check with a vet or manufacturer if unsure. Diseases such as E-cuniculi can be spread via urine, so thorough cleaning is required between new occupants. Rabbits often choose to toilet in the sleeping area of a hutch and a litter tray could be placed here.

7. Condition

If batches are mixed you must ensure all animals are free from obvious parasitic infection.

Guidance

Diseases spread very easily between litters. Rabbits should be housed with batch mates where possible.

8. Condition

Rabbits must have a constant supply of fresh hay and water, and be offered an appropriate amount of dry food for the breed and age. Feed dishes should be suitable to ensure feed does not get contaminated by urine or faeces.

Guidance

Rabbits teeth are open rooted and therefore constant access to good quality hay is essential, for dental health, gastrointestinal health (without a constant supply of fibrous food, rabbit GI tracts slow down) and behavioural reasons (to relieve boredom). It is vital that hay is available throughout the day and sufficient provided for them at closing time to last them until the next business day. Dry food should be provided for youngsters to assist growth, see manufacturers instructions, but should not be fed ad-lib.

9 Condition

Animals must be provided with an appropriate diet and any new feeds must be introduced slowly.

Guidance

Due to the delicate digestive system, particularly under stress, if diets are to be changed then a slow transition between diets is advisable.

Schedule E – Other small mammals

1. Condition

All small mammals must be correctly sexed and housed in single sex groups unless a solitary species (or sold as a breeding pair),

Guidance

To help avoid unwanted litters, all animals should be sexed immediately on arrival to the premises and housed in single sex groups. Animals from different sources should not be mixed.

2. Condition

Animals must at all times be kept in suitably sized accommodation.

Guidance

Animals should be able to freely move around the accommodation and be able to perform natural behaviours. See attached table for species relevant sizing.

3. Condition

Animals must be provided with a suitable substrate in sufficient amounts.

Guidance

Providing sufficient and appropriate substrate keeps the accommodation clean and dry and allows digging where appropriate. There are a number of substrates available and the type used will depend on the animal kept.

4. Condition

Animals must be provided with a suitable bedding material in sufficient amounts.

Guidance

Bedding provides a place to sleep and rest, the type used will depend on the animal kept. It should be provided in sufficient quantities to enable the animal to feel secure and warm.

5. Condition

Animals must be provided with places to hide. Accessories and enrichment should be provided, suitable to the species.

Guidance

Animals must be given the opportunity to hide as a natural instinct and be given suitable accessories to allow for stimulation and to

reduce stress. Chinchillas and Degus should be given the opportunity to use a sand bath by offering one on a regular basis, e.g. 10 minutes daily. Rodents need to express natural behaviour such as running and chewing/ gnawing. Toys such as hides, tunnels, paper bags filled with hay and fruit twigs are ideal for expressing natural foraging behaviour. Animals should be able to move away from direct lighting. Cool hides should be provided to prevent over heating.

6. Condition

Suitable food and drink receptacles must be provided and positioned to avoid faecal contamination.

Guidance

Water for small animals is usually provided in clean gravity fill drinking bottles,(which should be of a suitable size for the species) or automatic or semi – automatic drinking systems. Fresh water should be available at all times, or as appropriate to the species; some desert-dwelling species such as jerboas [family Dipodidae] should not be given water ad- lib. Bottles should be kept clean and free from algae.

7. Condition

All rodents must be fed a suitable diet, ad lib and have free access to hay where required.

Guidance

The diet should be appropriate for the breed, life stage and species. Food should be refreshed regularly. Guinea pigs should have sufficient vitamin C in their diet. Guinea pigs are unable to synthesise Vitamin C.

8. Condition

All rodents must be fully weaned on admission.

Minimum accommodation requirements – small rodents

Area in square metres

No. of Animals	1-4	5	6	7	8	9	10	Minimum Cage Height (m)	Minimum Cage Depth (m)
Mice, Hamsters, Gerbils	0.068	0.079	0.09	0.100	0.113	0.124	0.135	0.30	0.25
Rats	0.135	0.157	0.18	0.202	0.225	0.247	0.27	0.30	0.28
Guinea Pigs, Degus	0.225	0.263	0.3	0.338	0.375	0.413	0.45	0.30	0.30
Chinchillas	0.25	0.375	0.5	0.625	0.75	0.875	1.0	0.45	0.45
Chipmunk	0.25	0.375	0.5	0.625	0.75	0.875	1.0	0.90	0.45

Schedule F – Ferrets

1. Condition

Ferrets must be at least eight weeks old

Guidance

Ferret kits can find separation from their mother very stressful and the stress response in a ferret often results in diarrhoea which can prove fatal.

2. Condition

Ferrets must be housed with batch companions

Guidance

Ferrets are naturally social animals that depend on the companionship of their own kind. Lone ferrets often suffer depression including poor appetite and lack of enthusiasm to move or play.

3. Condition

Ferrets must be housed in groups or pairs of either sex. Adult hobs (males) require individual accommodation.

Guidance

Ferret kits can be easily sexed at 8 weeks of age. Adult, un-neutered hobs (males) may exhibit dominant behaviour and fight, so requiring individual accommodation. House the Jill (female) kits at a reasonable distance to prevent aggression between the hobs as they mature at around 20 weeks. Adult jills (females) should be prevented from having repeated seasons. Jills (females) left in season are prone to estrogen induced anaemia, a factor in shortening their normal lifespan. Veterinary advice should be sought.

4. Condition

Batches of ferrets must not be mixed.

Guidance

Not mixing will reduce the risk of disease spreading. Mixing can be stressful for ferrets.

5. Condition

The minimum pen floor area for a litter of up to 4 ferrets, up to 12 weeks of age, must be 1 m², with a minimum height of 0.6m. No dimension must be less than 0.6m. Any shelving or platforms must be in addition to the minimum floor area. Each additional ferret must have 0.25m² additional floor space.

Guidance

Enclosures should be placed on a hard surface and anchored to the ground. Ferrets require space for their toilet area removed from their sleeping or eating areas. Ferrets require space to exhibit their normal active behaviour – running backwards, forwards and sideways and to climb, explore and play. Ferrets are naturally clean and will usually select one corner as their toilet

6. Condition

Sleeping quarters must be draught free and dark.

Guidance

Ideally sleeping quarters should be raised. Ferrets seek dark areas for sleeping and sleep for long hours, up to twenty a day in the winter. Their natural instinct is to hide whilst sleeping.

7. Condition

Ferrets must have suitable bedding.

Guidance

Suggested bedding includes fabric items that can be laundered, straw and dust extracted wood shavings.

8. Condition

Extreme temperatures must be avoided.

Guidance

Temperatures should not normally go below 12°C or exceed 26°C. Ferrets tolerate cold better than heat. Provide plenty of warm bedding for when it is cold. Be aware heat prostration is likely at 32°C.

9. Condition

Ferret kibble must be provided at appropriate intervals.

Guidance

Feed a recognised and branded ferret kibble / biscuit. Small, frequent meals or ad lib feeding are recommended as ferrets have a rapid rate of digestion

10. Condition

Water must be supplied in both a heavy based bowl and a water bottle attached to the side of the enclosure.

Guidance

Ferrets are renowned for tipping bowls

Schedule G – Birds

1. Condition

There must be adequate perching space for all birds at the same time. Outdoor aviaries must include sufficient sheltered and non-sheltered space. Cage size must be adequate to allow birds to open their wings fully in all directions. Cages must include appropriate environmental enrichment.

Guidance

Stocking densities will depend on the type of bird as well as cage dimensions and number of perches. Access to rain can be beneficial for plumage. Some species will need adequate space to fly. Chickens require an appropriate area and substrate to perch.

2. Condition

Perches must be positioned so that birds do not defecate on each other and must be of appropriate size and shape for each species.

3. Condition

Ambient temperature must be appropriate for the species. Extremes of temperatures must be avoided.

Guidance

Birds are more sensitive to high temperatures.

4. Condition

There must be adequate drinkers/feeders commensurate with the number of birds and these must be cleaned regularly. Bowls etc. must be positioned so that birds do not defecate in food/water.

Guidance

Birds should not have to compete for drinkers/feeders and risk exclusion. Passerines should have food available at all times. Enrichment and feeding devices need to be provided for larger psittacids. For parrots, it is preferable to use swinging systems such that the keeper does not need to enter the cage in order to change food/ water. Bowls should not be able to be removed from holders by the parrot.

5. Condition

Cages must be constructed from materials suitable to the type and size of birds. Materials must be safe to birds and in good repair.

Guidance

Enclosures should be placed on a hard surface. Some species require more robust materials. Materials such as loose zinc coating can be toxic to birds.

6. Condition

Windproof nest boxes must be provided in all outside housing and inside where appropriate.

Guidance

Many birds find sleeping or sheltering in nest boxes an essential form of security or for sheltering from inclement weather but it is recognised that some species, such as canaries, will rarely if ever voluntarily enter nest boxes.

7. Condition

Flooring must be drop-through or easily washed/hosed.

Guidance

If ground living birds are kept with perching birds then attention should be paid to flooring such that bumblefoot issues are addressed - i.e. no concrete/rough stone. Where natural turf flooring is used, parasite status of the birds should be checked on a regular basis every few weeks.

Stocking Densities for Birds in Cages

Type	Length of Bird (cm)	Floor Area (m ²) housing up to 4 birds	Linear cms per additional bird on either cage length or depth ^{*3}
Budgerigar		0.15	5
Canary		0.15	5
Cockatiel		0.48	7.5
Finches	Less than 12.5	0.113	5
	12.5 – 17.5	0.15	5
	more than 17.5	0.225	7.5
Parakeets and Lovebirds ^{*1}	less than 25	0.42	7.5
	25-30*1	0.48	7.5
	more than 30*1	0.675	7.5
Parrots	less than 30	0.225	10
	30 – 35*2	0.4050	15
	more than 35*2	0.4725	20
Chickens		1.6	
Bantams		1.6	
Quail		16	

- *1. It is recommended that, wherever possible, these species are displayed for sale in aviaries or flights rather than cages per se.
- *2. It is recommended that, wherever possible, these species are displayed for sale in aviaries or flights if more than two birds are housed together.
- *3. The extra-linear centimetre per additional bird, is intended to refer to an increase in either width or length or a combination of the two ie, a 20cm increase could refer to 20cm width, 20cm length or say 10cm width combined with 10cm length.

Stocking Densities for Birds in Aviaries and Flights

Type	Length of Bird (cm)	Number of Birds per 'Standard' Aviary (1.8 x 0.9 x 1.8 m)
Budgerigar		18
Canary		18
Cockatiel		8
Finches	Less than 12.5	24
	12.5 – 17.5	18
	more than 17.5	12
Parakeets and Lovebirds *1	less than 25	10
	25-35	6
	more than 35	4
Parrots	less than 30	10
	30 – 35	6
	more than 35	4
Chickens		4 (min height 0.9m)
Bantams		6 (min height 0.9m)
Quail		8 (min height 0.9m)

Schedule H – Reptiles and Amphibians

1. Condition

Stocking and density must be appropriate to the species.

Guidance

Most reptiles and amphibians are not social and may, therefore, be kept individually. Communal enclosures should not be stocked as to appear overcrowded, common sense should be observed.

Mixing of species, although possible, should be undertaken with caution. Some species may require or seek seclusion or privacy either sporadically or permanently and provision for this should be made.

Snakes: may be housed individually or in small groups, of the same species. Snakes known to be cannibalistic, e.g. king snakes (*Lampropeltis* sp.), should be housed individually.

Lizards: only species of similar size and from similar habitat and geographical areas should be kept communally. Lizards known to be cannibalistic, e.g. *Gambelia* sp, should be housed individually. Generally adult male lizards in breeding condition should not be housed together and groups of lizards housed communally should be regularly observed for signs of aggression.

Tortoises and Terrapins: only terrapins of similar size and habit and from the similar geographical area should be kept communally. Tortoises of different species should be housed individually. Also, adult males in breeding condition should be housed individually.

Frogs and Toads: only species of similar size, and from similar habitats and geographical areas, should be kept communally. Mixing of taxa (e.g. frog & toad) is not generally recommended. Cannibalistic species, such as horned frogs (*Ceratophrys* sp.) and African bull frogs (*Pyxicephalus* sp.) should be housed individually.

Newts and Salamanders: only species of similar size and from similar geographical areas should be kept together.

Generally mixed taxa [e.g. lizards and tortoises] are not recommended, although paludaria

which combine fish with small reptiles and/or amphibians of appropriate species are acceptable.

2. Condition

The enclosure size must be appropriate to the species and adjusted according to its size.

Guidance

Snakes: the length of the enclosure should be no less than two-thirds the overall length of the snake,.

Lizards: the length of the enclosure should be three times the full length of the lizard, or larger.

Tortoises and Terrapins: the length of the enclosure should be a minimum of 90cms, or four times the length of the animal, or larger. For aquatic species [turtles, terrapins] the enclosure should allow the animal to swim adequately, i.e. have water depth at least 4 times that of the animal, although some terrapins (e.g. *Cuora* sp., *Terrapene* sp. and *Glyptemys* sp.) do not require such deep water. Terrapins must also have an adequate land basking area.

Frogs and Toads: the length of the enclosure should be minimum 30cm x 30 cm x 30cm, or at least three times the length of the animal, or larger. For sedentary species, such as horned frogs (*Ceratophrys* sp.) and African bull frogs (*Pyxicephalus* sp.) the enclosure can be smaller. Fully aquatic species should be able to swim adequately, i.e. water depth should be at least 4 times the depth of the animal.

Newts and Salamanders: the length of the enclosure should be minimum 30cm x 30 cm x 30cm, or at least three times the full length of the amphibian, or larger. Aquatic species should be able to swim adequately, i.e. water depth should be at least 4 times the depth of the animal.

Height and Width: of the enclosure should be appropriate to the species, with arboreal species requiring more height than terrestrial species.

3. Condition

Temperature, humidity, lighting and ventilation must be appropriate to the species.

Guidance

Ambient and basking temperatures should be appropriate to the species concerned, with the following guidance for commonly kept species.

These are guidelines only and individual species should be researched as requirements for some species will fall outside of these recommendations. Vendors and staff must have access to relevant reference material (books, internet etc.). Basking spots may be provided by convection or radiant heat sources (e.g. light bulb, or heat mat), as appropriate to the species. Ventilation should be appropriate to the species and should allow sufficient change of air without jeopardising the temperature or humidity in the enclosure.

4. Condition

Lighting must be appropriate to the species.

Guidance

An appropriate light period should be observed. Species requiring UVB lighting, e.g. diurnal lizards and tortoises, should have appropriate UVB emitting lamps. These should be replaced according to manufacturer's recommendations. Mercury Vapour or Metal Halide UVB emitting lamps may also be used to provide a daytime heat source. UV light sources must not be screened by non UV transmitting glass or plastic. Animals should have areas of shade so that they can escape from the light if desired.

5. Condition

Substrate appropriate to the species must be present.

Guidance

Substrate should be appropriate to the species concerned and may include, but not be limited to: newspaper, paper towel, bark chip, wood chip, terrarium humus, moss, gravel, calcium carbonate, terrarium sand etc. Measures should be taken to ensure that substrate is not ingested.

6. Condition

Enrichment must be provided appropriate to the species.

Guidance

Décor should be appropriate to the species and should not be harmful, e.g. sharp rocks, toxic or injurious plants. Décor should be secure and not able to fall and cause injury. Enclosure should be furnished in such a fashion as to allow inhabitants to exhibit natural behaviour, e.g. climb or hide where appropriate.

7. Condition

Food and water must be provided in the appropriate manner for the species.

Guidance

Feeding habits vary between species and between individuals. Staff should have knowledge of the requirements for all the species held. Food should be presented in a form or pattern that is acceptable to the species concerned. Food supplements [vitamin and minerals] should be provided as appropriate to the species concerned. Live food intended for use should be housed in suitable escape proof containers, and fed appropriately. Fresh foods [salads] should be kept refrigerated where appropriate. Frozen foods intended for use must be stored in an appropriate deep freeze and defrosted thoroughly before use. Feeding records for hatchling snakes should be kept and made available to purchasers. Fresh water should be available at all times, with the exception of certain desert species, such as *Uromastyx* sp. which should be offered water periodically. Certain species, such as chameleons, do not drink from standing water and should be offered water appropriately, e.g. by a dripper system or sprayer.

8. Condition

Hygiene: enclosures must be cleaned appropriately.

Guidance

Spoiled food stuffs should be removed at appropriate time periods, at least daily. Substrates should be replaced as appropriate, and spot cleaned daily. Décor should be sanitised as appropriate. Enclosures should be disinfected with appropriate disinfectant as necessary and always between different batches of animals. Disinfectant should be

appropriate for the contaminants likely to be encountered. Disinfectant hand gels should be available for staff to use between animals, to prevent the external environment being contaminated. Water bowls should be cleaned as appropriate and disinfected at least weekly. Slough [shed skins] should be removed daily.

9. Condition

Handling must be kept to a minimum at all times.

Guidance

Handling must be kept to a minimum at all times. Staff should receive training on how to handle animals and animals which may be aggressive should only be handled by competent staff. Staff and customers should wash hands after handling specimens, and any equipment used should also be disinfected.. Customers handling animals prior to purchase should be supervised and offered facilities to wash their hands afterwards.

Schedule I – Fish

1. Condition

Water quality is a key determinant of fish welfare. To assess it, levels of ammonia and nitrite must be checked first. Only if such measurements exceed the recommended standards below, or there is an unexplained problem, is there any need to proceed further. Minimum water standards must be:

Cold Water Species

Free Ammonia	max 0.02mg/l
Nitrite	max 0.2mg/l
Dissolved Oxygen	min 6mg/l
Nitrate	max 50mg/l above ambient tap water

Tropical Freshwater Species

Free Ammonia	max 0.02mg/l
Nitrite	max 0.2mg/l
Dissolved Oxygen	min 6mg/l
Nitrate	max 50mg/l above ambient tap water

Tropical Marine Species

Free Ammonia	max 0.01mg/l
Nitrite	max 0.125mg/l
Nitrate	max 100mg/l
pH	min 8.1
Dissolved Oxygen	min 4.0 mg/l

Guidance

It is virtually impossible to determine the quantity of aquatic organisms to be kept in a system purely on a weight or number of aquatic organisms per unit, volume, or water surface area. The variation in holding system used, the quality of husbandry and the types of aquatic organisms stocked vary so greatly that it would render any such system too complicated to be practical or too simple to be useful. The maintenance of water quality standards can be used to determine working stocking densities. The water quality standards should not be met at the expense of a correct feeding regime. Exceptions to these standards might occur e.g. when aquatic organisms are diseased, after transport or other stress. However in these cases appropriate remedial actions e.g. treatment,

acclimatisation or isolation should be undertaken. Sea water holds less oxygen than fresh water. The recommended level is 5.5 mg/l so extra care is needed to ensure that levels do not routinely fall below this.

2. Condition

Water quality must be checked regularly and records kept of all tests. Centralised systems must be tested weekly. 10% of individually filtered tanks or vat must be tested weekly. On aquaria or vats in which visual inspection indicates unusual behaviour or deaths, water quality inspections should be undertaken.

Guidance

One test is representative of all the water in the system of centralised systems. Standalone systems must each be tested. Poor water quality is often the underlying cause of problems presenting as disease or mortalities.

3. Condition

Holding systems must be cleaned and checked regularly.

Guidance

Aquaria must be checked daily and cleaned as often as is necessary to maintain good hygiene standards, consistent with the rate of stock turnover and consequent stocking densities.

4. Condition

No aquatic organisms should be exposed to excessive light or heat, or lack of adequate warmth.

Guidance

No fish or other aquatic organism should be subject to rapid fluctuation in light (lights should be on dimmers if automated), temperature and chemical composition of their water, other than for the controlled treatment of disease or as part of a controlled breeding programme. There are in excess of 4000 fish species in trade and thus the acceptable conditions may vary substantially and often counter intuitively. In case of doubt expert advice should always be sought.

Information

Register of Wild Animals and Endangered Species

Some species are listed on the Annexes of EU Wildlife Trade Regulations which implement CITES [Convention on International Trade in Endangered Species]. Species listed on Annex A of EU Wildlife Trade Regulations [Council Regulation (EC) No. 338/97] must have a valid Article 10 Certificate and may require microchipping or closed ring. Species listed on Annex B do not require Certificates but the vendor should be able to provide proof the animal was acquired legally.

Further information is available from Animal Health, Wildlife Licensing and Registration Service:
1-15 Temple Quay House, 2 The Square,
Bristol, BS1 6EB

Wild-caught specimens listed on Annex IV of the EU Habitats Directive [Council Directive 92/43 EEC] collected within the EU require the appropriate Certification. Captive-bred specimens are exempted from such requirements.

Breeding and Sale of Dogs Act

Puppies/dogs should be identifiable whilst at the shop. Under this legislation, the record should show:

- The identification of the animal
- The date of birth, breed, sex and any distinguishing features
- Details of any veterinary care provided while under care of the shop In addition, it is also good practice to record:
 - Details of any feedback provided to the breeder on health issues such as disease or inherited defects
 - Details of any health screening tests performed on the parents

Microchip is the preferred method of identification.

Useful Contacts

All pet shop licences are issued by your local authority who should be your first point of contact

General

British Veterinary Zoological Society

Email: secretary@bvzs.org

Chartered Institute of Environmental Health

Chadwick Court, 15 Hatfields, London SE1 8DJ
Telephone: 020 7928 6006
www.cieh.org

Department for Environment, Food and Rural Affairs

Animal Welfare Unit, Nobel House, 17 Smith Square
London SW1P 3JR Telephone: 08459 33 55 77
Email: helpline@defra.gsi.gov.uk
<https://www.gov.uk/government/topics/wildlife-and-animal-welfare>

Local Government Association,

c/o LGconnect, Local Government Group,
Local Government House, Smith Square,
London SW1P 3HZ
Telephone: 020 7664 3000
Email: info@local.gov.uk
www.lga.gov.uk

Veterinary Contacts

British Small Animal Veterinary Association

Woodrow House, 1 Telford Way,
Waterwells Business Park, Quedgeley,
Gloucester GL2 2AB
Telephone: 01452 726700
www.bsava.com

British Veterinary Association

7 Mansfield Street,
London W1G 9NQ
Telephone: 020 7636 6541
Email: bvahq@bva.co.uk
www.bva.co.uk

Royal College of Veterinary Surgeons

Belgravia House, 62-64 Horseferry Road,
London SW1P 2AF
www.rcvs.org.uk

All Species

The Blue Cross

Shilton Road, Burford, Oxon OX18 4PF
Tel: 01993 822651
Email: info@bluecross.org.uk
www.bluecross.org.uk

Pet Industry Federation

Bedford Business Centre,
170 Mile Road, Bedford MK42 9TW
Telephone: 01234 273 933
www.petcare.org.uk

People's Dispensary for Sick Animals (PDSA)

Head Office, Whitechapel Way,
Priorslee, Telford, Shropshire TF2 9PQ
Telephone: 01952 290999
www.pdsa.org.uk

Royal Society for the Prevention of Cruelty to Animals

RSPCA Enquiries Service, Wilberforce Way,
Southwater, Horsham, West Sussex RH13 9RS
Telephone: 0300 1234 555
www.rspca.org.uk

Wood Green Animal Shelters

Kings Bush Farm, London Road,
Godmanchester, Cambs PE29 2NH
Telephone: 0844 248 8181
Email: info@woodgreen.org.uk
www.woodgreen.org.uk

Cats

International Cat Care

Taeselbury, High Street, Tisbury,
Wiltshire SP3 6LD
Telephone: 01747 871872
Email: info@icatcare.org
www.icatcare.org

Governing Council of the Cat Fancy

5 King's Castle Business Park,
The Drove, Bridgwater, Somerset TA6 4AG
Telephone: 01278 427575
Email: info@gccfcats.org
www.gccfcats.org

Dogs

Dogs Trust

17 Wakley Street, London EC1V 7RQ
Telephone: 0207 833 7685
Email: info@dogstrust.org.uk
www.dogstrust.org.uk

The Kennel Club

1-5 Clarges Street, Piccadilly, London W1J 8AB
Telephone: 08444 633 980
Email: info@thekennelclub.org.uk
www.thekennelclub.org.uk

Fish

Ornamental Aquatic Trade Association

1st Floor Office Suite, Wessex House,
40 Station Road, Westbury,
Wiltshire BA13 3JN
Tel: 01373 301353
www.ornamentalfish.org

Permanent identification databases

Microchipping Advisory Group

[www.bsava.com/Advice/MicrochipAdvice/
tabid/154/Default.aspx](http://www.bsava.com/Advice/MicrochipAdvice/tabid/154/Default.aspx)

National Dog Tattoo Register

Telephone: 01255 552455
www.dog-register.co.uk

Animalcare

Telephone: 01904 487 687
Email: office@animalcare.co.uk
www.animalcare.co.uk

AVID Plc

PO Box 190, Lewes, East Sussex BN7 9GD
Telephone: 0800 652 7 977
Email: pettrac@avidplc.com
www.avidplc.com

Petlog

The Kennel Club, 4A Alton House,
Gatehouse Way, Aylesbury, Bucks HP19 8XU
Telephone: 0844 463 3999
Email: petlogadmin@thekennelclub.org.uk
www.petlog.org.uk

Pet Protect

Furness House, 53 Brighton Road,
Redhill, Surrey RH1 6RD
Telephone: 0800 587 0660
www.petprotect.co.uk

Rabbits and small mammals,

British Rabbit Council

Purefoy House, 7 Kirkgate,
Newark, Notts NG24 1AD
Telephone: 01636 676042
www.thebrc.org

Rabbit Welfare Association and Fund

PO Box 603, Horsham,
West Sussex RH13 5WL
Telephone: 0844 324 6090
Email: hq@rabbitwelfare.co.uk
www.rabbitwelfare.co.uk

Reptiles

REPTA (Reptile & Exotic Pet Trade Association)

Telephone: 02380 440999
Email: info@repta.org www.repta.org

Qualifications and Training

Contact your trade association, local technical
or agricultural college for information on current
training and qualifications

Animal Medicines Training Regulatory Authority

Unit 1c, Woolpit Business Park,
Windmill Avenue, Woolpit,
Bury St. Edmunds IP30 9UP
Telephone: 01359 245801
Email: info@amtra.org.uk
www.amtra.org.uk

City & Guilds

1 Giltspur Street, London EC1A 9DD
Telephone: 0844 543 0000
www.cityandguilds.com

LANTRA

Lantra House, Stoneleigh Park,
Coventry, Warwickshire CV8 2LG
Telephone: 0845 707 8007
Email: connect@lantra.co.uk
www.lantra.co.uk



Chartered
Institute of
Environmental
Health

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Chartered Institute of Environmental Health
Chadwick Court, 15 Hatfields, London SE1 8DJ

Telephone 020 7928 6006

Email info@cieh.org **Web** www.cieh.org

Registered charity no. 290350

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PO1027

Pet Shop Standard Licence Conditions

1.0 Licence display

- 1.1** The licence, or a copy of the licence, should be suitably displayed to the public in a prominent position at the licenced premises.

N.B. For security reasons, the licence should not display the licence holder's home address.

2.0 Accommodation

- 2.1** Animals must at all times be kept in accommodation and environment suitable to their species with respect to situation, size, temperature, lighting, ventilation and cleanliness and not exposed to draughts. All accommodation must be kept in good repair.

- 2.2** If animals are displayed outdoors, they must have protection appropriate to their species.

- 2.3** Housing must be constructed of non-porous materials or be appropriately treated.

- 2.4** In order to control the spread of disease, and to prevent injury, animals must not be kept in housing in such a way that they can be disturbed by other animals or by the public.

- 2.5** All livestock for sale must be readily accessible and easy to inspect, with cages sited so that the floor of the cage is readily visible.

- 2.6** Accommodation must be cleaned as often as necessary to maintain good hygiene standards.

- 2.7** Where accommodation is on a tiered system, water, food or other droppings must not be allowed to enter the lower housing.

- 2.8** All accessories provided in the accommodation must be suitable for the species.

- 2.9** Animals shall be kept in such a way as not to be a disturbance to each other e.g. dogs not in view of cats, ferrets kept away from rabbits.

N.B. When designing accommodation, consideration should be given to using systems which would allow removal of the animals in the case of emergency. This provision would not usually apply to aquariums and ponds.

3.0 Exercise facilities

- 3.1** Suitable and sufficient facilities must be available where appropriate.

N.B. For puppies, where required, a covered exercise area of at least 2.46 sq metres (26 sq ft) should be provided. Exercise areas should have a minimum height of 1.8 metres (6 ft) to facilitate adequate access by staff for cleaning.

4.0 Register of animals

4.1 A livestock purchase register must be maintained for all livestock. A sales register must be maintained for:

4.1.1 puppies;

4.1.2 kittens

4.1.3 psittacines;

4.1.4 species contained in the Schedule to the Dangerous Wild Animals Act 1976 (as modified).

N.B. This can be by cross-reference to an invoice file. The purpose of the register is to ascertain the source of livestock and for emergency contact of purchaser. The name, address and telephone number of the purchaser should be obtained.

5.0 Stocking numbers and densities

5.1 The maximum numbers of animals to be stocked on the premises will be governed by the accommodation available, as stated in the stocking density lists detailed in the schedules attached to these licence conditions. No other animals, other than those specified in the licence, may be stocked without prior written approval from Brighton & Hove Council. These stocking densities are provided for guidance and recommendation only.

5.2 Schedule 1 – cage birds

5.3 Schedule 2 – small juvenile mammals

5.4 Schedule 3 – ornamental fish

5.5 Schedule 4 – other species

6.0 Health, disease and acclimatisation

6.1 All stock for sale must be in good health and free from obvious parasitic infestation as far as can be reasonably determined without veterinary inspection.

6.2 Any sick or injured animal must receive appropriate care and treatment without delay. Inexperienced staff must not treat sick animals unless under appropriately experienced supervision.

N.B. “Care and treatment” may include euthanasia but under no circumstances may an animal be euthanased other than in a humane and effective manner. In case of doubt, veterinary advice must be sought.

6.3 Facilities must be provided to isolate sick animals.

N.B. For ornamental fish, In-line UV treatment or other sterilising devices effectively provide a means of isolating individual tanks in multiple tank systems. They must be of a proper size, and maintained in accordance with manufacturers’ recommendations.

6.4 All animals must receive appropriate inoculations where required for the species, as advised by the veterinary surgeon. Veterinary advice must be sought whenever

necessary.

6.5 Any animal with an obvious, significant abnormality which would materially affect its quality of life, must not be offered for sale. When in doubt, veterinary advice should be sought.

6.6 All animals must be allowed a suitable acclimatisation period before sale.

6.7 All reasonable precautions must be taken to prevent the outbreak and spread of disease. 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.

6.8 Individual litters of puppies and kittens must be kept separate from other litters.

6.9 All necessary precautions must be taken to prevent harborage, or the introduction to the premises, of rodents, insects and other pests.

N.B. 'Rodent' and 'insect' excludes livestock for sale or for feeding.

7.0 Food and drink

7.1 Animals must be supplied with adequate amounts of food and drink, appropriate to their needs, and at suitable intervals.

7.2 All food must be suitable for the species concerned.

7.3 Food and drink receptacles must be constructed and positioned to minimise faecal contamination and spillage.

7.4 A suitable and sufficient number of receptacles must be provided and cleaned at regular intervals.

8.0 Food storage

8.1 All food, excluding live foods intended for feeding to livestock on the premises, must be stored in impervious closed containers.

8.2 The containers and equipment used for feeding must be kept in a clean and sound condition.

9.0 Observation

9.1 All livestock must be attended to at regular intervals, at least once daily, appropriate to the species. It is recommended that a system of recording observations is maintained.

10.0 Excreta and soiled bedding

10.1 All excreta and soiled bedding must be kept in a hygienic manner and stored in impervious containers with close-fitting lids – away from direct sunlight.

10.2 Excreta and soiled bedding must be removed from the premises on a regular basis, at least weekly disposed of to the satisfaction of Brighton and Hove Council,

and in accordance with current regulations and good waste management practice.

10.3 All containers must be kept in a clean condition.

11.0 Transportation

11.1 When receiving stock, the licensee must make every effort to ensure that it is transported in a suitable manner. It is advisable (recommended) to record the registration number of vehicles transporting livestock.

11.2 Any livestock received or consigned shall be transported according to the regulations laid down in current legislation; such as the Welfare of Animals (Transport) Order 1997.

N.B. For air transportation, the IATA live animals regulations must be followed as a minimum legal standard.

12.0 Transportation containers

12.1 Livestock must be transported or handed to purchasers in suitable containers.

13.0 Sale of livestock

13.1 No mammal shall be sold unweaned or, if weaned, at an age at which it should not have been weaned.

13.2 In the case of non-mammals, they must be capable of feeding themselves.

14.0 Dangerous wild animals

14.1 When dangerous wild animals are kept, the cages must be of a secure construction appropriate to the species. A fine wire mesh, glass or plastic safety barrier must be incorporated into the cage system.

14.2 Brighton & Hove Council should be notified in the event that the pet shop wishes to offer for sale, for the first time, any animal on the Schedule to the Dangerous Wild Animals Act. Although it is acknowledged that there is an exemption contained within the Act in relation to pet shops, it is recommended that consideration should be given to complying with any special requirement(s) specified in the Act for the safe accommodation or care of the animal.

14.3 Licensees selling animals on the Schedule to the Dangerous Wild Animals Act should inspect the purchaser's licence to keep such an animal, and inform the issuing authority of the details of the purchase.

15.0 Pet care advice

15.1 Pet care advice or other similar written instructions must be made available to customers free of charge at the time of purchase, in addition to any offer to purchase pet care books or leaflets.

15.2 Purchasers must be given proper advice on the care of the animal and, where necessary, on the maintenance and use of any accessories.

15.3 Appropriate reference materials must always be available for use by staff.

15.4 Licensees must provide suitable care and welfare information to prospective owners about the animal they are purchasing.

N.B. Further advice can be obtained from the organisations listed in Annex 1 at the back of this document.

16.0 Staff training and livestock knowledge

16.1 No animal should be stocked or sold unless the staff (or at least one member of the staff) is familiar with the care and welfare of the animals stocked and has a recognised qualification or suitable experience. Licensees must employ suitably qualified staff (to NVQ or Btec levels), provide suitable training for staff in animal welfare homes and only employ staff who can demonstrate acceptable levels of animal understanding experience.

16.2 In respect of new applications (not renewals), at least one member of staff working at the licensed premises must hold the City and Guilds Pet Store Management Certificate, or some other appropriate qualification; or must be in the course of training, and obtain the qualification within two years of the licence being granted.

16.3 The licensee must formulate a written training policy for all permanent staff, and will be required to demonstrate that systematic training is carried out.

N.B. Further advice and guidance on training can be obtained from the organisations listed in Annex 1.

17.0 Fire and other emergency precautions

17.1 Suitable emergency precautions and written procedures must exist and be made known to all staff, including arrangements for evacuation of livestock.

N.B. The general maxim of “people first” is good advice.

17.2 Entrances and exits must be clear of obstructions at all times.

17.3 Suitable fire fighting equipment must be provided, maintained, regularly serviced and sited as advised by the local Fire Protection/Prevention Officer and in consultation with Brighton & Hove Council.

17.4 The licensee, or a designated keyholder, must at all times be within reasonable distance of the premises and available to visit the premises in case of emergency.

N.B. A reasonable distance would, in normal conditions, be interpreted as no more than 20 minutes travelling time.

17.5 A list of keyholders must be lodged with the local police and with Brighton & Hove Council.

17.6 In the interests of animal welfare, the following notice must be displayed at the front of the shop: “In case of an emergency, dial 999”. The number of the local police station should also be displayed.

- 17.7** When the pet shops are sited within other premises, the licensee or keyholders must have access at all times to the premises containing the livestock.
- 17.8** All electrical installations and appliances must be maintained in a safe condition.
- 17.9** A fire risk assessment must be carried out to determine the chances of a fire occurring and the dangers from fire that your environment poses for all those who use it. All potential fire hazards in the premises and the danger they represent to all those needing to escape from it must be identified. The risks must be evaluated and adequacy of existing fire precautions are considered. The assessment must be kept under review. Staff must be trained in the use of the fire fighting equipment provided.

N.B. It is strongly recommended that smoke and residual current detectors or other similar devices are installed.

Details of other legislation of relevance to pet shops can be found at Annex 2.

Further recommendations

1.0 Sale of livestock

- 1.1 No animal should be sold to any person under the age of 16 years who is unknown to the retailer unless that person is accompanied by a parent or legal guardian or provides appropriate written consent. Subsequent sales to a juvenile less than 16 years (but over 12 years) of age who is known to the retailer can be carried out in the absence of a parent or legal guardian or appropriate written consent, provided that the retailer is satisfied as far as possible that:
- 1.1.1 the parent/guardian would not object to the acquisition;
 - 1.1.2 the juvenile is sufficiently knowledgeable as to the needs, care and nature of the species acquired;
 - 1.1.3 the juvenile's intention towards the acquisition is consistent with the well-being of the animal concerned.

2.0 Application for a licence

- 2.1 Although not provided for in the Act, it is recommended that applicants consult Brighton & Hove Council prior to submitting an application.

3.0 Trade associations

- 3.1 Licensees are recommended to apply for membership of an appropriate trade organisation. These can be a useful source of advice on all matters relating to the running of a pet shop and the care and treatment of individual animals.

4.0 Boarding of animals

- 4.1 No pet shops should be used for the purpose of boarding any species of animal for which they are not licensed to sell. If it is intended to board cats and dogs, suitable and sufficient accommodation must be provided.

N.B. Boarding of cats and dogs is subject to separate licence issued under the Animal Boarding Establishments Act. The RSPCA's Chief Veterinary Officer advises that boarding animals in pet shops presents risk of cross infection.

5.0 Categories of animals which a pet shop may be licensed to keep

- 1 Dogs and cats (puppies and kittens).
- 2 Smaller domesticated mammals e.g. rabbits, guinea pigs, gerbils, hamsters, rats, mice, chinchillas, chipmunks, ferrets.
- 3 Larger domesticated mammals e.g. goats, pot-bellied pigs.
- 4 Primates e.g. marmosets.
- 5 Other mammals.
- 6 Parrots, parakeets and macaws.
- 7 Other birds.
- 8 Reptiles.
- 9 Amphibians.
- 10 Fish and aquatic invertebrates.
- 11 Other vertebrates.

Schedule 1 stocking densities – cage birds

5.2.1 “No species of bird shall be housed in accommodation which does not afford that species sufficient space for natural free and full wing stretching and the number of birds housed shall be such that overcrowding does not significantly reduce that freedom. Long tailed birds or birds in full plumage must be provided with properly placed perches and feeding and watering points to prevent that plumage being fouled or otherwise damaged.”

This refers to the Wildlife and Countryside Act 1981 which should not be contravened (especially Section 8 of the Act).

5.2.2 For perching birds, a sufficient number of perches (as appropriate) must be provided at such a height that the bird can rest its head without its head touching the top, and its tail the bottom of the cage.

5.2.3 A quality padded net should be used when catching birds in an aviary.

5.2.4 Minimum floor areas apply to young stock. For adult stock offered for sale, the dimensions should be doubled. For advice on the age of stock, it is advisable to contact the veterinary surgeon.

Schedule 2 stocking densities – juvenile small mammals

	No of Animals	1-4	5	6	7	8	9	10	Minimum cage height	Minimum cage depth
Mice, hamsters, gerbils	sq.cm	450	525	600	675	750	825	900	25	25
Rats	sq.cm	675	785	900	1010	1125	1235	1350	30	30
Guinea pigs	sq.cm	1350	1570	1800	2020	2250	2470	2700	30	30
Rabbits up to 2kg. kittens, ferrets, chinchillas, chipmunks	sq.cm	2250	2625	3000	3375	3750	4125	4500	40	30
Puppies up to age of 12 weeks maximum	sq.cm	As advised by Brighton & Hove Council's veterinary consultant in each case.								

5.3.1 The range of behavioural opportunities for many of the animals listed in the above schedule will be increased by enriching the environment with accessories.

5.3.2 Raised shelving should be taken into consideration when assessing the total floor area.

5.3.3 Temporary (up to six days) rehousing of adult rabbits in smaller cages than specified above should be considered as acceptable.

5.3.4 The above recommended stocking densities are insufficient for the housing of marmosets. Marmosets must be housed in cages sufficiently large to allow for natural movement, such as climbing and swinging.

Schedule 3 stocking densities – ornamental fish

5.4.1 It is virtually impossible to determine the quantity of fish to be kept in a tank purely on a weight/volume or numbers of fish/volume ratio.

5.4.2 The variation in system design, husbandry techniques and types of fish involved would render any such method too simple to be useful or too complicated to be practical.

5.4.3 The maintenance of water quality standards is essential and is a simple but effective way to determine stocking densities. Water quality testing should be carried out at least once a week in centralised systems and 10% of individual tanks should likewise be tested. Unsatisfactory test results must be recorded in a register together with the corrective action taken. Further tests must be carried out when visual inspection of the tanks indicates the need.

Water quality criteria
(1 mg/litre – 1ppm)

Cold water		
*Dissolved oxygen	-min	6mg/litre
*Free ammonia	-max	0.02mg/litre
Nitrite	-max	0.2mg/litre
Nitrate	-max	50mg/litre above ambient tapwater
Tropical fish		
*Dissolved oxygen	-min	6mg/litre
*Free ammonia	-max	0.02mg/litre
Nitrite	-max	0.2mg/litre
Nitrate	-max	50mg/litre above ambient tapwater
Tropical marine species		
*Dissolved oxygen	-min	5.5mg/litre
*Free ammonia	-max	0.01mg/litre
Nitrite	-max	0.125mg/litre
Nitrate	-max	40mg/litre. This is an absolute figure: it does not relate to ambient tapwater.
*pH(tropical marine only)	-min	8.1

These parameters should be checked first. Only if a problem exists with these tests is it necessary to check nitrite and nitrate levels.

5.4.4. Further advice and guidance on water quality criteria can be obtained from the Ornamental Aquatic Trade Association Ltd from the address at annex 1.

Schedule 4 stocking densities – other species

5.5.1 Other species should be housed in accommodation appropriate to size, age, and type of species; and to avoid overcrowding, There should be sufficient space for free and natural movement which should not be restricted by either the size of the accommodation or the number of animals in that holding. Correct temperature for the species must be maintained.

5.5.2 The advice and approval of Brighton & Hove Council should be sought wherever there is doubt about a species being sold.

Annex 1 – further advice

Further advice may be obtained from the following organisations:

Chartered Institute of Environmental Health
Chadwick House
15 Hatfields
London SE1 8DJ
Tel: 0171 928 6006
Fax: 0171 827 5865

The Local Government Association
26 Chapter Street
London SW1P 4ND
Tel: 0171 834 2222
Tax: 0171 664 3030
Website: <http://www.lga.gov.uk>

Royal Society for the Prevention of Cruelty to Animals
Causeway
Horsham
West Sussex RH12 1HG
Tel: 01403 264181
Fax: 01403 241048

The Pet Care Trust
Bedford Business Centre
170 Mile Road
Bedford MK42 9TW
Tel: 01234 273933
Fax: 01234 273550

Universities' Federation of Animal Welfare
The Old School
Brewhouse Hill
Wheathampstead
Hertfordshire AL4 8AN
Tel: 01582 831818
Fax: 01582 831414

Ornamental Aquatic Trade Association Ltd
Unit 5 Narrow Wine Street
Trowbridge
Wiltshire BA1 8YY
Tel: 01225 777177
Fax: 01225 775523
Website: <http://www.ornamentalfirsh.org>

Environment Agency
Millbank Tower
25th Floor
21-24 Millbank
London SW1P 4XL
Tel: 0171 863 8600
Fax: 0171 863 8650

British Small Animal Veterinary Association
Kingsley House
Church Lane
Shurdington
Cheltenham
Gloucestershire GL51 5TQ
Tel: 01242 862994
Fax: 01242 863009

Health and Safety Executive (Information line)
Tel: 0541 545500

Licensees should also refer any queries to their local authority environmental health/trading standards departments.

Annex 2 – any other relevant legislation

This is not a comprehensive list of legislation. If you are in any doubt, contact Brighton & Hove Council.

Health and Safety at Work etc Act 1974

- i) There is a duty on all employers and employees to ensure safety of themselves; workmates; visitors to the site and contractors. This also extends to the self-employed.
- ii) An accident book (B150) must be provided to record details of notifiable accidents and dangerous occurrences. Ideally, near-miss accidents should also be recorded to help ensure that they do not happen again. An annual review will indicate how to keep staff safer by introducing safer practices based on experience.
- iii) Regard should be paid to providing safe systems of work for staff.
- iv) An establishment employing more than four people requires a written safety policy.
- v) There is a requirement for a risk assessment to be carried out to identify hazards in the workplace and assess risks, eg number of people affected etc, in order to assess any health and safety risk in an objective manner as far as possible.

Legislation is evolving all the time and reference should be made to enforcement authorities for up-to-date advice.

More details will be available from your local authority, or from *Management of health and safety at work – approved code of practice* (ISBN 0 11 886 3304) available from HSE books, telephone number 01787 881165 (mail order) or other HMSO stockists.

Electricity at Work Regulations 1989...

... to every employer or self-employed person; and you, therefore, have a duty to comply with these regulations ensuring your electrical fittings and equipment are maintained in a safe condition.

In the event of something going wrong, you will be asked to say why you thought the equipment was safe, which means that regular testing of fittings is advisable.

Control of substances hazardous to health regulations 1994 (COSHH) (As amended January 1997)

- i) These are known as the 'COSHH' regulations. They require you to keep chemical substances on your premises in a safe manner, to review whether you are able to reduce the number of chemicals used, and to see if you are able to use chemicals which are less hazardous in order to do the same job.
- ii) They also deal with Zoonoses (disease transmitted from animals to people, such as psittacosis (chlamydiosis), salmonellosis, toxocariasis and toxoplasmosis) and you should bring suitable advice on risks and precautions to the attention of your staff, and advise that they are suitably vaccinated or otherwise protected from exposure to these diseases.

For further advice contact your medical practitioner and/or the environmental health service of your local authority.

Environmental Protection Act 1990

The Environmental Protection Act 1990 places a duty of care on businesses to ensure that waste is disposed of by a registered carrier to an appropriately licensed or authorised disposal facility.

Reference to Brighton & Hove Council will help clarify the position with regard to waste material generated from pet shops.

Dog faeces and 'sharps' such as needles, scalpels etc, constitute 'clinical' waste and are likely to be subject to specific disposal conditions.

Controlled Waste Regulations 1992

The definition of clinical waste in these regulations includes animal tissue, blood or other body fluids, excretions, drugs or other pharmaceutical products, swabs, dressings or syringes, needles or other sharp instruments which, unless rendered safe, may prove hazardous to any person coming into contact with it.

The Health and Safety Commission's guidance document *Safe disposal of clinical waste* advises on best practice in the handling and disposal of such waste, and you can also seek advice from the Environment Agency Regional Office.

The Control of Dogs Order 1992 (SI 1992/901)

Every dog whilst in a place of public resort must wear a collar with the name and address of the owner inscribed upon it.

'Public Place' means any street, road or other place (whether or not enclosed) to which the public have, or are permitted to have, access: whether for payment or otherwise, and includes the common parts of a building containing two or more separate dwellings.

It should be noted that premises may also be visited from time to time under the Animal Protection Acts. These Acts are principally concerned with animal welfare and the prevention of cruelty.

Dangerous Dogs Act 1991

The Act prohibits persons from having in their possession or custody dogs belonging to specific types bred for fighting; it imposes restrictions in respect of such dogs. It enables restrictions to be placed on other types of dog which present a serious danger to the public, and makes further provision for ensuring that dogs are kept under proper control.

Pets

easy or difficult to keep?



.....

When assessing whether an animal may make a suitable or unsuitable pet, important questions need to be asked - and carefully answered.

Key areas to address are the biological needs of any animal, public health and safety issues, and the general responsibilities of keeping animals in the home.

Some animals are clearly 'easier' (or less demanding) to keep than others but many are far more difficult to care for than people might believe.

A new 'tool', designed by scientists and vets, is now available to determine whether - or to what degree - certain

animals may make suitable or unsuitable pets. This tool is called **EMODE** and classifies animals as '*easy*', '*moderate*', '*difficult*' or '*extreme*' in terms of how challenging they are to keep.

EMODE
Easy
Moderate
Difficult
Extreme

The **EMODE** system has been developed both for use by anyone who may be thinking of acquiring an animal and also by official personnel when considering assigning species to restrictive lists of 'suitable' animals (e.g. for 'positive lists' as used by governments to control animals in trade and keeping).

.....

How does EMODE work?

EMODE considers how challenging an animal is to care for with respect to its biological needs and also has regard for human health and safety issues. Therefore, the **EMODE** system takes into account:

- the biology and behaviour of animal species and types
- the welfare needs of the animals according to the 'five freedoms' principles
- the degree to which impartial and qualified husbandry guidance is available
- the potential public health and safety risks that animals may present to their keepers and others

.....

Using EMODE in three easy steps!

.....

Step One



First, find the 'Class' or 'Group' that an animal belongs to (if you're not sure, check the following box)

Invertebrates	(e.g. crabs, crayfish, snails, insects, spiders, millipedes)
Fishes	(e.g. fishes, eels, rays)
Amphibians	(e.g. frogs, toads, newts, salamanders)
Reptiles	(e.g. crocodiles, turtles, tortoises, lizards, snakes)
Birds	(e.g. parrots, cockatiels, cockatoos)
Unusual Mammals	(e.g. bats, foxes, meerkats, kinkajous, sloths)
Primates	(e.g. monkeys, apes, prosimians)
Domesticated Animals	(e.g. rats, mice, guinea pigs, rabbits, ferrets, chickens, ducks, geese, pot-bellied pigs, goats, donkeys, horses)

When you know the class or group an animal belongs to (e.g. a reptile), simply look for 'Reptiles' in Table 1. This will give you an

immediate quick general guide (i.e. any reptile will immediately 'score' 'Moderate' to 'Extreme', thus none are 'Easy' to keep).

.....

Step One continued ↓

Table 1.

EMODE: indication of degree of ease or difficulty to keep animals by class or group.

<i>'Easy'</i>	<i>'Moderate'</i>	<i>'Difficult'</i>	<i>'Extreme'</i>
	Invertebrates		
	Fishes		
	Amphibians		
	Reptiles		
	Birds		
	Mammals (unusual)		
	Mammal-primates		
	Domesticated animals		
	Dogs and cats		

Step Two

To refine this result, you will need to find information about the specific animal in order to answer the 6 questions in Table 2. Do not rely on online forums, many 'pet care' books, and other sources that may not be independent and objective.

Instead, find the answers to questions 1-6 from online or library searches for academic sources such as scientific publications, professional encyclopaedias, and university websites.

.....

Step Two continued ↓

Table 2.

EMODE: indication of degree of ease or difficulty to keep animals by species or breed. Questionnaire and categorisation.			
Foundation question			
<i>Which class or group of animal does the species or breed belong to? Assign the animal the number of points (pts) indicated.</i>			Points
Invertebrate			5pts
Fish			5pts
Amphibian			18pts
Reptile			18pts
Bird			18pts
Mammal (unusual)			18pts
Mammal-primate			20pts
Domesticated animal			10pts
Dog or cat			5pts
Specific questions			
a. <i>If answer is 'yes', assign 5 points.</i>			
b. <i>If answer is 'no', move to next question.</i>		Answer	Points
1.	Is the animal an especially sensitive species (e.g. marine tropical fish, chameleon, human-imprinted bird, bat); or an especially small and/or delicate animal (e.g. stick insect, neon tetra fish, newt, baby crested gecko); or an especially sensitive breed (e.g. bulldog, great Dane, Bengal cat)?	Yes/No	
2.	Does the animal have a long potential lifespan (e.g. >10 years)?	Yes/No	
3.	Does the animal have specialised feeding habits that can make its dietary requirements subject to restricted supply (e.g. unusual live food or unusual plants)?	Yes/No	
4.	Does the animal require a specialised habitat/microhabitat (e.g. is the animal dependent on sharing its life with a particular plant)?	Yes/No	
5.	Is the animal poisonous, venomous, capable of growing large or inflicting appreciable injury at any point in its life?	Yes/No	
6.	Is anyone in the household/extended circle immunocompromised (e.g. under 5 years, elderly, pregnant, diagnosed with HIV or other immune disease, drug user, receiving chemotherapy such as cancer and anti-rejection drugs)?	Yes/No	
Total points (check total points in row below to find EMODE score)			
'Easy'		'Moderate'	
'Difficult'		'Extreme'	

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----

Step Three



Take the pre-set points from the **Foundation question** in Table 2 (e.g. the minimum score of 18 for Reptiles) and add these to all the accrued points from answering the 6 **Specific questions** in Table 2. From this you will get your **Total points**.

Go to the bottom of Table 2 and you will see there is a numbered line from 1–40. If, for example, the animal you researched scores 33, then it falls into the ‘Extreme’ category in terms of how difficult it is to keep. Obviously, other animals will score higher or lower!



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For more background information, explanation and worked examples please refer to the full article:

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Or [link to the full article here](#) →

Assigning Degrees of Ease or Difficulty for Pet Animal Maintenance: The EMODE System Concept

Clifford Warwick · Catrina Steedman · Mike Jessop ·
Elaine Toland · Samantha Lindley

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Abstract Pet animal management is subject to varied husbandry practices and the resulting consequences often impact negatively on animal welfare. The perceptions held by someone who proposes to keep an animal regarding the ease or difficulty with which its biological needs can be provided for in captivity are key factors in whether that animal is acquired and how well or poorly it does. We propose a system to ‘score’ animals and assign them to categories indicating the ease or difficulty with which they can be kept as pets in accordance with welfare and public health and safety considerations. The ‘EMODE’ (‘Easy’, ‘Moderate’, ‘Difficult’, ‘Extreme’) system has two fundamental components: animal welfare—which considers the ‘five freedoms’ principles; and public health and safety—which considers management associated with risks from disease or injury to the keeper and to others. EMODE incorporates two tiers of assessment and guidance, and may offer a reasonable guide for the majority of relevant animals. EMODE Tier 1 provides a primary and general assessment of animals by class or group, and EMODE Tier 2 provides a secondary refined assessment of animals by species or breed. EMODE offers a user-friendly and versatile foundation concept for the future development of guidance for the layperson who may be considering acquiring a pet or for certain personnel when considering assigning species to restrictive lists of suitable animals,

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for example, ‘positive lists’ as used by governments to control animals in trade and keeping.

Keywords Animal · Pet · Husbandry · Care · Positive list · EMODE

Introduction

Pet animal management is subject to highly varied husbandry demands and outcomes. A study of domesticated dogs in the UK indicated an average lifespan of over 11 years (Mitchell 1999), whereas a study of reptiles (turtles, tortoises, lizards and snakes) in the UK indicated a premature mortality rate of 75 % in their first year in the home (Toland et al. 2012). Whilst the two published studies used different approaches (average longevity versus premature mortality) it is hard to avoid the conclusion that most pet dogs achieve natural longevity whereas most pet reptiles do not. This difference probably relates to three key factors: the more challenging biological needs of reptiles compared with dogs; the relatively poor adaptability of reptiles to captivity compared with dogs; and the availability and degree of competent, independent guidance.

Veterinarians are notably familiar with domestic animals (e.g. dogs, cats and rabbits), thus they can provide highly competent advice and guidance on keeping and caring for these animals. By contrast for non-domesticated, ‘exotic’ species (including fishes, amphibians, reptiles, birds, and unusual mammals) it is difficult to obtain competent advice because veterinarians that specialise in these species are still relatively few in number. Whilst there are many Internet hobbyist websites and unqualified persons who offer advice to potential or actual buyers, the quality of this guidance can be questionable, thus here we regard such sources as unreliable.

There is debate among veterinarians about the suitability of different animals as pets (Figuroa-Diaz 2011). Differing biological needs among animals of individual species, and their adaptability to captivity, are fundamental factors determining their success or failure to thrive (Brown and Nye 2006; Mason 2010; Serpell et al. 2006; Warwick 1995; Warwick et al. 2013). Domesticated species are, by definition, adapted to living in close proximity to humans, but many exotic species face particular challenges of adjustment to artificial conditions (Morgan and Tromberg 2007; Warwick 2004). These challenges are exacerbated by the fact that not only are exotic species placed into the generally unnatural surroundings of private dwellings, but also they are commonly confined to vivariums and other cages, further restricting their lifestyle.

The perceptions held by someone who proposes to keep an animal regarding the ease or difficulty with which its biological and behavioural needs can be provided for in captivity are undoubtedly key factors in deciding whether that animal is acquired, and how well or poorly it does in captivity. According to The World Conservation Union there are the following number of species for each animal class: invertebrates >1,300,000; fishes >31,000; amphibians >6,400; reptiles >9,000; birds >9,900; mammals >5,400 (WCU 2010). The great diversity in exotic species

offered in the pet trade is reflected in the variability in ease and difficulty experienced in keeping them in captivity. The diversity of ornamental fish species is considerable and care ranges from minimal to specialised. For example, in the UK approximately 50 % of kept fish occupy outdoor ponds (PFMA 2011), which may result in required care being minimal. Longer-lived animals (we have used 10 years or greater to indicate this) have more time in which to manifest management challenges—requiring enduring responsibility of commitment time and expense, which can be an important consideration.

An animal that might seem ‘easy’ or ‘moderate’ to specialised zoo personnel and others may be difficult or extremely difficult for the layperson, and even to many who regard themselves to be experts. EMODE is not directly aimed at verifiably specialised animal keepers, rather it is most relevant to the novice and other non-specialists. Given the likely importance of perception among prospective and actual animal keepers regarding both acquisition and fate of captive animals, we propose a system to ‘score’ animals and assign them to categories indicating the ease or difficulty with which they can be ‘kept’ as pets in accordance with animal welfare and public health and safety considerations. We have termed this approach the ‘EMODE’ (‘Easy’, ‘Moderate’, ‘Difficult’, ‘Extreme’) system.

Categorising Animals and the EMODE System

Schuppli and Frazer (2000) presented a detailed framework for assessing the suitability of different animals as ‘companions’. Whilst innovative and important within the scientific community, this material may be overly sophisticated or inaccessible to the layperson and to others. Additionally, although Schuppli and Fraser included animal welfare and public health and safety in their framework, they also considered species suitability based on broader ranging issues involving the harmful effects of sourcing animals (including methods of wildlife collection and transportation) and potential environmental impact (such as where incidental or deliberate releases may lead to non-indigenous animals becoming invasive alien species). These issues of sourcing animals and ecological impacts are important ones and do require very careful consideration. Koene (2012) has also developed a model decision tree for the assessment of species suitability as pets that uses an evidence-based algorithm. This is an important approach for the professional community but may be relatively inaccessible to the layperson and non-biological personnel because the system is designed to enable biologically qualified users to research and apply carefully selected scientific information on a species-by-species basis. EMODE focuses on those aspects that directly affect an animal’s suitability or otherwise in the home, and is designed to be highly accessible to the layperson, which offers a proportionate advantage over alternative frameworks.

The EMODE system we propose borrows some elements from the work both of Schuppli and Fraser, and of Koene while maintaining a more fundamental and user-friendly approach targeted at the layperson who might purchase an animal, and decision-makers who develop formative policies. EMODE incorporates two

tiers of assessment and guidance that may be regarded as primary considerations of animal husbandry which can, if needed, lead to the application of the systems of Schuppli and Fraser, and of Koene and thus to the greater specificity that those methods offer.

There are two major components to the EMODE system: animal welfare using the ‘five freedoms’ principles; and public health and safety, which refers to the degrees of hygiene management and physical cautions implied when keeping an animal in order to avoid significant risk of injury or transmission of disease to the keeper or other persons. Our assignment of animals within the various categories in the primary tier process (Table 1) results from assessments made using the models of Schuppli and Fraser’s and of Koene’s, for which we reviewed available literature on animal biology and husbandry (including physiological, psychological, husbandry, morbidity and mortality, and public health and safety issues). Consensus was sought and obtained for the background information to and categories in all EMODE Tiers and Tables, which were presented for consultation to independent scientists and other biological professionals who possessed no financial vested interest in or were vocationally obligated to practice impartiality to animal keeping and its promotion. Over 500 species and breeds of all classes were tested using EMODE with remarkable consistency. Although this assessment does not represent all animal types kept as pets, it does offer a reasonable cross section of examples.

It is likely that there will be some differing views regarding the degree of ease or difficulty with which an animal can be kept, and these may be significantly influenced by familiarity and experience with a species or a group, or a vested interest. For example, a pet trade organisation may refer to certain animals as ‘easy to keep’ for promotional or belief reasons, whereas experienced veterinarians and biologists may apply greater circumspection. The layperson and others who are not professional biologists would likely benefit from an accessible source of information that offers basic yet evidence-based methodology for classifying animals by ease or difficulty to be kept as a pet. Laypersons may find EMODE helpful for their decision-making. Certain non-biological personnel, for example some administrative staff, may find EMODE helpful establishing criteria for positive lists of animals that are permissible within particular authority jurisdictions.

Our use of the terms ‘animals’, ‘class’, ‘group’, ‘species’ and ‘breed’, are intended to convey the following meanings: *animal(s)* is used as an overarching reference to any animal, thus including class, group, species, or breed. *Class* conveys traditional biological classification (e.g. a fish or mammal). *Species* conveys an identified biological species (e.g. a royal python or African grey parrot). *Group* conveys a collection of relevant species (e.g. primates or domesticated animals). *Breed* conveys a distinct genetic variant within a species (e.g. lop-eared rabbit or Bengal cat).

Interpretation of ‘Easy’, ‘Moderate’, ‘Difficult’, ‘Extreme’

It should be noted that while the terms ‘Easy’, ‘Moderate’, ‘Difficult’, ‘Extreme’ are used in this paper, the term ‘easy’ in particular is not used to imply simplicity.

Animals that inhabit naturalised garden ponds (typically fishes, but occasionally amphibians) may require relatively little management and fall within our ‘easy’ category. Nevertheless, caretakers need to be mindful that animals in ponds are susceptible to problems including overstocking, freezing in winter, parasites and other issues. Many domesticated dogs frequently have healthy associations with humans, impose minimal demands, and enhance their keepers’ lives. However, even the keeping of dogs requires a significant investment of care and expense, with both positive and negative aspects to consider. So it should be taken as read that this paper’s reference to ‘easy’ takes for granted an acceptance of great responsibility, commitment and resources. In other words, the terms used here imply that no animal is ‘totally easy’ and this is reflected in Table 1. It may therefore be presumed that our uses of ‘moderate’, ‘difficult’, and ‘extreme’ difficulty speak for themselves in suggesting that all the species in those categories are highly demanding. The average animal keeper may reasonably keep relatively few animals within those categories, and many are even beyond the husbandry abilities of the most experienced persons. However, as stated elsewhere, EMODE is directed primarily at the novice, regulatory authorities and legislators.

Welfare

The ‘five freedoms’ refer to certain essential biological needs of animals and the caretaker’s responsibility to provide for those needs. While the descriptive principles remain the same throughout the literature, different authors have occasionally modified the guidance to each principle to offer certain clarifications. Here, we present a combined summary borrowing from both the descriptions by the Farm Animal Welfare Council (FAWC 2012) and the Royal Society for the Prevention of Cruelty to Animals (RSPCA 2012), which we feel jointly convey the greatest relevance to this article.

The five freedoms set out that animals’ wellbeing should be assured in the following ways:

1. Freedom from hunger and thirst—by ready access to fresh water and a diet to maintain full health and vigour;
2. Freedom from discomfort—by providing an appropriate environment including shelter and a comfortable resting area;
3. Freedom from pain, injury or disease—by preventing them from getting ill or injured and by making sure animals are diagnosed and treated rapidly if they do;
4. Freedom to express normal behaviour—by providing sufficient space, proper facilities and company of the animal’s own kind;
5. Freedom from fear and distress—by ensuring conditions and treatment, which avoid mental suffering.

The guidance for the five freedoms is necessarily broad and relevant for all animals. According to their author the five freedoms represent “...a practical, comprehensive check list of paradigms by which to address the strengths and weaknesses of any husbandry system” (Webster 2005).

Caging and Artificial Environments

Unlike free-living or semi-wild animals that can meet most or all of their own biological needs, caging an animal inevitably involves restricting its freedom as well as imposing great responsibilities of husbandry on the keeper. In many, if not most, cases, especially where exotic species are concerned, the natural biological needs and lifestyle, including behaviour, physiology, diet, and spatial requirements, are poorly known or unknown, and these considerations are reflected in the categorisation of animals in Tier1/Table 1. Maintaining animals under artificial conditions effectively means that holistic natural phenomena are replaced with provisions perceived as necessary by the caretaker. Those provisions may be neutral, beneficial or harmful. Contrary to many lay perceptions, caged environments are rarely capable of forming self-maintaining ‘microcosms’ and must be dutifully managed in order to maintain even basic integrity. In some instances, the caretaker’s perceptions may be very well founded, but in other cases, the caretaker’s beliefs may be ill-founded or even catastrophic for the animals. Some animals, for example reptiles, may tolerate poor conditions and disease for extended periods of time, giving a false perception of their ‘suitability’.

Consequently, caging any animal, especially where exotic forms are concerned, effectively involves restricting an animal in an atypical challenging environment that is difficult to maintain and is usually under the arbitrary management of caretakers with little or no relevant biological knowledge beyond ‘normal’ practices of pet keepers. Accordingly, for the purposes of the EMODE system any animal that is typically caged is considered as requiring special care and thus all are excluded from the ‘easy’ to keep category. Indeed, we would generally consider that where caging is involved, and in particular where exotic forms are concerned that require highly specialised temperature and humidity care, most if not all of these animals fit into the ‘difficult’ or ‘extreme’ categories. Numerous authors have concluded that captive conditions frequently result in stress, morbidity and premature mortality, for example, invertebrates (Smith 1991; Elwood 2011; Crook 2013), fishes (Wabnitz et al. 2003; Livengood and Chapman 2007; Volpato 2009); Meijboom and Bovenkerk 2013), amphibians (DPI 2006; Arena et al. 2012), reptiles (Warwick 1995; Kreger 2002; Toland et al. 2012; Warwick et al. 2013), birds (Mather 2001; Engebretson 2006; Meehan and Mench 2008; van Zeeland et al. 2009), and mammals (Hediger 1955; Hutchins et al. 1984; Broom and Johnson 1993; Morgan and Tromberg 2007; Soulsby et al. 2009). In summary, there is a risk that current practices may fail to cater for all of the five freedom requirements.

Public Health and Safety

When assessing potential public health and safety risks, three key factors are considered: first, whether or not there is good published information indicating that a zoonosis (a disease transmissible from animal to human) is associated with the animal; second, whether or not health and safety risks associated with the animal

may be managed with ease or difficulty; and third, whether or not adequate, competent professional guidance for avoiding health and safety problems is readily available.

Zoonoses and injuries—an animal was regarded to constitute an important threat to public health if it (or a closely related type) was listed in either Smith and Whitfield (2012) or Warwick et al. (2012). Combined, these publications constitute major recent reviews of zoonoses for domesticated and exotic animals. Zoonotic risk is a complex matter, ranging from the low probability of a severe danger for which there is little prevention and no cure (e.g. Herpesvirus-B associated with macaques) through hazards that are widespread and either self-limiting or potentially serious and with variable success in treatment (e.g. Salmonella associated with reptiles), to those that present moderate threats but are routinely controlled (e.g. worms in dogs). Animals were regarded as constituting an important threat to public safety if they appeared in, or were restricted by, recognised legislation, for example the UK Dangerous Wild Animals Act (1976), or whether there was published evidence demonstrating an association of significant risk of injuries with a particular species (e.g. in Goldstein 1992; Schaper et al. 2009; Warwick and Steedman 2012).

Management of risk was assessed according to the opportunities for transmission, prevention and control of pathogens in the domestic environment.

Availability of relevant independent professional guidance was assessed according to whether or not independent expert guidance was routinely and locally available regarding the animal concerned.

The veterinary community represents the most available and professionally qualified source of independent guidance to the public. However, this professional sector's knowledge-base with regard to non-domesticated animals is considered to be relatively poor on salient matters of exotic animal care (Forbes 2011). Similarly, the primary care medical profession represents the most available and professionally qualified source of independent guidance to the public on health and safety and management of risks, but again knowledge levels appear to be relatively poor regarding exotic animals and public health (Warwick 2004). Therefore, wherever animal care and public health and safety may be reliant on these two key professional sources of advice, the availability of genuine, and impartial, expert guidance was a significant consideration regarding our categorisation of animals. We have regarded 'genuine experts' to include people who hold formal qualifications in scientific, biological, or veterinary subjects, who possess formal awards for specialisations, who are established and published in their field, and who are accountable to formal professional organisations for the quality of information they offer.

Assessing Degree of Ease or Difficulty to Keep Animals as Pets

EMODE (see Appendix 1) adopts a two-tier approach to assessing degree of ease or difficulty to keep animals as pets. Tiers 1 and 2, and Tables 1 and 2 were developed

using consensus decision-making between the authors and consultations with 13 independent advisors.

The primary tier involves assessing animals by class or group and uses non-variable, pre-weighted, categorisation, and the secondary tier involves assessing animals by species or breed and uses variable, incremental, point scores.

Conclusions

EMODE provides a user-friendly and versatile guidance concept, whether for the layperson who may be considering acquiring a pet or for some personnel when considering assigning species to restrictive lists of suitable animals (e.g. 'positive lists' as used by governments to control animals in trade and keeping). Although we have tested very many animals, with remarkable consistency, using EMODE there are likely to be occasional anomalous results due to the diversity of species and breeds that are involved. However, we believe that there is sufficient integrity to the EMODE system to offer a reasonable guide for the majority of relevant animals, and at the very least, provide a basis by which an informed judgment can be made on the suitability or otherwise of keeping an animal as a pet.

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Appendix 1: The EMODE System Concept

Assessing Animals as Pets by 'Easy', 'Moderate', 'Difficult', 'Extreme'

Prospective acquirers of any animal should make every effort to conduct thorough background research before seriously contemplating taking on a pet. Similarly, correctly answering the questions in EMODE Table 2 also requires obtaining good quality, independent information. Veterinarians, zoological parks, *bona fide* animal rescue centres and online animal encyclopaedias can give basic information about most animals.

Assessing Animals by Class or Group (Tier 1)

Assessing animals by class or group enables prospective and actual acquirers of animals to gauge the *generality* of the demands (biological, practical and public health and safety) associated with an animal and its suitability or otherwise as a pet, and acts both as a stand-alone ‘quick reference’ guide and as a foundation for the secondary tier (Tier 2).

Invertebrates (e.g. crabs, crayfish, snails, insects, spiders, millipedes) include a wide variety of species that require greatly differing degrees of complex maintenance in enclosed environments. Availability, independence, and quality of guidance on care are limited. However, some (e.g. crayfish) may occupy outdoor ponds and require relatively little direct care (beyond effective containment). There are relevant zoonotic and often human safety risks with some species that require careful management, and availability and quality of guidance on injury and disease prevention and control is limited. Accordingly, their range in this summary is wide to reflect that variation.

Fishes (e.g. fishes, eels, rays) include a wide variety of species that require greatly differing degrees of complex maintenance in enclosed environments and manifest a high rate of premature mortality. Availability, independence, and quality of guidance on care are limited. However, many occupy outdoor ponds and require relatively little direct care, although regular observation and some management is essential. There are significant zoonotic risks that require careful management, and availability and quality of guidance on injury and disease prevention and control is limited. Accordingly, their range in this summary is wide to reflect that variation.

Amphibians (e.g. frogs, toads, newts, salamanders) include a wide variety of species that require greatly differing degrees of complex maintenance in enclosed environments and manifest a high rate of premature mortality. Availability, independence, and quality of guidance on care are limited. There are significant zoonotic risks that require careful management, and availability and quality of guidance on injury and disease prevention and control is relatively limited. Accordingly, their range in this summary excludes ‘easy’.

Reptiles (e.g. crocodiles, turtles, tortoises, lizards, snakes) include a wide variety of species that require greatly differing degrees of complex maintenance in enclosed environments and manifest high premature mortality. Availability, independence, and quality of guidance on care are limited. There are significant zoonotic and often human safety risks that require very careful management, and availability and quality of guidance on injury and disease prevention and control is limited, and compliance with guidance is very poor. Accordingly, their range in this summary excludes ‘easy’.

Birds (e.g. parrots, cockatiels, cockatoos) include a wide variety of animals, and while some (e.g. the more domesticated fowl) are capable of being maintained outdoors, they require greatly differing degrees of complex maintenance in enclosed environments. Availability, independence, and quality of guidance on care are limited. There are significant zoonotic and often human safety risks that require careful management, and availability and quality of guidance on injury and disease prevention and control is relatively limited. In addition, outdoor (and uncaged) occupation is relatively uncommon, thus their range in this summary excludes 'easy'.

Unusual Mammals (e.g. bats, foxes, meerkats, kinkajous, sloths) include a wide variety of animals that require greatly differing degrees of complex maintenance in enclosed environments. Availability, independence, and quality of guidance on care are limited. There are significant zoonotic and often human safety risks that require very careful management, and availability and quality of guidance on injury and disease prevention and control is relatively limited. Accordingly, their range in this summary excludes 'easy'.

Primates (e.g. monkeys, apes, prosimians) include a wide variety of species that require extreme degrees of complex maintenance in enclosed environments and availability and quality of guidance is limited. There are significant zoonotic risks and often human safety risks that require very careful management, and availability and quality of guidance on injury and disease prevention and control is very limited. Accordingly, their range in this summary excludes 'easy' and 'moderate'.

Domesticated Animals (e.g. rats, mice guinea pigs, rabbits, ferrets, chickens, ducks, geese, pot-bellied pigs, goats, donkeys, horses) includes a wide variety of animals of both species and breed with some animals (e.g. rabbits) capable of being maintained outdoors, and some animals (e.g. horses) essentially housed outdoors. Availability, independence, and quality of guidance on care are fair. There are significant zoonotic and often human safety risks that require careful management, and availability and quality of guidance on injury and disease prevention and control is good. Accordingly, their range in this summary is wide to reflect that variation.

Dogs and Cats range from 'easy' to 'difficult' because the degree of care varies with breed. Availability, independence, and quality of guidance on care are excellent, and even the most challenging species and breeds benefit from widely available qualified guidance. There are significant zoonotic risks that require careful management, and availability and quality of guidance on prevention and control is excellent. Accordingly, they are not listed as 'extreme' in this summary.

Table 1 provides a quick reference summary indication of degree of ease or difficulty to keep animals based on class or group.

Table 1 EMODE: indication of degree of ease or difficulty to keep animals by class or group

'Easy'	'Moderate'	'Difficult'	'Extreme'
	Invertebrates		
	Fishes		
	Amphibians		
	Reptiles		
	Birds		
	Mammals (unusual)		
	Mammal-primates		
	Domesticated animals		
	Dogs and cats		

EMODE includes considerations regarding both the care of the animal with respect to its biological needs as well as human health and safety issues

Assessing Animals by Species or Breed (Tier 2)

Assessing animals by species or breed enables prospective and actual acquirers of animals to gauge the *specificity* of the demands associated with an animal and its suitability or otherwise as a pet. Assessing animals by species or breed is the most refined and informative approach. Where more precise categorisation is required, this secondary tier can be used to narrow the range of ease or difficulty to keep an animal.

Tier 2 builds on the foundation of Tier 1 by carrying forward the minimum degree of ease or difficulty by conversion into a points system of 1–40. For example, ‘reptiles’ convey an automatic 18 pts as a starter base (high moderate level as represented in Table 1), because the application of the principles in Tier 1 set that score for that animal class as a whole—offering a broad guide. Tier 2 may lead to no or additional points being added to the base points, thus an animal’s status may remain unchanged from Tier 1, or may be reassigned higher within that category, or reassigned to a higher category of difficulty, thus refining their status based on the additional information. Table 2 provides a series of simple questions that may or may not add to the foundation score of Table 1. Any points accumulated from Table 2 are added to the foundation points from Table 1, on the scale of 1–40. The animal’s ‘score’ at the bottom of Table 2 gives a refined indication of the ease or difficulty with which it can be kept. Some animals will exceed the ‘40’ threshold, which merely indicates their status high in the ‘extreme’ difficulty category.

Table 2 EMODE: indication of degree of ease or difficulty to keep animals by species or breed. Questionnaire and categorisation

Foundation question		Points	
<i>Which class or group of animal does the species or breed belong to? Assign the animal the number of points (pts) indicated.</i>			
Invertebrate		5 pts	
Fish		5 pts	
Amphibian		18 pts	
Reptile		18 pts	
Bird		18 pts	
Mammal (unusual)		18 pts	
Mammal-primate		20 pts	
Domesticated animal		10 pts	
Dog or cat		5 pts	
Specific questions		Answer	Points
<i>a. If answer is 'yes', assign 5 points. b. If answer is 'no', move to next question.</i>			
1. Is the animal an especially sensitive species (e.g. marine tropical fish, chameleon, human-imprinted bird, bat)? or an especially small and/or delicate animal (e.g. stick insect, neon tetra fish, newt, baby crested gecko)? or an especially sensitive breed (e.g. bulldog, great Dane, Bengal cat)?	yes/no		
2. Does animal have a long potential lifespan (e.g. ≥ 10 years)?	yes/no		
3. Does the animal have specialised feeding habits that can make its dietary requirements subject to restricted supply (e.g. unusual live food or unusual plants)?	yes/no		
4. Does the animal require a specialised habitat/microhabitat (e.g. is the animal dependent on sharing its life with a particular plant)?	yes/no		
5. Is the animal poisonous, venomous, capable of growing large or inflicting appreciable injury at any point in its life?	yes/no		
6. Is anyone in the household/extended circle immunocompromised (e.g. under 5 years, elderly, pregnant, diagnosed with HIV or other immune disease, drug user, receiving chemotherapy such as cancer and anti-rejection drugs)?	yes/no		
Total points (check total points in row below to find EMODE score)			
<i>'Easy'</i>	<i>'Moderate'</i>	<i>'Difficult'</i>	<i>'Extreme'</i>
1 2 3 4 5 6 7 8 9	10 11 12 13 14 15 16 17 18 19 20	21 22 23 24 25 26 27 28 29 30 31 32	33 34 35 36 37 38 39 40

Worked Examples

Below are 13 worked examples of assessing animal suitability or otherwise as a pet using EMODE, which are intended to assist first-time users of the system. Note an

animal may be wholly in a specific category (e.g. 'Easy') or it may span two categories (e.g. 'Easy' to 'Moderate'). It should be noted that the position of an animal *within* a category (i.e. not only the category itself) is relevant, because several points' variation may indicate significantly different demands regarding care requirements.

Example 1 Goldfish = 5: **Q1** ('no') = 0; **Q2** ('yes') = 5; **Q3** ('no') = 0; **Q4** ('no') = 5; **Q5** ('no') = 0; **Q6** ('no' or 'yes') 0–5; = **total 10 or 15pts**. Degree of ease or difficulty = 'Easy' to 'Moderate'.

Example 2 Clownfish = 5: **Q1** ('yes') = 5; **Q2** ('yes') = 5; **Q3** ('yes') = 5; **Q4** ('yes') = 5; **Q5** ('no') = 0; **Q6** ('no' or 'yes') = 0–5; = **total 25 or 30pts**. Degree of ease or difficulty = 'Difficult' bordering 'Extreme'.

Example 3 African clawed frog = 18: **Q1** ('no') = 0; **Q2** ('yes') = 5; **Q3** ('no') = 0; **Q4** ('no') = 0; **Q5** ('no') = 0; **Q6** ('no' or 'yes') = 0–5; = **total 23 or 28pts**. Degree of ease or difficulty = 'Difficult'.

Example 4 Marine toad = 18: **Q1** ('no') = 0; **Q2** ('yes') = 5; **Q3** ('no') = 0; **Q4** ('no') = 0; **Q5** ('yes') = 5; **Q6** ('no' or 'yes') = 0–5; = **total 28 or 33 pts**. Degree of ease or difficulty = 'Difficult' to 'Extreme'.

Example 5 Bearded dragon = 18: **Q1** ('no') = 0; **Q2** ('yes') = 5; **Q3** ('no') = 0; **Q4** ('no') = 0; **Q5** ('no') = 0; **Q6** ('no' or 'yes') = 0–5; = **total 23 or 28 pts**. Degree of ease or difficulty = 'Difficult'.

Example 6 Burmese python = 18: **Q1** ('no') = 0; **Q2** ('yes') = 5; **Q3** ('no') = 0; **Q4** ('no') = 0; **Q5** ('yes') = 5; **Q6** ('no' or 'yes') = 0–5; = **total 28 or 33 pts**. Degree of ease or difficulty = 'Difficult to 'Extreme'.

Example 7 Budgerigar = 18: **Q1** ('no') = 0; **Q2** ('yes') = 5; **Q3** ('no') = 0; **Q4** ('no') = 0; **Q5** ('no') = 0; **Q6** ('no' or 'yes') = 0–5; = **total 23 or 28 pts**. Degree of ease or difficulty = 'Difficult'.

Example 8 African grey parrot = 18: **Q1** ('yes') = 5; **Q2** ('yes') = 5; **Q3** ('no') = 0; **Q4** ('no') = 0; **Q5** ('yes') = 5; **Q6** ('no' or 'yes') = 0–5; = **total 33 or 38 pts**. Degree of ease or difficulty = 'Extreme'.

Example 9 Kinkajou = 18: **Q1** ('no') = 0; **Q2** ('yes') = 5; **Q3** ('no') = 0; **Q4** ('no') = 0; **Q5** ('yes') = 5; **Q6** ('no' or 'yes') = 0–5; = **total 28 or 33 pts**. Degree of ease or difficulty = 'Difficult' to 'Extreme'.

Example 10 Spider monkey = 18: **Q1** ('no') = 0; **Q2** ('yes') = 5; **Q3** ('no') = 0; **Q4** ('no') = 0; **Q5** ('yes') = 5; **Q6** ('no' or 'yes') = 0–5; = **total 28 or 33 pts**. Degree of ease or difficulty = 'Difficult' to 'Extreme'.

Example 11 Vietnamese pot-bellied pig = 10: **Q1** ('no') = 0; **Q2** ('yes') = 5; **Q3** ('no') = 0; **Q4** ('no') = 0; **Q5** ('yes') = 5; **Q6** ('no' or 'yes') = 0–5; = **total 28 or 33 pts**. Degree of ease or difficulty = 'Difficult' to 'Extreme'.

Example 12 Dog (e.g. small mixed breed) = 5: **Q1** ('no') = 0; **Q2** ('yes') = 5; **Q3** ('no') = 0; **Q4** ('no') = 0; **Q5** ('no') = 5; **Q6** ('no' or 'yes') = 0–5; = **total 10 or 15 pts**. Degree of ease or difficulty = 'Easy' to 'Moderate'.

Example 13 Dog (e.g. German shepherd) = 5: **Q1** ('yes') = 0; **Q2** ('yes') = 5; **Q3** ('no') = 0; **Q4** ('no') = 0; **Q5** ('yes') = 5; **Q6** ('no' or 'yes') = 0–5; = **total 20 or 25 pts**. Degree of ease or difficulty = 'Moderate' to 'Difficult'.

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Resource Review:

Model Conditions For Pet Vending Licensing, 2013. Chartered Institute for Environmental Health, 32pp.

C. Warwick, M. Jessop, C. Steedman, E. Toland, P.C. Arena, G. Glendell & K. Smith

Introduction

According to the best available data, over 65 million pet (or companion) animals are maintained in the UK (PFMA, 2014). Although this figure includes large species, for example horses, the majority are household or garden animals. The approximate composition of this 'pet' population includes: 100,000 insects (which likely more broadly implies a variety of invertebrates); 40-45 million ornamental fish; 100,000 frogs and toads; 300,000 tortoises and turtles; 400,000 lizards; 400,000 snakes; >2 million domestic fowl and caged birds; >2 million small mammals; 9 million dogs; and 8 million cats (PFMA, 2014). Several thousand species are thought to be involved.

Many of these animals are supplied by locally licensed pet vending establishments, although unlicensed and unlawful selling frequently occurs via the Internet, pet markets and other sources (Warwick et al., 2011; Toland et al., 2012). Concern is growing internationally regarding the pet industry, perhaps at present notably with regard to the exotic animal sector. Issues include species and ecological conservation threats (Bush et al., 2014); animal to human ('zoonotic') and agricultural animal disease (Akhtar, 2012); and the introduction of invasive alien species (Shine et al., 2010). Key amongst concerns is animal welfare at all points in the trade and keeping chain, again notably regarding exotic or 'wild' animals. For example, whilst many problems affect domesticated dogs and cats, such as overpopulation and incidents of cruelty, these groups commonly experience relatively free human 'life-sharing' associations, which are well supported by local veterinary care. For example, dogs and cats manifest strong affiliative traits (Price, 1984), which are regularly accommodated in the home where these animals enjoy low levels of restriction, and largely voluntarily participate in human day-to-day activities (Udell and Wynne, 2008).

By comparison many exotic animals commonly lack affiliative traits (Price, 1984) and are typically confined to highly restrictive and artificial environments, with genuine impartial and expert guidance being considerably less available. The consequences of these issues are highly relevant, for example, most dogs achieve natural potential longevity (Mitchell, 1999) whereas most reptiles do not (Toland et al., 2012). Indeed, Toland et al. (2012) found that in UK homes, 75% of reptiles die prematurely in their first year. Relatedly, a recent study of a major global exotic pet supplier found cumulative mortality rates during 6 weeks for invertebrates, amphibians, reptiles and mammals, to be 72%, which industry experts deemed to be normal and acceptable (Ashley et al., 2014). Husbandry in the domestic environment, as well as differing coping mechanisms of animals, likely impact on life-quality and outcome, and the conditions animals experience in commerce directly impact health, welfare and future survival (Ashley et al., 2014).

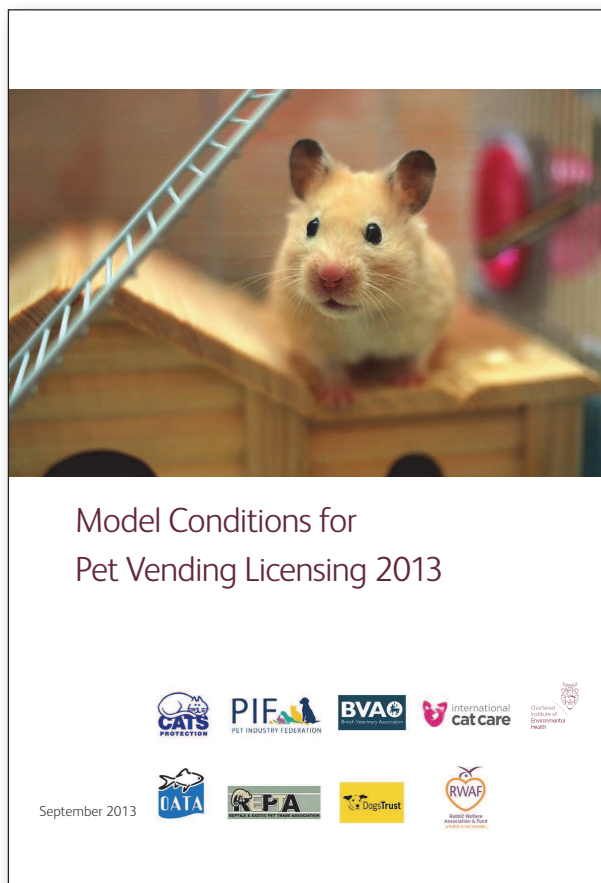
Seeking to safeguard the welfare of animals at pet vendors is therefore vital and warrants, wherever possible, both dedicated and meaningful guidance. The 'Model Conditions For

Pet Vending Licensing' (MCPVL, 2013) were conceived for this reason. The purpose of this review is to critically examine this new guidance and discuss its key strengths and weaknesses.

Methodology

For our review we obtained the published MCPVL document as well as pre-publication drafts, which were subsequently circulated for consultation via a working party of professional biologists, veterinarians, medics and others who were requested to examine the materials, and comment on issues within their area of qualified expertise, as well as to offer any general observations. All consultants were also established publishers of science-based husbandry information, and familiar with formal review protocols and standards. None of the consultants possessed any vested interest in the publication of the document or the trading of pet animals.

Enquiries with the publisher of the guidance identified historical and current contributors along with their affiliations, which allowed for clarifications regarding parties with vested interests as well as any relevant credentials. During approximately 20 months, the comments of the independent consultants were collated and redistributed within the working party in order to verify views and develop a consensus.



Discussion

The 'Model Conditions For Pet Vending Licensing' (MCPVL, 2013) constitutes guidance criteria intended to raise and standardise the quality of management for animals sold as pets through licensed establishments in the UK. The Chartered Institute of Environmental Health (CIEH) is the publisher of the guidance. The CIEH's remit includes providing information, evidence and policy advice to local and national government.

Guidance on a range of animals, including exotics, aimed at helping local authority pet shop inspectors deal with the growing issue of an expanding range of animal species being sold in pet shops is warranted, and therefore the MCPVL are essentially timely. The format of the MCPVL is typical of that for other CIEH literature and throughout the 32-page document follows didactic instruction (headed 'Condition') and advisory information (headed 'Guidance') for each management point.

General observations

Leaving aside the array of grammatical, typographical and formatting errors in the text and tables, the document has no discernible coherent theme of its own to unify the disparate and frequently unscientific husbandry principles it recommends for different animals. These deficiencies are particularly, but not exclusively, apparent in relation to birds, reptiles and amphibians, and fishes. The absence of important basic information is negatively compounded by some highly questionable or misleading content, including biological and husbandry guidance that is inconsistent with good animal welfare, examples of which we set out later.

The problems with this document commence early and endure throughout. For example, the front cover depicts a hamster resting on a plain wooden cage furnishing, whilst the text itself states that wood should not be used in hamster cages. Given that the guidance is intended to offer 'model' standards, then the reader likely presumes that the main image would be exemplary, and thus the messaging is confused at the outset.

Elsewhere the guidance states: "*Pet care leaflets or other similar written instructions suitable for the species (or group of species) in question should be made available to customers free of charge at the time of purchase...*". Relatedly, it also states: "*Staff members must be able to provide suitable advice to purchasers and answer questions as required by them (the purchaser).*" Education is a vital component of animal care as well as helping purchasers to make informed decisions on whether to acquire an animal. However, in our view, the document's emphasis on pet trade-led information is both naïve and potentially harmful.

The document cites the 'five welfare needs' as enshrined in law under the Animal Welfare Act 2006, namely: 'Its need for a suitable environment'; 'Its need for a suitable diet'; 'Its need to be able to exhibit normal behaviour patterns'; 'Any need to be housed with, or apart from, other animals'; and 'Its need to be protected from pain, suffering, injury and disease'. However, as we will indicate, some guidance provided in the document would, in our view, run contrary to providing for these needs.

Protecting animals from fire outbreaks at pet shops is a legal provision of the Pet Animals Act 1951. Nevertheless, despite this very important requirement one can argue that fire risks are also proportionately increased where exotic animals are sold due to the typical presence of complex and multi-unit electrical heating, lighting and filtration devices. Where fishes are concerned, the guidance presumes that no efforts will actually be made to save these animals anyway, which many will view

as irresponsible, irrespective of laws that govern the welfare of all vertebrates.

The fundamental principle of this document states: "*Animals must at all times be kept in accommodation designed to prevent escape and an environment suitable to their species and condition with respect to behavioural needs, situation, size, temperature, ventilation, and cleanliness. All accommodation must avoid drafts and overexposure to direct sunlight and must be kept in good repair.*" This principle is derived from a key provision of the Pet Animals Act 1951 and Animal Welfare Act 2006. As a legal requirement and 'Condition' in the document, this fundamental principle is immutable and non-negotiable. However, little if any of the guidance in this document would actually meet, for example, the genuine behavioural and spatial needs of animals – many species simply would not be capable of flying, jumping, running, burrowing and so on as they would naturally. That said, this major deficiency is not the sole fault of the MCPVL publication, but also a systematic failure of the Pet Animals Act from which it takes its lead.

Specific sections

We found certain contributions, for example for 'Dogs' and 'Cats', to be relatively well prepared, and whilst possessing greater potential, normal publishing format limitations for CIEH documents may have constrained fuller development of these basic yet promising sections. The higher quality of the dog and cat sections may reflect the range of supporting contributors to the guidance who were able to draw on a wide range of resources to develop these sections.

In contrast we found certain contributions, for example 'Other small mammals', 'Birds', 'Reptiles and amphibians' and 'Fish', to be relatively-to-very poor, with the failures of these contributions being attributable to both low quality and deeply minimalist information rather than to potential publishing limitations. Unlike the sections for dogs and cats, the other sections aim to represent many different animal species that can be found in high street pet shops. In our view, not only has addressing this species diversity been too challenging for the current MCPVL format, but also a significant amount of the material for the birds, reptiles, amphibians and fish sections has been produced by parties with trade vested interests rather than by impartial and objective contributors.

For example, for reptiles and amphibians the guidance states: "*Most reptiles and amphibians are not social and may, therefore, be kept individually.*" Whilst asocial traits may imply individual accommodation can be appropriate, the reader may deduce that social species (of which there are many) are therefore appropriately or even necessarily maintained in groups. Such a deduction could, and frequently does, in pet shops lead to aggressive territorial, reproductive combative and other events and results in serious injuries among conspecifics. Again for reptiles and amphibians (and curiously not for other animals) the document states: "*Communal enclosures should not be stocked as to appear overcrowded, common sense should be observed.*" Animals 'appearing' overcrowded is neither a specific nor useful gauge and, as means of assessment, far more rational and safer guidance principles have already been published. A useful way of interpreting overcrowding for any observer is to apply the 'crypto-overcrowding' principle (Warwick et al., 2013a), which determines that unless all animals can utilise all provisions (water, food, space, furnishing etc) at any one time, then such conditions should be considered overcrowded.

In nature, reptiles (including those common in the pet trade) occupy expansive home ranges that are frequently between hundreds of square metres and hundreds of hectares (e.g.

Carter, 1997; Moler, 1985; Speake, 1993; Thompson et al, 1999), which caging cannot supplement (Warwick, 2004; Burghardt, 2013). Accordingly, spatial provisions for these (and other animals) should be as generous as possible (Warwick, 2004, Warwick et al. 2013a).

The section regarding spatial provisions for lizards recommends a principle of a minimum of three times the full length of a lizard to calculate the acceptable length of an enclosure. Because the 'full length' of a lizard should include its tail then this would be 'fair' under some pet shop environment conditions, because it would, for example, suggest a minimum cage size of 2.5m for many medium-sized lizards that are available. However, for very small lizards, for example, those with full lengths of 10 to 15 cm, this guidance is strongly contraindicated because small lizards typically have demanding spatial needs due to their frequently high activity levels and insectivorous nature that necessitate range requirements comparable to larger lizards (Warwick, 2004; Warwick et al., 2013a). Nevertheless, the evidential foundation for the recommendation is absent and in such absence a rational basis for the guidance is unclear or invalid.

With regards to spatial provisions for snakes, the guidance recommends the principle of two-thirds the body length of a snake to calculate the acceptable length of an enclosure. This recommendation means that no snake can fully extend its body. There is no evidential foundation for the recommendation and no rational basis to it. However, there exists longstanding evidence and opinion regarding postural-positional orientation behaviour in snakes and their apparent requirement to fully extend their bodies at will – a behaviour related to general locomotion (Greene, 2000) and also thought to relate to achieving comfort and easing of physical discomfort (Warwick, 2004; Warwick et al., 2013a). Accordingly, best evidence determines that snakes should be provided with environments that (as a minimum) allow them to fully extend their bodies to maintain essential comfort and health, and thus the MCPVL guidance is unscientific and deficient.

Varga (2004) suggested similar spatial provisions for snakes to those of the MCPVL – ie cage lengths of three-quarters of snake body length. However, that guidance derives from historically common practices reported in Bernard (1996) rather than scientific observation, and predates both current animal welfare legislation and modern biobehavioural studies involving the biological needs of snakes. The MCPVL guidance, therefore, recommends even smaller dimensions than the outdated literature, marking a retrograde move.

The 'Other small mammals' (that is, the so-called 'small furries') section is based on information recycled from non-authoritative materials and appears to have no logical foundation. It is of note that the tabulated guidance fails to cater for a wide and diverse range of commonly found and potential pet species, for example, sugar glider, skunk, meerkat, coatimundi and raccoon (Ashley et al, 2014; Schrickel et al, 2008). Important guidance on enrichment and spatial needs is notably absent. For example, the range of activity for many small mammals includes the natural behavioural requirement to burrow (Augustsson, 2004; Ewer, 2010; Johnson, 2002; LariviÈre and Messier, 2002). Many species are known to be highly active. Environments therefore need to be complex, with correspondingly accommodating enclosure length, breadth, height and substrate. The guidance, for example, states that gerbils can be kept in a group of up to 4 individuals, in a space of 25cm (l) x 27cm (w) x 30cm (h). At ground level the resultant environment would be insufficient for provision of a feeding station large enough for 4 animals, at least 2 water stations, a latrine area, enrichment, and a safe

retreat or hide. Given that essential substrate for burrowing would significantly decrease available cage height, occupants would be left with insufficient space to jump – i.e. the 30cm (h) provision is inevitably reduced by the depth of the substrate. The minimum height requirements would therefore deny both the natural behaviour of jumping and the natural behaviour of burrowing.

Some guidance may also result in animal husbandry conditions that could contravene UK law, for example, the guidance on the caging of birds. Under UK legislation Section 8 of the Wildlife and Countryside Act 1981 (as amended) states: "*If any person keeps or confines any bird whatever in any cage or other receptacle which is not sufficient in height, length or breadth to permit the bird to stretch its wings freely, he shall be guilty of an offence.*" This provision in law is widely interpreted to include a bird stretching its wings in any physical dimension. Although the MCPVL acknowledges that "...cage size must be adequate to allow birds to open their wings fully in all directions..." the tabulated guidance on cage dimensions for many species of frequently kept bird is both contradictory and appears to contravene legal requirements.

Recommended stocking densities for birds are set out according to bird length rather than wingspan. When wing measurements for pet birds are taken into account (e.g. Forshaw, 1989; del Hoyo et al, 1997; Hilty et al, 2003; Juniper and Parr 1998), the MCPVL guidance for at least 10 species of cockatoo and at least 8 species of macaw, would not allow these animals to spread their wings in these cages, thus contravening the very minimal provisions as set out in the Wildlife & Countryside Act. Notwithstanding that the keeping of even a single bird under MCPVL standards might contravene the law, the guidance further suggests stocking several birds in the same conditions as a single bird. The guidance offers no recommendation for cage height, which may lead readers to undervalue this important consideration. Where more than two birds of larger parrot species are to be housed together, the MCPVL recommend that these are displayed in aviaries or flights. However, it is questionable whether the recommended aviary size would allow even one individual of a larger species to stretch its wings in all directions.

The MCPVL guidance states "...perches must be positioned so that birds do not defecate on each other." Accordingly, based on the recommended stocking density of four birds per cage, and assuming that cages permit birds to perch at only one level, then the stated minimum cage sizes would offer insufficient space for many of the smaller parrot species to stretch their wings freely. For example, in a minimum legal cage size where a parrot is capable of fully stretching its wings in all three dimensions (albeit only just capable), it would seem highly improbable that the bird could achieve this when the space must be shared with co-occupants, let alone should more than one bird wish to extend their wings simultaneously. The MCPVL guidance also states that "*some species will need adequate space to fly*", which is clearly not an option for birds that can barely stretch their wings.

The inclusion of a table relating to enclosure sizes and stocking densities without further clarification is in itself unhelpful and does not account for issues such as potential co-occupant aggression when adult birds are housed together or the need for young birds to be housed with conspecifics for the purposes of socialisation. Important guidance on cage positioning for birds is also absent – for example basic advice should mention that cages are to be placed high off the ground and should not be exposed on all sides.

The 'Fish' section is overly brief and impractical for guidance. It recognises that there are approximately 4000 species

of fish available in the pet trade but offers scant guidance on their management for health and welfare. There is no advice on stocking density for aquaria. There is no discussion on providing natural environments for shoaling species or solitary species. There is no guidance on provision of environments for rapidly growing species. There is sensible guidance on water quality parameters that should be the mainstay of fish management but no detail on heating, lighting and environmental enrichment.

One glaring conflict in guidance, however, devalues the entire section on water quality. The guidance for marine fish dissolved oxygen levels states a minimum of 4.0mg/l as a conditional requirement. Subsequently, under the guidance section, the document states that: *"The recommended level is 5.5mg/l so extra care is needed to ensure that levels do not routinely fall below this."* As fish keeping represents the largest sector of pet keeping and pet vending, as well as having the largest diversity of species traded, it is disappointing that the subject amounts to only 4 sections of the conditions and guidance, with those sections largely devoted to water quality testing. Consequently, there is a dearth of information on conditions and guidance for specific issues of accommodation, health, welfare, feeding and enrichment.

Public health

Human health guidance in the MCPVL document is extremely minimal and of low instructional value, for example, it states: *"Staff and customers should wash hands after handling specimens, and any equipment used should also be disinfected. Customers handling animals prior to purchase should be supervised and offered facilities to wash their hands afterwards."* Another brief and nonspecific sentence reads: *"Staff should be aware of zoonotic transmission"*. Essentially, the document contains no proportionate human health guidance, given that zoonoses are a significant and sometimes major public health threat, and despite the fact that the CIEH published separately one of the most comprehensive reviews of exotic pet related human disease along with extensive health preservation guidance for both pet shop staff and pet keepers (Warwick et al., 2012). Furthermore, the document's reference to zoonoses (diseases that are transmissible between animals and humans) states that: *"Zoonoses, or zoonotic disease are infectious diseases transmissible between humans and other animals; many thousands of zoonotic disease have been identified"*. However, although this is a very important issue, the information is misleading because approximately 200 zoonoses are known to affect humans and not "many thousands" (WHO, 2014).

Absence of essential information

Certain essential information that we feel should have been included in the document is notably absent. For example, primates are excluded, which is peculiar given that primates are still sold in pet shops, albeit rarely, and current interest in private keeping of primates is under detailed (including Parliamentary) scrutiny in the UK. In addition, invertebrates are excluded despite a wide variety of these animals being available both for pets and as food animals, and the growing evidence that these animals require consideration regarding their welfare (Crook, 2013; Horvath et al., 2013). Further, regardless of whether or not invertebrates might receive legal protection, consideration of their welfare needs is also relevant not only because some of these animals are sold as pets, but also because where they are sold as food items, their physical condition may reflect nutritional quality as prey items. Relatedly, these authors also consider that the way pet shop

managers maintain 'disposable' animals, such as food invertebrates, directly reflects a generalised approach to all animals in their care. Finally, many invertebrate species sold present potentially toxic threats, thus their exclusion from the guidance evades important advice regarding risk factors.

Currently, there are no inspection models or tools to aid competent authorities in their assessment of pet vending establishments. Lastly, there is no guidance on the suitability or unsuitability of selling or keeping certain types of animal as pets, even though at least three models are available (Schuppli & Fraser, 2000; Koene, 2012; Warwick et al., 2013b). These tools are important provisions intended to enable both private individuals and professionals, such as animal managers and enforcement officials, to make informed decisions about the level of challenge associated with caring for any animal.

At the outset, the publication claims to provide: *"...a living document which will be revised from time to time to take into account new knowledge of animal physiology and behaviour as well as advances and development in standards of animal welfare."*

However, in its current form the document does not actually attain (nor indeed closely approach or incorporate) modern understanding of the biological needs of animals and their husbandry in captivity. Accordingly, a 'living document' that fails to meet even basic modern standards infers little prospect of it keeping pace with meaningful 'advances' in animal care.

Potential for miseducation

The modern world is abundant with largely informal guidance on diverse animal husbandry. A considerable volume of such information substantially or wholly lacks any credible evidence-base and, to date, has played a significant role in the resultant harm to countless animals, and increasingly also their keepers and the environment. In essence, this abundance of information, with its historical lack of a scientific basis, carries with it a dearth of value. Therefore, when guidance is being offered by organisations with relevant formal responsibility, the uptake of this information is both presumed reliable and likely to be followed.

The shortfalls of the MCPVL guidance harbour serious implications with the potential to affect animal welfare on a very large scale because this poor information can be guaranteed to reach an understandably 'welcoming' target audience (British local government agencies). However, many institutions abroad may also grasp at what is apparently helpful material that ultimately does not serve its purpose. Most alarming, is that this information, although unsound, is less likely to be questioned, and even result in reinforced poor management practices. Millions of animals of thousands of species and types that transit pet sellers are likely to be affected by the possible adoption of the MCPVL, and as already indicated, harm in any one part of a chain probably involves subsequent adverse impacts, that may continue into the home and beyond.

Conclusion

We regard the premises for the MCPVL to be important and timely, and the CIEH itself provides an appropriate and 'natural' medium in the UK for the dissemination of the guidance. It may, however, be noteworthy that of the approximately 20 organisations, and scientific and veterinary experts who worked to develop the guidance, 10 withdrew from the project. The MCPVL document is a lateral, and in some cases retrograde, rather than progressive move in pet animal husbandry that blurs weak standards rather than improves them. The

guidance is arguably an example of what occurs when consultations go wrong, science is ignored, and soft options are adopted. Whilst strong reviewer cautions have resulted in a considerable amount of very poor material being deleted since republication drafts (most notably regarding the reptile and amphibian, and public health sections), in our view the MCPVL remains unfit for purpose. That said, the document has certainly been improved by the extensive deletions. However, improving material by expunging much of its substance must be considered a guarded compliment.

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- Wildlife and Countryside Act (1981) <http://www.legislation.gov.uk/ukpga/1981/69>

ID	Q1 - Do you agree or disagree that the council should adopt conditions for pet shops	Q1a - Please use this space to add any comments in support of your answer.								
	1	Disagree	Understand from my involvement in animal welfare groups that the CIEH document has been met with much criticism, whereas EMODE published & in the public domain & has much scientific evidence in support.							
	2	Agree								
	3	Agree								
	4	Agree	Its about time pet shops became accountable to animal welfare as being paramount, instead of just profit & minimal regulations and stopped the trade in exotic animals							
	5	Agree								
	6	Agree								
	7	Agree								
	8	Agree								
	9	Agree	All exotic pets should be banned from future sale.							
	10	Agree								
	11	Don't know								
	Q2 - Do you agree or disagree that the EMODE leaflet should be given to potential purchasers of pets by pet shops?	Q2b - Please use this space to add any comments in support of your answer.								
	Agree	Please see my comments above. However do think step 1 table 1 is very confusing. How did the team reach MCH? Which table do you look at if from? Which colour is the one to watch? Why do dogs and cats float in the middle?	65		Male	gender - What gender are you?				gender identification
	Agree			Prefer not to say			Prefer not to say			Prefer not to say
	Agree	Yes but I think the table should be a little clearer to interpret	69		Female		Female			Yes
	Agree		57		Female		Female			Yes
	Agree		27		Female		Female			Yes
	Agree		25		Female		Female			Yes
	Agree		40		Male		Male			Yes
	Agree	The leaflet isn't very good, is it?	39		Female		Female			Yes
	Agree		59		Male		Male			Yes
	Agree		43		Female		Female			Yes
	Ethnic Origin	Other - please state - Other background (please give details)	sexual orientation - Which of the following best describes your sexual orientation?	sexual orientation - other - Other - please state:	religion / belief - What is your religion or belief?	religion other - Other - please state:	armed forces - Are you currently serving in the UK Armed Forces? (this includes reservists or part-time service, eg: Territorial Army)	armed forces - Are you a former member of the Home Office or a former member of the UK Armed Forces? (this includes reservists or part-time service, eg: Territorial Army)	armed forces - Are you a former member of the Home Office or a former member of the UK Armed Forces? (this includes reservists or part-time service, eg: Territorial Army)	armed forces - Are you a former member of the Home Office or a former member of the UK Armed Forces? (this includes reservists or part-time service, eg: Territorial Army)
	Asian & White		Gay man		Atheist		No	No	No	No
	Prefer not to say		Prefer not to say		Prefer not to say		No	No	No	No
	English/Welsh/Scottish/Northern Irish/British		Heterosexual / Straight		I have no particular religion		No	No	No	No
	English/Welsh/Scottish/Northern Irish/British		Heterosexual / Straight		I have no particular religion		No	No	No	No
	English/Welsh/Scottish/Northern Irish/British		Heterosexual / Straight		Atheist		No	No	No	No
	English/Welsh/Scottish/Northern Irish/British		Lesbian / Gay woman		Atheist		No	No	No	No
	English/Welsh/Scottish/Northern Irish/British		Gay man		Christian		No	No	No	No
	English/Welsh/Scottish/Northern Irish/British		Gay man		I have no particular religion		No	No	No	No
	English/Welsh/Scottish/Northern Irish/British		Heterosexual / Straight		Atheist		No	No	No	No
	Any other White background		Gay man		I have no particular religion		No	No	No	No
	English/Welsh/Scottish/Northern Irish/British		Lesbian / Gay woman		Christian		No	No	No	No
	Impairment - other - Other - please state:	carer - A carer provides unpaid support to family or friends who are ill, frail, disabled or have mental health or substance misuse problems.	carer for whom - if yes, do you care for a...?	carer for other - Other - please give details:	armed forces - Are you currently serving in the UK Armed Forces? (this includes reservists or part-time service, eg: Territorial Army)	armed forces - Are you currently serving in the UK Armed Forces? (this includes reservists or part-time service, eg: Territorial Army)	armed forces - Are you currently serving in the UK Armed Forces? (this includes reservists or part-time service, eg: Territorial Army)	armed forces - Are you currently serving in the UK Armed Forces? (this includes reservists or part-time service, eg: Territorial Army)	armed forces - Are you currently serving in the UK Armed Forces? (this includes reservists or part-time service, eg: Territorial Army)	armed forces - Are you currently serving in the UK Armed Forces? (this includes reservists or part-time service, eg: Territorial Army)
		No			No	No	No	No	No	No
		No			No	No	No	No	No	No
		No			No	No	No	No	No	No
		No			No	No	No	No	No	No
		No			No	No	No	No	No	No
		No			No	No	No	No	No	No
		No			No	No	No	No	No	No
		Yes	Parent				No	No	No	No
		Yes	Parent				No	No	No	No

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Volume 44 No 40

REVIEW BLASTS 'NAÏVE' AND 'SOFT' ANIMAL GUIDANCE

A GROUP of vets, biologists and scientists has slammed guidance intended to help update Britain's pet shops and local authorities on husbandry and sales practices, claiming it "unfit for purpose" and "naïve".

In a review for the *Journal of Animal Welfare, Science, Ethics and Law Veterinary Association*, BSAVA past-president Mike Jessop, biologist Clifford Warwick and Animal Protection Agency director Elaine Toland, among others, claim the Model Conditions for Pet Vending Licensing (MCPVL) document from the Chartered Institute of Environmental Health (CIEH) has an "absence of important basic information", worsened by some "questionable or misleading content".

They also claim an emphasis on pet trade-led information is "naïve and potentially harmful", which "may result in animal husbandry conditions that could contravene UK law".

The group said problems exist throughout the document, which was consulted on with organisations including the BVA, RSPCA, Defra, Dogs Trust, the Pet Industry Federation, the Reptile and Exotic Pet Trade Association and International Cat Care.

The review says: "The front cover depicts a hamster resting on a plain wooden cage furnishing, while the text itself states wood should not be used in hamster cages."

The reviewers also felt quality of advice was lacking in some species.

"We found certain contributions, for example dogs and cats, to be relatively well prepared. In contrast, other small

report by

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mammals, birds, reptiles and amphibians and fish, for example, to be poor. In our view... a significant amount of the material for these sections has been produced by parties with trade-vested interests rather than impartial and objective contributors."

The review criticised "extremely minimal" advice of "low instructional value" on public health, while some information, such as on primates and invertebrates, has been omitted completely.

The group regards the MCPVL as "important and timely", but also described it as a retrograde step. In addition, they noted 10 participants originally signed up to develop it had dropped out.

"The guidance is arguably an example of what occurs when consultations go wrong, science is ignored, and soft options adopted. While strong reviewer cautions resulted in a considerable amount of poor material being deleted since prepublication drafts, in our view the MCPVL remains unfit for purpose."

"However, improving material by expunging much of its substance must be considered a guarded compliment."

Mr Jessop believes the document "needs a rethink and to be properly constructed with wide consultation".

"The structure is therefore flawed and

would have been more useful to have followed a standardised protocol for each species section."

He said the CIEH should "rewrite the guidance relying more on what evidence is and is not known".

"It should be web-based for easy updating, it should have key points for easy access of data for inspection [and] it should be a resource for educating the trade in proper management of pets and not simply a means of passing an inspection," he said.

BVA president Robin Hargreaves said the association got involved as Defra had failed to repeal and replace the Pet Animals Act 1951 (the act requiring pet shops to be licensed) when the Animal Welfare Act was introduced in 2006. He said compromises were necessary to get buy-in from a range of stakeholders.

"BVA believes it would be useful to get feedback from local authorities on how the conditions are working in practice," he told *Veterinary Times*.

Citing the MCPVL as an "interim" measure until updated regulations can be introduced, Mr Hargreaves said the MCPVL is an "important tool" for local authorities when inspecting pet shops.

The CIEH rejected the criticism. Chief executive Graham Jukes said: "Having considered the information presented to us, the guidance represents good practice in the field and is designed to assist those who set licence conditions in such premises," he said.

Visit <http://bit.ly/1vk8DU6> to read the review, or visit <http://bit.ly/1u1Ss2c> to read the MCPVL.



CPD for overseas vets

MORE than 50 overseas veterinary graduates either working or considering working in the UK attended a free day of CPD.

The event – jointly organised by the RCVS, the BVA and the Veterinary Defence Society (VDS) – aimed to give overseas graduates an introduction to life as a practising vet in the UK, and was attended by surgeons from countries including Iran, Mexico, Nigeria and Norway.

The college said it wanted to advance communication skills and reduce the risk of overseas veterinary surgeons having concerns raised against them. Speakers from all three organisations were on hand to provide information in areas such as developing skills and knowledge, finding the right job, employment rights and the support on offer if a concern is raised.

Luis Sainz-Pardo, managing director of VetAbroad, which provides coaching and consultancy to prepare non-UK vets for working in the UK, gave one of the talks. Speaking about his experiences working in the UK, he gave advice on client and colleague relationships and how to fit in with the UK regulatory environment and practice life.

There was also a paid-for master class in communication skills from the VDS. This featured role play from professional actors to illustrate how vets can effectively communicate during everyday working life.

RCVS director of communications Lizzie Lockett said: "With overseas graduates making up such a key part of the UK veterinary workforce, it's essential we give them support, and delegate feedback suggests this has been a useful event."

More superb courses from the RVC



Webinar Plus: Soft tissue surgery principles

Monday 3rd November - Sunday 30th November

This four week online course is for vets who wish to review, consolidate and update their knowledge of surgical principles and techniques. It will also be good preparation for anyone working on the CertAVP B-SAP.1 module.

Managing osteoarthritis - a practical approach

Wednesday 5th November

The aim of this course is to enhance management of osteoarthritis in the 21st century.

Feline orthopaedics

Thursday 13th November and Friday 14th November

This lecture and practical course aims to increase awareness of specific feline orthopaedic diseases and how to manage them.

For full course details about these and our other courses see www.rvc.ac.uk/cpd

RVC
Royal
Veterinary
College
University of London

To register or for further information contact the RVC CPD Unit: Tel: +44(0) 1707 668865 or Email: cpd@rvc.ac.uk

Onsite courses are held at the RVC's Hawkshead Campus, Hawkshead Lane, North Mymms, Herts. AL9 7TA

Sharing passions, shaping futures

NEWS



3 Survey: farmers' approach to BVD

20 Healthy horse campaign

POINT OF VIEW

7 Taking a stand: Chanticleer on public's expectation of profession

FOCUS

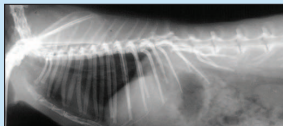
8 Cushing's disease: Advice on how to determine which form is present

CLINICAL

12 Obstruction: Oesophageal foreign bodies

PRACTICAL

22 Neurological care: Elisabetta Mancinelli looks at underlying conditions in rabbits



LETTERS

35 Readers' views: Slaughter welfare correspondence



**Comments on the Model Conditions for Pet Vending Licensing 2013
and EMODE for Brighton Council**

Comment on the Model Conditions for Pet Vending Licensing 2013

The Animal Protection Agency (APA) is a UK organisation committed to ceasing the trade in wildlife for pets.

The Pet Industry Federation refutes the APA's claim that the CIEH MLC for pet shop licensing is "unfit for purpose" and also refutes its claim that pet shops commonly lie about the origins of their livestock. This statement cannot be substantiated with factual evidence.

The Pet Industry Federation also contests the group's claim that the trade contributors on the Model Conditions for Pet Vending Licensing were unqualified.

The contributions to the drafting of the Model Conditions for Pet Vending Licensing from the Pet Industry Federation (formally the Pet Care Trade Association) were forwarded by a group of experts including vets, zoologists, and others with considerable experience in animal husbandry.

The 2013 revision of the Model Conditions for Pet Vending Licensing were developed and endorsed by a wide and wholly representative range of experts in animal health, husbandry and welfare, covering a plethora of taxa. It included representatives from the veterinary profession, animal charities and the pet industry.

The 2013 revision vastly surpasses the conditions published in 1992 and 1998 and exceeds the standards required in pet shops, as set out in the 1951 Pet Animals Act (the Act which pet shop licences are issued against).

The 2013 revision is based on robust data and evidence to enable local authority representatives to inspect and license pet retail establishments in a consistent way, and with the welfare of those animals at its core.

Comment on EMODE.

After consultation with some of our MRCVS qualified advisors, the Pet Industry Federation would **not** recommend that this document be handed out at point of sale.

Retailers selling pets have the responsibility, as detailed in the Model Conditions for Pet Vending Licensing, to provide written pet care information. We do not believe this leaflet provides the right kind of information for these purposes.

We further believe that insisting that this particular leaflet be handed out is in excess of the council's legal authority (*ultra-vires*).

Please see the attached statement with further views on the EMODE publication.

Bedford Business Centre 170 Mile Road Bedford MK42 9TW
T: 01234 273933 | F: 01234 273550 | E: info@petfederation.co.uk | www.petfederation.co.uk

The Pet Industry Federation is a company limited by guarantee, registered in England No 07252816. Registered office as above.



The Pet Industry Federation's Response to the *Pets: easy or difficult to keep (EMODE) publication*

The Pet Industry Federation welcomes any initiative which improves animal welfare but has concerns about the origin and validity of this document.

The concept of a traffic light system for establishing the complexity of keeping different types of animals is not new and in theory could be a useful tool for the pet trade and potential owner alike. However, the system is flawed as it is too rigid to be useful in a practical situation.

The Content

The ability to keep and ultimately the commitment to sustaining responsible ownership is broader than scoring against a set of six questions.

There is no allowance in this document for the potential owners' resources, knowledge and experience of keeping animals or a certain type of animal, which has to be crucial to the welfare of the animal. If an owner or keeper has the relevant knowledge and experience then the pet is neither unsuitable or difficult to keep.

There is little consideration for the ability and commitment of the potential owner, apart from question six which could be seen as discriminatory.

"The Companion Animal Welfare Council (CAWC), set up to conduct independent studies into the welfare, care and treatment of companion animals and their role within society found that... "it may be easier to keep some non-domesticated species to high welfare standards than some that are domesticated. Thus, meeting all the requirements - space, dietary, social, thermal, and so on - of a small, hardy, reptile may be more readily achievable for many people than adequately fulfilling all the needs of some breeds of dog" (CAWC, 2003).

The EMODE scoring system seems irrational; for instance the whole taxa of reptiles and amphibians are scored 18 which predetermines that this taxa are difficult to keep. Certainly some taxa in this group do have specific needs which may be difficult for a novice owner to fulfil, but others such as a Bearded Dragon and Corn Snake can be fairly easily kept with all their welfare needs catered for.

The converse of this, is all dogs are scored five which assumes all dogs are easy to keep. This is true, on the whole. However, there are some breeds of dogs that have special requirements in terms of exercise, mental stimulation and coat care. The same can be said of certain breeds of cat which need extra stimulation or grooming.

The Authors

The document has been written by a set of individuals, some of whom have strong views on keeping certain taxa of animals. We understand that the document has had no input from stakeholder groups, or specialist societies or groups, nor has it been peer reviewed.

We would also question whether this method of scoring 'difficulty' is a sound and unbiased way of determining the 'difficulty' or 'suitability' of a pet .

Sale of Pets in Pet Shops

All pet shops are licensed by their local authority and are 'inspected' daily by the pet owning public. Under the Animal Welfare Act (s) husbandry advice must be given at the point of sale, and the Model Licence Conditions reinforce this by stipulating written instructions must be given in the form of a care sheet. (CIEH Model Conditions for Pet Vending Licensing 2013 14.1)

The Model Conditions for Pet Vending Licensing also stipulate that one person at the pet shop must hold the City & Guilds qualification in Pet Store Management (or equivalent), a qualification which is equivalent to the RCVS Veterinary Nursing qualification.

The criteria also stipulate that staff members must be able to provide suitable advice to purchasers and answer questions as required by them (14.3) and that the licensee must be able to demonstrate appropriate staff training is carried out and that that staff are competent in pet shop management and animal handling. (14.4)

Pet shop staff are trained and well placed to guide owners to choose a pet which suits them and their lifestyle. An emphasis on educating the public on responsible pet ownership is far more conducive to animal welfare than using an inflexible and, in this instance, a biased list of questions.

Subject:	BHCC Cleaner Taxis Project national pilot		
Date of Meeting:	November 2014		
Report of:	Licensing Committee		
Contact Officer:	Name:	Tim Nichols/Sam Rouse	Tel: 29-2256
	Email:	tim.Nichols@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

Informative shared with the press office and Brighton's latest TV

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 Report on 2014 successful bid to Department of Transport's (DfT) Clean Vehicle Transport Scheme

2. RECOMMENDATIONS:

- 2.1 That the report is noted

3. CONTEXT/ BACKGROUND INFORMATION

Brighton & Hove City Council has been successfully awarded £195,000 for the retrofit of up to thirty larger taxis or minibuses with compact Selective Catalytic Reduction (SCR) Technology (200mm and smaller). The award follows similar funds awarded for the retrofit of older buses in 2013. The technology prioritises reduction of emissions of oxides of nitrogen in and around the cities' air quality management area, on school runs and for taxis that provide assisted transport for the disabled and elderly. Sensors on the tail-pipe of selected vehicles will monitor for exhaust temperature and emissions of oxides of nitrogen gas. SCR is fitted in the vehicles exhaust pipe and works in the following way:

- Selective Catalytic Reduction (SCR) is an engine after treatment fitted to a vehicle's exhaust pipe
- It has been tried and tested on buses and trucks, and is now being adapted for medium sized vehicles like minibuses
- Ad Blue mix (urea and water from a tank) is injected to the exhaust before gases pass through the SCR unit
- When Ad Blue mix is hot the water evaporates and the urea breaks into gaseous ammonia
- The ammonia gas reacts with the vanadium catalyst (SCR) to destroy oxides of nitrogen (NOx)

- NO_x is made up of nitric oxide (NO) and nitrogen dioxide (NO₂)
- Ammonia is prevented from passing to the atmosphere
- The on board computer adjusts the dose of ad-blue mix and monitors exhaust temperature and NO_x emissions
- System performance displays on windows friendly graphics and car dash lights

Temperature probes have already been fitted to wheel chair accessible vehicles such as Ford's and Peugeot taxi to assess suitability for SCR in conjunction with existing silencers and diesel particulate traps. The project is funded by DfT's Clean Vehicle Transport Fund (CVTF) and is scheduled to run from October 2014 through to mid-2015. The project is also considering automatic engine shut-off technology for taxis waiting for passengers in order to avoid engine idling emissions and nuisance.

Informative

- Next to slow moving transport corridors NO₂ is consistently the most plentiful pollutant in local air
- Studies have found that both day-to-day variations and long-term exposure to NO₂ are associated with mortality and morbidity (Quoted Defra webpages)
- Adjacent to urban roadsides people can be exposed to a mixture of pollutants in the gaseous and particulate form
- Where people are repeatedly exposed to air pollution the impact on respiratory and cardiovascular health can have some similarities to primary or secondary smoking
- Smoking prevalence is 23% in Brighton & Hove and 2 to 3% of the city's population (6,000 to 9,000) are exposed to air pollution on a day to day basis
- Inhalation dose and exposures vary depending on residential location, housing quality, the amount of time spent close to traffic and personal activity levels
- People with sedentary lifestyles are most vulnerable to the health effects of airborne pollutants
- Like many towns and cities Brighton has an Air Quality Management Area for NO₂, therefore as a health benefit city policy is to prioritise reduction of NO₂

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 Alternative technologies considered include; regenerative braking or flywheel, compressed natural gas (CNG methane stored at high pressure) and Liquefied Petroleum Gas (LPG propane). Compared with diesel CNG has much lower gas emission that effect local air quality and climate change. That said the autogas fuels require additional infrastructure to make any significant market penetration. Brighton's Taxi drivers have tried and tested gas fuel in the past and are not convinced on its durability after 130,000 miles. Diesel cabs can be required to cover 250,000 miles. Biofuels have been used, but there is a risk these will invalidate the vehicle warrantee. In addition to Selective Catalytic Reduction (SCR) in 2014 application was made to DfT for funding to fit regenerative braking to taxis. DfT preferred the SCR options and have funded this as a project. Regenerative braking is a renewable technology that scores highly on fuel and CO₂ savings, On this occasion SCR was selected ahead of this to target NO_x reduction and local air quality improvement.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 Brief outline sent to the BHCC's media team

Media coverage can be found at:

<http://thelatest.co.uk/brighton/2014/10/10/brighton-taxis-go-green/>

6. CONCLUSION

- 6.1 Action to maximise opportunities for air quality improvement and make a stronger case for cities new air quality improvement and make a stronger case for the cities new air quality action plan (2015) to maximise funding opportunities for air quality improvement and make a stronger case for the cities new air quality action plan (2015).

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

Income for this project in current financial year £195,000

- 7.1 The costs associated to the Cleaner Taxis project will be funded by the DfT Clean Vehicle Technology Fund of which £0.195m has been awarded to the council. Associated costs in supporting the contract, largely officer time, will be funded from the existing revenue budget within the Public Protection service.

Finance Officer Consulted: Name Steve Bedford

Date: 23/10/14

Legal Implications:

- 7.2 There are no direct legal implications. 'The council's use of the Department for Transport funding as set out in this report is subject to the terms of a Memorandum of Understanding which has been signed by both parties and is dated 8th October 2014.'

Lawyer Consulted:

Rebecca Sidell Date: November-2014

Equalities Implications:

- 7.3 Low grade housing at roadside locations with poor fenestration and unmanaged ventilation are more likely to suffer ingress of airborne pollutants. Deprived populations are more vulnerable to poor air quality due to aggravating factors such as; poor diet, smoking, lack of exercise and other determinants of health inequalities. The said in some places high rents can accompany areas of traffic & concentrated economic activity so that a mixed cross section of society is actually affected.

Sustainability Implications:

- 7.4 The project is likely to be neutral for carbon as it does not prioritise fuel savings. However automatic engine cut-off technology as part of this project could avoid; fuel consumption, CO₂ release, oxides of nitrogen and noise from idling taxis.

Any Other Significant Implications:

None.

SUPPORTING DOCUMENTATION

Appendices:

Presentation on compact SCR for taxis from Green Urban Technologies Ltd

Documents in Members' Rooms

1. Autumn 2014 Presentation to members on Air Quality

Background Documents

2. 2014 Air Quality Progress Report <http://www.brighton-hove.gov.uk/content/environment/air-quality-and-pollution/air-quality-management-city> and related information

Crime & Disorder Implications:

None

Risk and Opportunity Management Implications:

None

Public Health Implications:

Project agenda is public health see above

Corporate / Citywide Implications:

Air quality Action Plan, Taxis Licencing Policy, Annoyance - nuisance

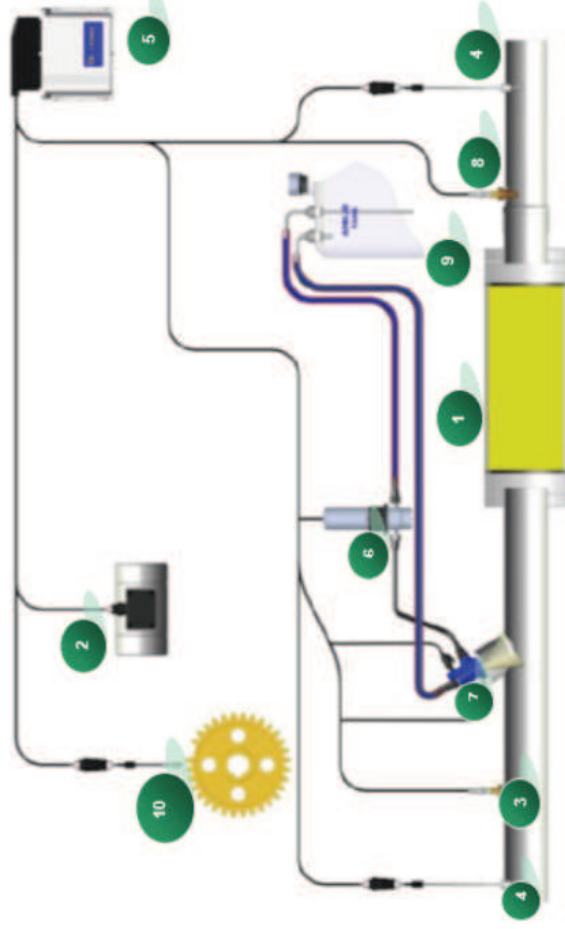
DfT - CLEAN VEHICLE TECHNOLOGY FUNDING – FITTING SCR TECHNOLOGY TO MINIBUS TAXIS

The “Clean Vehicle Technology Funding” program now supports retrofitting of “SCR” Technology for smaller vehicles such as “MiniBus Taxis” to reduce NOx in Air Quality Management Areas

Information on SCR Technology proposed by GreenUrban:

- 1 SCR catalyst
- 2 MAP signal
- 3 NO_x engine out
- 4 Exhaust temperature
- 5 ECU
- 6 AdBlue pressure pump
- 7 Airless injector module with integrated pressure sensor
- 8 NO_x out
- 9 AdBlue tank
- 10 RPM

Schematic of retrofit SCR System



Proposed vehicles:



Ford Transit MiniBus Taxis



Peugeot E7 MiniBus Taxis



VW Caravelle MiniBus Taxis

INSTALLATION OF THE SCR TECHNOLOGY

1. SCR catalyst located in the exhaust

The SCR catalyst is used for exhaust system configurations when there is no DPF present or where the catalyst is placed downstream of a DPF.

The SCR catalyst features:

- excellent activity at low as well as high temperature operation
- unmatched longevity
- high sulphur tolerance (> to 3000 ppm)
- high thermal and mechanical shock resistance

2. Installation AdBlue Tank, Pump, Injection Nozzle & Sensors

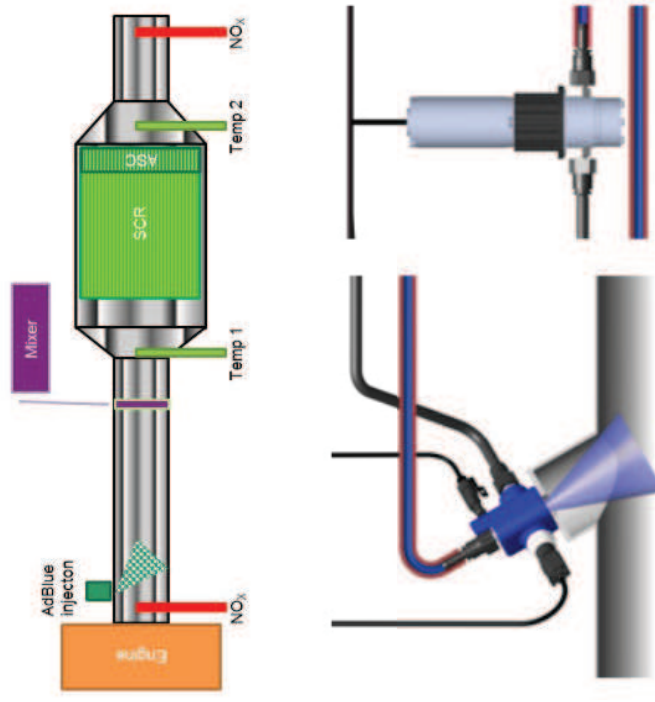
AdBlue is stored in an on-board tank which is pumped to the injection nozzle where it is injected into the exhaust upstream of the SCR Catalyst. AdBlue is a mixture of 32% urea + 68% water. When injected into the exhaust the water is evaporated and the urea decomposes into a gaseous ammonia at temperatures above 200C. The ammonia gas reacts across the SCR Catalysts to reduce the NOx back to harmless Nitrogen (N2) and water vapour.

When calibrating the SCR Dosing system to achieve higher NOx reductions than 70% an ammonia slip coating (ASC) is used on the rear face of the SCR Catalyst to prevent any ammonia from passing through to the atmosphere

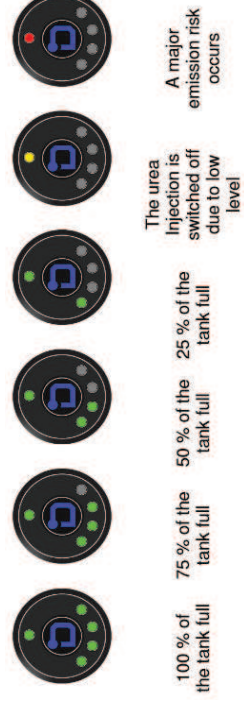
Sensors are used to measure engine speed, load, exhaust gas temperature and engine out / tailpipe NOx levels which is feed back to the Electronic Control Unit (ECU).

The ECU which has an in-built map which adjusts the dosing rate of the adblue according to temperature, exhaust flow rate etc to obtain the optimum levels of NOx reductions possible.

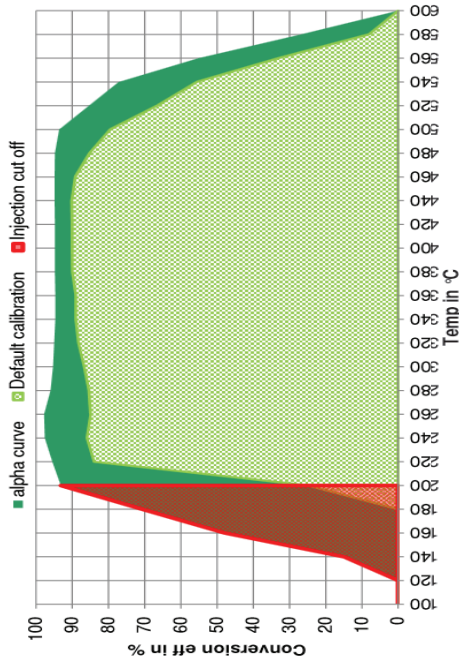
The ECU which comes with a windows friendly interface and dashboard display to alert the driver of adblue levels, continually monitors and logs the SCR performance and any errors and also allows for "Real-Time" reporting of the system performance.



The airless urea injector and urea pump



SCR System Performance



NOx reductions achievable

The graph left shows:

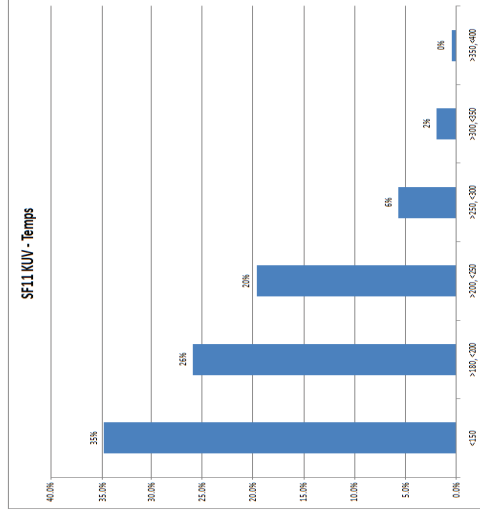
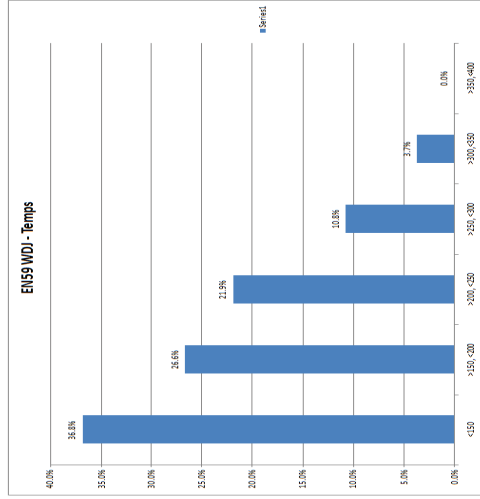
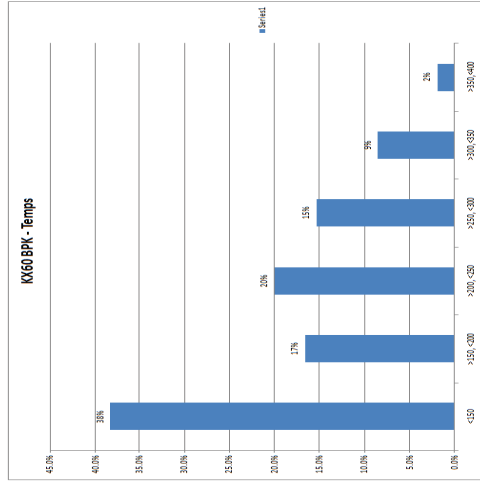
1. The "Alpha Curve" which represents maximum achievable NOx reductions plotted against temperature (in excess of 90% above 200C)
2. The default calibration in-built into the ECU which will provide -80% to -85% NOx reductions above 220C (can be reset by installer).
3. Injection cut-off point set at 200C to avoid crystallisation of the urea (crystallisation can occur at temperatures below 180C)

Result of reducing NOx -85% when fitted to different Euro Standards of engines

Euro 3 (MY 2000>) 0.50g/km to 0.075g/km (almost Euro 6)
 Euro 4 (MY 2005>) 0.25g/km to 0.037g/km (far beyond Euro 6)
 Euro 5a (MY 2009>) 0.18g/km to 0.027g/km (far beyond Euro 6)

Stage	Date	g/km						PN #/km
		CO	HC	HC+NOx	NOx	PM	PN	
Compression Ignition (Diesel)								
Euro 1†	1992.07	2.72 (3.16)	-	0.97 (1.13)	-	0.14 (0.18)	-	-
Euro 2, IDI	1996.01	1.0	-	0.7	-	0.08	-	-
Euro 2, DI	1996.01 ^a	1.0	-	0.9	-	0.10	-	-
Euro 3	2000.01	0.64	-	0.56	0.50	0.05	-	-
Euro 4	2005.01	0.50	-	0.30	0.25	0.025	-	-
Euro 5a	2009.09 ^b	0.50	-	0.23	0.18	0.005 ^f	-	-
Euro 5b	2011.09 ^c	0.50	-	0.23	0.18	0.005 ^f	6.0×10 ¹¹	-
Euro 6	2014.09	0.50	-	0.17	0.08	0.005 ^f	6.0×10 ¹¹	-

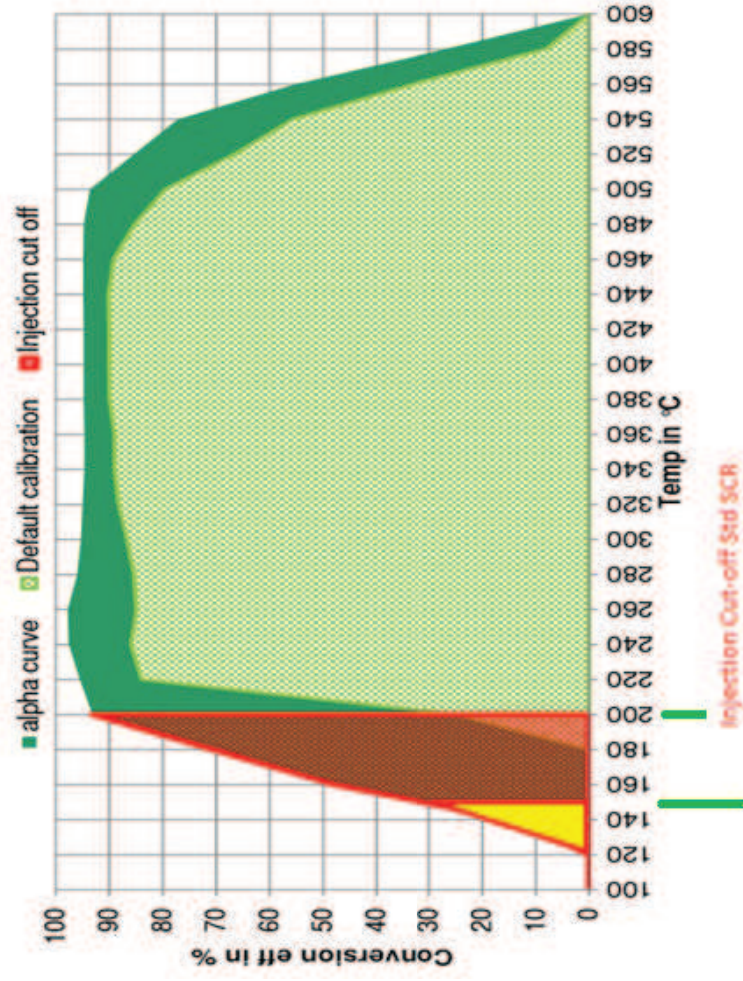
3 x Mini Buses Datalogged in Brighton over 2 weeks



	Total Duty Cycle		
	<150C	150-200C	>200C
KX60	38%	17%	45%
KX59	37%	27%	36%
SF11	35%	26%	39%

- Across the entire duty cycle over a 10 day period temperatures were only above 200C for 36-45% of the time because of amount of idling
- Reducing “Idling Time” improves fuel consumption but does not improve exhaust temperatures
- Recommendation is to add “Ammonia (NH3) Generator to improve NOx reductions

Using Ammonia Generator and Anti-Idling to improve SCR System Performance



- Injection “Cut-off” point for Standard SCR System for Injection of Adblue (Urea) = 200C
- Can achieve -85% NOx reductions above 200C
- Using NH3 Generator to turn Adblue (Urea) into an Ammonia Gas prior to injection means Injection Point can be lowered to 150C without any crystallisation taking place
- Can achieve -85% NOx reduction at 150C
- Can achieve -98% NOx reduction at 200C

Result is using the Ammonia Generator will improve NOx reductions across the whole Duty Cycle from 30-38% to around -60% across the whole duty cycle (-98% above 200C) without fitting an anti-idling device

NOx emission can be reduced further by also installing an “Anti-Idling Device” to cut the engine after it has idled for 3-4 minutes will means Zero NOx emissions while the engine is off . . . and fuel/CO2 emissions reductions (improving carbon footprint)

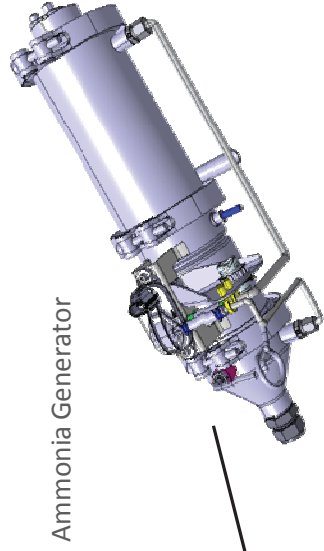
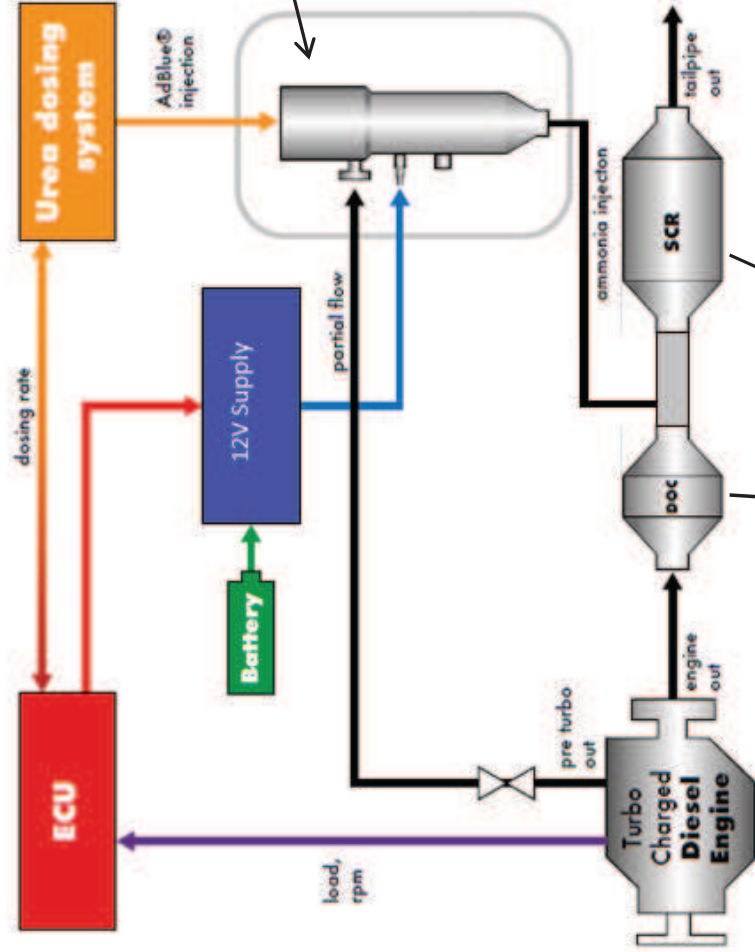
Injection Cut-off with NH3 Generator

Total Duty Cycle	
<150C	38%
150-200C	17%
>200C	45%
KX60	37%
KX59	27%
SF11	26%
	39%

Std SCR	
NOx -85%	>200C
	38.25%
	30.60%
	33.15%

SCR +NH3 Gen		
NOx -85%	NOx -98%	Total Nox Red
150-200C	>200C	>150C
14.45%	44.10%	58.55%
22.95%	35.28%	58.23%
22.10%	38.22%	60.32%

How the Ammonia Generator system works

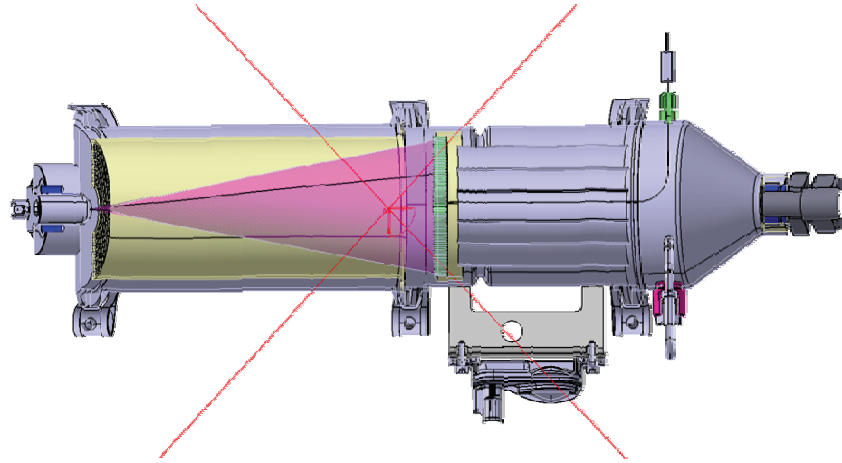


Ammonia Generator

1. CO/HC/PM is reduced by oxidation process within passive DOC System
2. Adblue (68% water-32%urea) is injected into the Ammonia (NH3) Generator rather than directly into the exhaust where it is converted into a gaseous ammonia outside of the exhaust stream for direct dosing of ammonia gas
3. The water content of the Adblue is evaporated in the first part of the ammonia generator using heat from a pre-turbo partial flow pipe leaving just urea which gets converted to ammonia gas when passed across a hydrolysis catalyst in the second part of the generator
4. A small heater is used periodically to maintain the temperature within the ammonia generator
5. The ammonia gas is then injected into the exhaust where it mixes with the exhaust gas
6. The ammonia gas then passes over the SCR Catalysts which reacts to reduce NOx (NO/NO2)

How the Ammonia Generator system works

Ammonia Generator



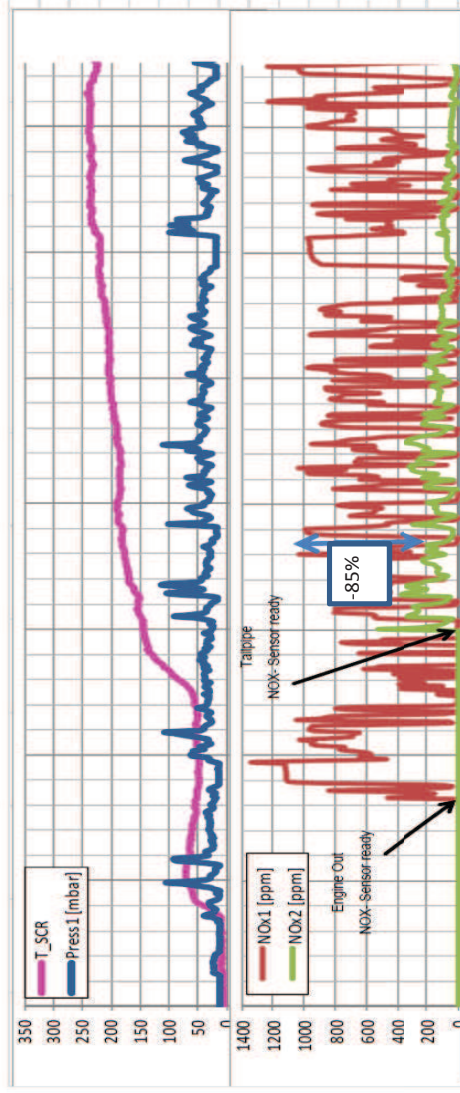
Ammonia Gas injected into exhaust

Adblue Injected into Ammonia Generator

Water content evaporates in Spray zone with Heat from Pre-Turbo leaving Urea

Urea decomposed to Ammonia Gas across Hydrolysis Catalyst

Small 12 v heater used for milliseconds to keep up temperature



In-Field Test results on Buses in Manchester show -85% NOx reductions as low as 150C – ideal for “Cold Start “ conditions

Engine Idle Cut-Out Device

Engine Idle Cut-Out Device

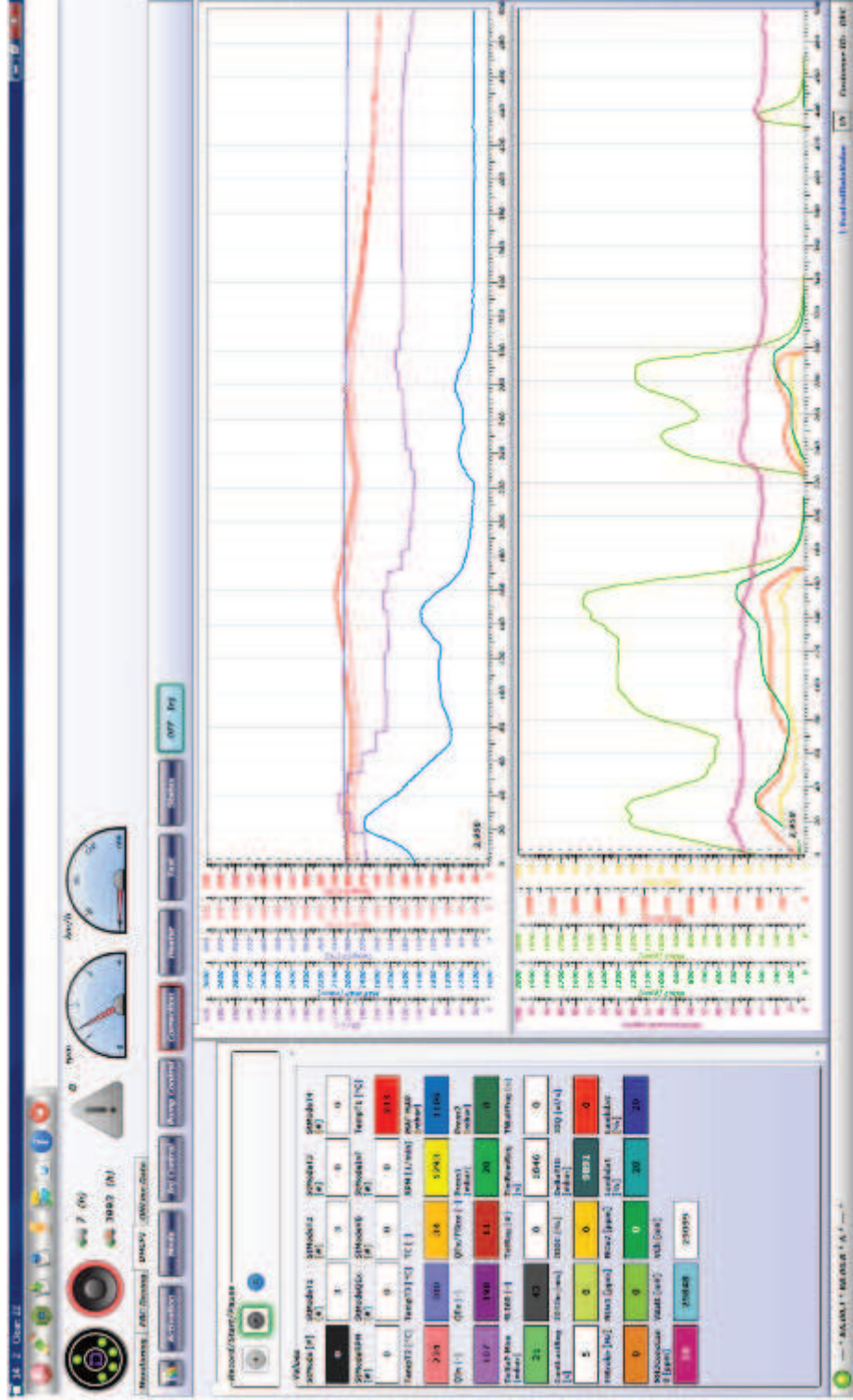
The Idle Cut-Out Device is linked to the engine and is activated automatically under certain conditions.

For example when the vehicle has been idling for more than a minute “if the driver has applied the handbrake” the Cut-Out Device will shut down the engine.

The System has a number of built-in safety functions:

1. Timings can be set from a minute to several minutes
2. If the battery voltage is low or if an attempt to start the engine has failed, the system is deactivated.
3. To avoid cold starts and also overheating, the system only operates at coolant temperatures of between 40°C and 100°C.
4. The comfort of the vehicle’s occupants is also taken into account: when the outside temperature is below freezing point, the system is de-activated.

Windows Friendly - Real-Time - Emissions Performance



Pricing and Installation Schedule

Price of Standard SCR System originally ordered: £6500 per system plus vat

For £195k funding from DfT this equates to 30 systems

Price of SCR System with Ammonia Generator plus anti-Idling device: £9750 per system plus vat

For £195K funding from DfT this equates to 20 systems

Fleet Monitoring (Pre-Order – October 2014):

- Analyse Fleet and fit thermocouples and data loggers to representative vehicles - Carry out temperature data logging (2-3 weeks)

Installation if Order Placement by end November 2014:

System Engineering & Sign-Off

Carry out Packaging Study, manufacture first prototypes including NOx data measurement system. Monitor prototypes and obtain sign off of installation (4-6 weeks) . . End December 2014

Fleet Roll Out

- Locate Garage for installation of the systems
- Install at rate of 3-4 systems per week dependent on vehicle availability (8-10 weeks for all vehicles) Jan/Feb 2015 – latest March 2015

On-going customer support

- Bi-Monthly project status and NOx reduction monitoring will be provided for 6 months

On-going maintenance

- Annual routine checks and cleaning of catalysts if required can be offered at rate of £95 per system
- Full Repair and Maintenance Packages can be offered if required
- System comes with 1 year warranty as standard

LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)

Agenda Item 19

Brighton & Hove City Council

Subject:	Non Payment of Fares Notice		
Date of Meeting:	20 November 2014		
Report of:	Director of Public Health		
Contact Officer:	Name:	Martin Seymour	Tel: 29-2550
	Email:	martin.seymour@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To approve wording for a notice for use in Hackney Carriage and Private Hire Vehicles to help prevent non-payment of taxi fares.

2. RECOMMENDATIONS:

- 2.1 That Committee approve notice wording set out in paragraph 3.4 and use of council logo in any notice produced.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Members of the trade have requested the use of a notice to include Sussex Police and Council Logos in vehicles to help prevent the deliberate non-payment of fares by some customers and raise awareness that non-payment is a criminal offence. The trade have been working with Sussex Police on the wording of a notice and now wish that the agreed wording is approved by Committee for use in Hackney Carriage and Private Hire vehicles to raise awareness that non-payment can be a criminal offence.
- 3.2 Where a person dishonestly obtains services (e.g. hiring of a taxi) by deception or knows that payment on the spot for a service done is required but dishonestly makes off without paying intending never to pay are offences under the Theft Act 1978 s 3 and Fraud Act 2006 s11.
- 3.3 Where there is no intent not to pay or a dispute over the service provided an offence is not committed but any outstanding monies may be recovered through the civil Courts.
- 3.4 The wording agreed by the Trade and Sussex Police is
- 3.5 "Before hiring this vehicle:

- Please ensure you have the means to pay. Deliberate failure to make payments before leaving this vehicle is a Criminal Offence”.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

None

5. COMMUNITY ENGAGEMENT AND CONSULTATION

This matter has been discussed at the council’s hackney carriage and private hire consultation forum where all members of that forum are free to express their opinions. The forum members have delegated negotiations to selected representatives. Members of the forum are supportive of the wording of the notice.

6. CONCLUSION

That members note the report.

7. FINANCIAL & OTHER IMPLICATIONS:

7.1 Financial Implications:

There are no direct financial implications associated with the recommendation in this report other than for the cost of officer time. The costs associated to taxi licensing and enforcement is met from the existing Taxi Licensing revenue budget which is funded by licencing fees in accordance with relevant regulation.

Finance Officer Consulted: Steven Bedford Date: 16/10/14

7.2 Legal Implications:

Lawyer Rebecca Sidell Date:

7.3 Equalities Implications:

None

7.4 Sustainability Implications:

None

7.5 Any Other Significant Implications:

None

SUPPORTING DOCUMENTATION

Appendices A:

None

LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)

Agenda Item 20

Brighton & Hove City Council

Subject:	Hackney Carriage Waiting List Conditions		
Date of Meeting:	20 November 2014		
Report of:	Director of Public Health		
Contact Officer:	Name:	Martin Seymour	Tel: 29-2550
	Email:	martin.seymour@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To remove some restrictions that currently apply to applicants on the hackney carriage waiting list.

2. RECOMMENDATIONS:

- 2.1 That members approve the proposed amended conditions for entry on the Hackney Carriage Waiting List. (Appendix A)

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Council operates a restricted numbers policy for hackney carriage vehicles with a managed growth of 5 additional plates issued on an annual basis in May. Any additional licences issued are issued in accordance with the conditions attached to the Brighton & Hove City Council Hackney Carriage Vehicle Licence Waiting List.
- 3.2 It is proposed to remove the conditions of entry on to the Hackney Carriage Waiting list that require an applicant to:
- (a) reside within 5 miles of the Council boundary
 - (b) have held a Brighton and Hove hackney carriage driver licence or a Brighton & Hove private hire driver licence for at least 12 months immediately prior to the date of application
 - (c) and be working full time in the hackney carriage or private hire trade based in Brighton and Hove at the time of application
- 3.3 Currently additional plates are offered to applicants on the waiting list in order of priority determined by the number of credit points (years) on which the applicant has applied to be included on the list. Currently where two or more applicants have the same number of credit points they are offered to drivers in order of priority by the date of issue of their first hackney carriage or private hire driver licence and applicants living in Brighton & Hove.

It is now proposed that where there is two or more applicants who have the same number of credit points (years), a ballot (as decided by the council) will be held in order to rank them in order of priority.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

The alternative is to continue with current conditions of entry

5. COMMUNITY ENGAGEMENT AND CONSULTATION

This matter has been discussed at the council's hackney carriage and private hire consultation forum where all members of that forum are free to express their opinions. Forum members are supportive of the proposed changes.

6. CONCLUSION

- 6.1 That members approve the proposed conditions of entry to the Hackney Carriage Waiting List. The trade view was that hackney carriage vehicle licences should be limited to existing licensed drivers, showing commitment to the local industry, but that previous holders should be precluded. Council records are not retained for over six years so a declaration would be required of successful applicants confirming they are not erstwhile hackney carriage vehicle licences holders.

7. FINANCIAL & OTHER IMPLICATIONS:

7.1 Financial Implications:

The costs associated to taxi licensing and enforcement is met from the existing Taxi Licensing revenue budget which is funded by licencing fees in accordance with relevant regulation. Taxi licence fees are approved annually by Licencing Committee.

Finance Officer Consulted: Steven Bedford

Date: 16/10/14

7.2 Legal Implications:

It is appropriate to operate a waiting list to manage the grant of licences within a restricted numbers policy. Conditions for entry onto the waiting list are in the Council's reasonable discretion.

Lawyer Consulted: Name Rebecca Sidell

Date: 17/10/2014

7.3 Equalities Implications:

There are no direct implications but monitoring is undertaken to ensure that the waiting list is maintained and operated in a fair and transparent way as recommended by the Equality and Human Rights Commission.

7.4 Sustainability Implications:

None

7.5 Any Other Significant Implications:

None

SUPPORTING DOCUMENTATION

Appendices A:

Proposed Conditions of Entry

Appendices B:

Current Conditions of Entry

Conditions of Entry on to the Hackney Carriage Vehicle Licence Waiting List – (Proposed 2014)

As from 1 April 2002, the previously maintained separate hackney carriage vehicle licence waiting lists for category B (Brighton) and for category H (Hove) hackney carriage vehicle licences will be combined into one list, based on the annual credits earned by each person on those lists, and that combined list will be maintained henceforth;

1. To be eligible to apply for inclusion on the hackney carriage vehicle licence waiting list an applicant will have to fulfil the following requirements:
 - a. hold a current Brighton and Hove hackney carriage or private hire driver licence:
 - b. not be the proprietor or part proprietor of a licensed hackney carriage vehicle in Brighton and Hove or have been a proprietor or part proprietor of a licensed hackney carriage vehicle in Brighton & Hove:
2. Applicants whose licences are temporarily suspended due to illness or have renewal applications pending due to illness may apply.
3. The waiting list will be maintained on an annual basis and the effective year of a list shall be from 1st May to the 30th April following. Applications to be included on that year's list must be made 1st March to the 31st March proceeding, online via the Council's website;
4. A fresh application will be required each year. The Council will accept applications received after this date only in the most exceptional extenuating circumstances;
5. On receipt of a valid application the applicant's name will be entered onto the waiting list;
6. A draft list of all applicants will be published in April annually and objections to the accuracy of the information contained in the list must be made in writing to the Head of Regulatory Services and give all available details;
7. It will be the responsibility of each applicant to check that his/her name is included on the list and where a claim for full time working has been made that this is also noted;
8. No credit will be given in the year claimed unless the relevant licence to drive has been held for the full period claimed
9. When a hackney carriage vehicle licence is made available it will be allocated to a person named on the effective waiting list and will normally be offered to applicants on the waiting list in order of priority, such priority to be determined by reference to the number of years on which the applicants name has been on the list. This will be subject to compliance with the following conditions:
 - a. the applicant must hold a current Brighton & Hove hackney carriage or private hire driver licence.

- b. a hackney carriage vehicle licence will not be issued to a person who currently is the proprietor or part proprietor of a licensed hackney carriage in Brighton and Hove
 - c. the taxi licensing office must be satisfied that the applicant is financially able to provide and operate a hackney carriage vehicle
 - d. the applicant must be a fit and proper person to operate a hackney carriage vehicle. Past record and previous convictions will be taken into account
 - e. where two or more applicants have the same number of credit points (years), a ballot (as decided by the council) will be held in order to rank them in order of priority.
10. When making application all applicants will be required to disclose previous convictions.

Conditions of Entry on to the Hackney Carriage Vehicle Licence Waiting List

1 As from 1 April 2002, the previously maintained separate hackney carriage vehicle licence waiting lists for category B (Brighton) and for category H (Hove) hackney carriage vehicle licences will be combined into one list, based on the annual credits earned by each person on those lists, and that combined list will be maintained henceforth;

2 a) Subject to condition 2 (b) below the following conditions will apply to every application made in respect of an application to be placed on the waiting list for a hackney carriage vehicle licence. All previous related arrangements will then cease to operate;

b) in these conditions "Carer" means a person who is engaged on a full time basis in the care of his or her children or dependant relative and not engaged in any other employment or business part time except as a part time hackney carriage or private hire vehicle driver. Where any exemption is granted in respect of Carers under the following, such exemption shall operate only for a maximum of two years;

3 To be eligible to apply for inclusion on the hackney carriage vehicle licence waiting list an applicant will have to fulfil the following requirements:

a) reside within 5 miles of the Council boundary,

b) have held a Brighton and Hove hackney carriage driver licence or a Brighton & Hove private hire driver licence for at least 12 months immediately prior to the date of application,

c) be working full time in the hackney carriage or private hire trade based in Brighton and Hove at the time of application,

d) not to be or have been the proprietor or part proprietor of a licensed hackney carriage vehicle in Brighton, Hove or elsewhere;

4 The waiting list will be maintained on an annual basis and the effective year of a list shall be from 1st May to the 30th April following;

5 Applications on forms supplied for inclusion on the hackney carriage vehicle licence waiting list for the next ensuing effective year must be delivered to the hackney carriage office by 31st March preceding. A fresh application will be required each year. The Council will accept applications received after this date only in the most exceptional extenuating circumstances;

6 On receipt of a valid application the applicant's name will be entered onto the waiting list;

7 Application forms shall contain a certificate to be completed by drivers claiming to have driven Brighton and Hove licensed hackney carriage vehicles or Brighton & Hove licensed private hire vehicles on a full time basis and not to have been engaged in any other business or employment in the preceding drivers' licensing year. Those applicants claiming Carers exemption should complete the appropriate section and supply a certificate from their doctor or

social security department. To be valid these certificates must be delivered to the hackney carriage office on or between 1st and 31st March at the end of the year claimed. The certificate must be accompanied by the expired licence to drive hackney carriages or private hire vehicles issued to the applicant for the year claimed;

8 A list of all applicants will be published in April annually with a record of each applicant's full time driving record. Objections to the accuracy of the information contained in the list must be made in writing to the Director of Environment and give all available details;

9 It will be the responsibility of each applicant to check that his/her name is included on the list and where a claim for full time working has been made that this is also noted;

10 No note will be taken of any claim to have worked full time in earlier years unless this has been noted on previous council records maintained for this purpose or of claims for Carers exemption in respect of previous year Carers;

11 a) No credit will be given for full time driving in the year claimed unless the relevant licence to drive has been held for the full period claimed
b) no Carers exemption shall be given to a person unless that person has been a Carer for the full period claimed or has held a Brighton & Hove hackney carriage or a Brighton & Hove private hire driver licence throughout the period s/he was not a Carer;

12 A record will be maintained in the hackney carriage office of the years of full time working completed or Carers exemption granted to persons who have claimed as above;

13 Full time driving shall be deemed to include absence from driving due to illness for any period(s) not exceeding in total three months in any licensing year (1st April to 31st March);

14 Applications for Carers exemption shall in the first instance be dealt with by the Head of Regulatory services. A claimant not satisfied with the decision of the Head of Regulatory services may request a referral of the matter to the appropriate committee or subcommittee of the council;

15 Convictions incurred by an applicant may result in a period of suspension from the list;

16 When a hackney carriage vehicle licence is made available it will be allocated to a person named on the effective waiting list and will normally be offered to applicants on the waiting list in order of priority, such priority to be determined by reference to the number of years on which the applicants name has been on the list. This will be subject to compliance with the following conditions:
a) the applicant must hold a current Brighton & Hove licence to drive hackney carriages or private hire vehicles.

- b) the applicant must at the time be working full time in the hackney carriage trade or the private hire trade in Brighton and Hove, including the times s/he was a Carer
- c) a hackney carriage vehicle licence will not be issued to a person who is or has been the proprietor or part proprietor of a licensed hackney carriage in Brighton, Hove or elsewhere
- d) the hackney carriage office must be satisfied that the applicant is financially able to provide and operate a hackney carriage vehicle
- e) the applicant must be a fit and proper person to operate a hackney carriage vehicle. Past record and previous convictions will be taken into account
- f) where two or more applicants have the same number of credit points (years), in order to rank them in order of priority
 - i) firstly the date of issue of their first hackney carriage or private hire driver licence will determine priority,
 - ii) secondly, subject to 16 (f) (i) above, applicants living in Brighton & Hove will be selected;

17 When making application all applicants will be required to disclose previous convictions.

LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)

Agenda Item 21

Brighton & Hove City Council

Subject:	Hackney Carriage Unmet Demand Survey and Consultation on Wheelchair Accessible Vehicle Provision.		
Date of Meeting:	20 November 2014		
Report of:	Director of Public Health		
Contact Officer:	Name:	Martin Seymour	Tel: 29-2550
	Email:	martin.seymour@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 That the Committee be aware that a Hackney Carriage "Unmet Demand Survey" will be undertaken during 2015 to determine any unmet demand for Hackney Carriages.
- 1.2 That the survey will look at current policies and provision of hackney carriage vehicles in the context of other similar authorities in England and in particular Wheelchair Accessible Vehicle Provision.

2. RECOMMENDATIONS:

- 2.1 That members confirm their support for a restricted numbers policy for hackney carriage vehicles with managed growth of five additional plates issued annually to wheelchair accessible vehicles. This policy to be reviewed following the consultant's report.
- 2.2 That any report should compare current policies and provision with other similar authorities in England to provide evidence in relation to the perceived or actual problem of availability of wheelchair accessible vehicles and consultation with local stakeholders.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The council licences hackney carriage vehicles and private hire vehicles. Hackney Carriages (taxis) can ply for hire in the streets, at taxi ranks and accept prior bookings whereas Private Hire vehicles can only accept work where a prior booking has been made through a private hire operator. There is no limit on the number of private hire vehicle licences.
- 3.2 The Transport Act, 1985 s16 allows the council to limit the number providing it is

satisfied that there is no significant demand for hackney carriages, which is unmet. The only acceptable method of determining demand is by an independent survey. It is estimated that the cost of the report will be in the region of £18K and a consultant will be selected on the basis of value for money.

- 3.3 A local licensing authority in the event of a challenge to a decision to refuse a licence would have to establish to the courts that it had, reasonably, been satisfied that there was no significant unmet demand. An interval of three years is commonly regarded as the maximum reasonable period between surveys.
- 3.4 Most local licensing authorities do not impose quantity restrictions and the Department for Transport regards that as best practice. Where restrictions are imposed, the Department for Transport urges that the matter should be regularly reconsidered and further urges that the issue to be addressed first is whether the restrictions should continue at all.
- 3.5 In most cases where quantity restrictions are imposed, vehicle licence plates command a premium, often of tens of thousands of pounds. This indicates that there are people who want to enter the taxi market and provide a service to the public, but who are being prevented from doing so by the quantity restrictions.
- 3.6 An unmet demand survey was carried out in 2012 following which committee agreed to continue with a policy of managed growth, currently 5 new licences a year issued in May.
- 3.7 Currently in Brighton & Hove there are 555 Hackney Carriage vehicles licensed of which 216 are wheelchair accessible and 449 Private Hire Vehicles of which only 53 are wheelchair accessible. There are 1173 Hackney Carriage Licensed Drivers and 583 Private Hire Licensed Drivers.
- 3.8 The report would compare Brighton and Hove provision and policy to other similar authorities to obtain the following information:
 - Number of PH and HC in fleet
 - Number of wheelchair accessible PH and HC in fleet.
 - Entry control policy
 - Provision in terms of population per HC
 - Provision population per vehicle (HC and PH)
 - Census data on social make up: to include age profiles, proportion registered disabled etc.
 - This would help show if there are any notable differences in provision to either support current policy or provide a case for some change in particular with regard to wheelchair accessible vehicles.
- 3.9 The consultation would include mystery shopper assessment to determine differences in waiting times for wheelchair accessible vehicles and to establish if the situation has changed since the last survey and if the differentials in waiting times have reduced or increased as new vehicles have been introduced. It would also include face to face consultation with stakeholders.
- 3.10 The Department for Transport has published guidelines for best practice with regard to quantity restrictions and the conduct of surveys. The Current advice from The Department of Transport can be found at

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/212554/taxi-private-hire-licensing-guide.pdf

3.11 The Deregulation Bill currently going through Parliament and proposals by the Law Commission may affect the ability to restrict numbers of Hackney Carriages in the future.

3.12 The Law commissions final view on Quantity Restrictions is;
We recommend allowing licensing authorities to continue to limit taxi numbers. We do not regard the current statutory criterion of “unmet demand” as appropriate and instead suggest a test based on the public interest, combined with procedural requirements such as a review every three years and a duty to consult. Whilst we accept that quantity controls can be a positive regulatory tool for licensing authorities, when exercised in accordance with the public interest and appropriate safeguards, they have the undesirable side-effect of creating inflated plate values (effectively transfer fees for vehicle licenses) which act as a barrier to entry. We recommend that there should be no changes to the transferability of licence plates in areas that currently have quantity restrictions, so that licence holders who may have invested a considerable amount of money to purchase the licence, or otherwise reasonably expected their plate to have accrued substantial value, would not be negatively impacted by our reforms. On the other hand, taxi licences in areas which first introduce quantity restrictions only after our reforms come into force should not be tradeable. This would prevent new plate values from arising in areas which introduce quantity restrictions only after implementation of our reforms.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

Not undertaking a hackney carriage unmet demand survey would preclude the council maintaining a restricted numbers policy for hackney carriages.

5. COMMUNITY ENGAGEMENT AND CONSULTATION

This matter has been discussed at the council’s hackney carriage and private hire consultation forum where all members of that forum are free to express their opinions. Forum members are supportive of an unmet demand survey and discussed with officers the significance of the Law Commission’s recommendations and a recent draft deregulation order..

6. CONCLUSION

6.1 A policy of restricted numbers and managed growth may not be considered best practice by Department for Transport but it has a strong local partnership based policy. It is recommended that members confirm their support for a restricted numbers policy for hackney carriage vehicles with managed growth of five additional plates issued annually to wheelchair accessible vehicles and that any report should compare current policies and provision with other similar authorities in England to provide evidence in relation to the perceived or actual problem of availability of wheelchair accessible vehicles and consultation with local stakeholders

7. FINANCIAL & OTHER IMPLICATIONS:

7.1 Financial Implications:

[Revenue:

The fee rates for Hackney Carriages are set at a level that it is reasonably assumed will meet the costs of providing the service. Therefore, this will include the cost of the Unmet Demand Survey. If the number of Hackney Carriages is allowed to increase this will not necessarily result in an increase in overall income, as it may be offset by a reduction in private hire vehicles. If the decision is taken to continue with a limitation policy, then there is the possibility of a legal challenge to the decision in court. Any costs associated with this would need to be met from within existing budgets, funded by fee income.

Finance Officer Consulted: Steven Bedford

Date: 16/10/14

7.2 Legal Implications:

Before a local authority can refuse an application for a hackney carriage vehicle licence in order to limit the number of licensed taxis, it must be satisfied that there is no significant demand for the services of taxis within its area which is unmet. If the local authority is so satisfied, a discretion to refuse the licence arises. Any applicant whose application for a licence is refused has a right of appeal to the Crown Court. Section 70 (1) (c) of the Local Government (Miscellaneous) Provisions Act 1976 provides that a licensing authority may charge such fees for the grant of vehicle licences as may be sufficient in the aggregate to cover in whole or in part any reasonable administrative or other costs in connection with the control and supervision of hackney carriages. The costs of the survey may therefore properly be recovered through hackney carriage vehicle licence fees.

Lawyer Consulted: Name Rebecca Sidell

Date: 17/10/14

7.3 Equalities Implications:

The survey will provide information from various categories of society in Brighton & Hove, which the council will use to ensure that taxis in the city are licensed to best serve the needs of all. The results will assist the Council in planning for the future ensuring that no group of persons will be disadvantaged through using taxis.

7.4 Sustainability Implications:

The role of the taxi trade is included in the Local Transport Plan, which identifies it as a key element in providing sustainable transport choices. It creates important links in the transport network to other forms of sustainable transport providing a seamless connection. It will contribute to three of the government's four shared transport priorities – reducing congestion, improving air quality and accessibility. Use of taxis for school transport, licensed vehicles using bus lanes, locating ranks at railway stations and the city coach station, approved use of liquid petroleum gas all contribute to reducing congestion and moving passengers quickly.

7.5 Any Other Significant Implications:

None

SUPPORTING DOCUMENTATION

None

LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)

Agenda Item 22

Brighton & Hove City Council

Subject:	Ethnicity Monitoring of the Hackney Carriage / Private Hire Trade for 2013/14.		
Date of Meeting:	20 November 2014		
Report of:	Director of Public Health		
Contact Officer:	Name:	Martin Seymour	Tel: 29-2550
	Email:	martin.seymour@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To report the results of Ethnicity Monitoring of the Hackney Carriage / Private Hire Trade for 2013/14.

2. RECOMMENDATIONS:

- 2.1 That Committee note the results of Ethnic Monitoring.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 All applications received by the Hackney Carriage Office for the licensing of vehicles and drivers are monitored for ethnic background. The results of this monitoring are shown in appendix A. Ethnic monitoring is undertaken to ensure that the waiting list is maintained and operated in a fair and transparent way as recommended by the Equality and Human Rights Commission.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

None

5. COMMUNITY ENGAGEMENT AND CONSULTATION

This matter has been discussed at the council's hackney carriage and private hire consultation forum where all members of that forum are free to express their opinions. The forum members have delegated negotiations to selected representatives. Monitoring is carried out at the request of the forum who are satisfied with the results.

6. CONCLUSION

That members note the report.

7. FINANCIAL & OTHER IMPLICATIONS:

7.1 Financial Implications:

There are no direct financial implications associated with the recommendation in this report other than for the cost of officer time. The costs associated to taxi licensing and enforcement is met from the existing Taxi Licensing revenue budget which is funded by licencing fees in accordance with relevant regulation.

Finance Officer Consulted: Steven Bedford Date: 16/10/14

7.2 Legal Implications:

Under section 149 of the Equality Act 2010, a public authority such as the council must, in the exercise of its functions, have due regard to the need to:-

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Ethnicity monitoring of the Hackney Carriage/Private Hire trade will assist in the discharge of that duty.

Lawyer: Rebecca Sidell Date: 17/10/14

7.3 Equalities Implications:

There are no direct implications in the report. However, in order to improve services to disabled groups all new drivers are required to pass the Btec Level 2 Certificate in Introduction to the role of the Professional Taxis and Private Hire Driver. Drivers are also required to reach a basic standard of literacy. Monitoring assists better regulation principles: proportionality, accountability, consistence, transparency.

7.4 Sustainability Implications:

None

7.5 Any Other Significant Implications:

None

SUPPORTING DOCUMENTATION

Appendices A:

Ethnic Monitoring Report

Frequency Tables - All Applications (n=1,885)				
Type of vehicle				
		Frequency	Percent	Valid Percent
Valid	private hire vehicles	208	11.0	11.0
	hackney carriage drivers	924	49.0	49.0
	hackney carriage vehicles	297	15.8	15.8
	first applications	70	3.7	3.7
	private hire drivers	294	15.6	15.6
	waiting list	92	4.9	4.9
	Total	1885	100.0	100.0
Age				
		Frequency	Percent	Valid Percent
Valid	18 to 24	17	.9	1.0
	25 to 34	215	11.4	12.5
	35 to 49	693	36.8	40.2
	50 to 59	491	26.0	28.5
	60 and over	306	16.2	17.8
	Total	1722	91.4	100.0
Missing	Not known	163	8.6	
	Total	1885	100.0	
Gender				
		Frequency	Percent	Valid Percent
Valid	Male	1749	92.8	94.6
	Female	99	5.3	5.4
	Total	1848	98.0	100.0
Missing	Not known	37	2.0	
	Total	1885	100.0	

Do you identify as the gender you were assigned at birth					
		Frequency	Percent	Valid Percent	
Valid	Yes	1584	84.0	98.9	
	No	17	.9	1.1	
	Total	1601	84.9	100.0	
Missing	Not known	284	15.1		
Total		1885	100.0		
Ethnicity					
		Frequency	Percent	Valid Percent	
Valid	White British	1027	54.5	55.5	
	White Irish	8	.4	.4	
	White gypsy / traveller	2	.1	.1	
	White Other	227	12.0	12.3	
	Asian/ Asian British - Bangladeshi	115	6.1	6.2	
	Asian/ Asian British - Indian	6	.3	.3	
	Asian / Asian British - Pakistani	25	1.3	1.4	
	Asian / Asian British - Chinese	15	.8	.8	
	Asian / Asian British - Other	121	6.4	6.5	
	Black or Black British - African	15	.8	.8	
	Black or Black British - Caribbean	1	.1	.1	
	Black/Black British - Other	69	3.7	3.7	
	Mixed - White & Asian	12	.6	.6	
	Mixed - White & Black African	19	1.0	1.0	
	Mixed - Other	15	.8	.8	
	Arab	78	4.1	4.2	
	Any other ethnic group	94	5.0	5.1	
	Total		1849	98.1	100.0
	Missing	Not known	36	1.9	
	Total		1885	100.0	

Any other White ethnicity							
Sudanese	91						
Polish	42						
Portuguese	7						
Italian	5						
Persian	5						
Egyptian	4						
Greek	4						
Romanian	4						
Albanian	3						
American	3						
European	3						
Slovakian	3						
South American	2						
Spanish	2						
Syrian	2						
Afghan	1						
British Iranian	1						
Bulgarian	1						
Coptic	1						
Cypriot Irish	1						
Czech	1						
Eastern European	1						
Hungarian	1						
Israeli	1						
Italian/British	1						
Kalian/English	1						
Mediterranean	1						
Moroccan	1						
Non European White	1						
North African	1						
Sudanese British	1						
Turkish	1						
Turkish & British	1						
White African	1						
White Iranian	1						
Not known	27						
Total	227						
Any other Asian ethnicity							
Afghan	40						
Iranian	24						
Afghan British	13						
British Afghan	4						
Anglo-Indian	3						
Iranian British	3						
Nepalese	3						
Persian	3						
Iranian/Persian	2						
Afghan Asian	1						
Afghan Dutch	1						
Asian British	1						
British Iranian	1						
Iragi/British	1						
Mauritian	1						
Middle Eastern (Syrian)	1						
Saudi Arabian	1						
South Asian	1						
Sri Lankan	1						
Turkish	1						
Not known	15						
Total	121						

Any other Black ethnicity							
Sudanese	67						
Italian	1						
Mauritian	1						
Total	69						
Any other Mixed ethnicity							
British Libyan	3						
Iranian	2						
Afghan	1						
Egyptian	1						
English mixed	1						
Greek English	1						
Iraqi	1						
Mauritian	1						
Ukrainian/Sudanese	1						
White & Black American	1						
Not known	2						
Total	15						
Any other ethnicity							
Turkish	31						
Iranian	15						
Egyptian	6						
Persian	5						
Afghan	3						
Middle Eastern	3						
Moroccan	3						
Kurdish	2						
Libyan	2						
Sudanese	2						
Afghan British	1						
Berber, North Africa	1						
British Afghan	1						
British Iranian	1						
Coptic	1						
Coptic Orthodox	1						
Imazighen	1						
Iranian (Persian)	1						
Iranian British	1						
Iraqi	1						
Japanese	1						
Mauritian	1						
Moroccan British	1						
North African	1						
Persian (Iranian)	1						
Romanian	1						
Sudanese Coptic	1						
Sudanese Coptic	1						
White & Black	1						
White African	1						
Not known	2						
Total	94						

Sexual orientation				
		Frequency	Percent	Valid Percent
Valid	Heterosexual / Straight	1158	61.4	99.4
	Lesbian / gay woman	2	.1	.2
	Gay man	1	.1	.1
	Bisexual	3	.2	.3
	Other	1	.1	.1
	Total	1165	61.8	100.0
Missing	Not known	720	38.2	
Total		1885	100.0	
What is your religion or belief				
		Frequency	Percent	Valid Percent
Valid	I have no particular religion	282	15.0	23.0
	Budhist	7	.4	.6
	Christian	569	30.2	46.5
	Hindu	6	.3	.5
	Jewish	22	1.2	1.8
	Muslim	290	15.4	23.7
	Pagan	1	.1	.1
	Agnosic	9	.5	.7
	Atheist	22	1.2	1.8
	Other	9	.5	.7
	Other philosophical belief	7	.4	.6
Total	1224	64.9	100.0	
Missing	Not known	661	35.1	
Total		1885	100.0	
Other religion				
Bahai				
Buddhist/Christian/Hindu				
Coptic Orthodox				
Quacker				
Scientologist				
Spiritualist				
Surfism				
Other belief				
Jedi				
Native American Probably Sioux				
No particular/christian/Jewish/Muslim/Other				
Spiritual				
Unity				
Health problem or disability				
		Frequency	Percent	Valid Percent
Valid	Yes	15	.8	1.2
	No	1261	66.9	98.8
	Total	1276	67.7	100.0
Missing	Not knowen	609	32.3	
Total		1885	100.0	
Type of impairment				
Phisical impairment		6		

Limiting Long Term Illnes	4				
Mental Health Condition	0				
Learning Disability/Difficu	0				
Other impairment	2				
Not known	3				
Total	15				
Other impairments					
Back pain	1				
Back problem	1				
Base: All respondents with a health problem or disability (n=15)					
Are you a carer					
		Frequency	Percent	Valid Percent	
Valid	Yes	87	4.6	7.2	
	No	1128	59.8	92.8	
	Total	1215	64.5	100.0	
Missing	Not knowen	670	35.5		
Total		1885	100.0		
Type of impairment					
Parent	38				
Child with special needs	17				
Other family member	14				
Partner/ spouse	24				
Friend	3				
Other	0				
Not known	2				
Total	98				
Base: All respondents who are Carers (n=87)					

Frequency Tables: Hackney Carriage Vehicles (n=297)				
Age range				
		Frequency	Percent	Valid Percent
Valid	18 to 24	1	.3	.4
	25 to 34	22	7.4	8.4
	35 to 49	86	29.0	32.8
	50 to 59	99	33.3	37.8
	60 and over	54	18.2	20.6
	Total	262	88.2	100.0
Missing	Not known	35	11.8	
Total		297	100.0	
Gender				
		Frequency	Percent	Valid Percent
Valid	Male	271	91.2	92.2
	Female	23	7.7	7.8
	Total	294	99.0	100.0
Missing	Not known	3	1.0	
Total		297	100.0	
Do you identify as the gender you were assigned at birth				
		Frequency	Percent	Valid Percent
Valid	Yes	249	83.8	98.8
	No	3	1.0	1.2
	Total	252	84.8	100.0
Missing	Not known	45	15.2	
Total		297	100.0	

Ethnicity							
		Frequency	Percent	Valid Percent			
Valid	White British	155	52.2	53.3			
	White Irish	1	.3	.3			
	White Other	35	11.8	12.0			
	Asian/ Asian British - Bangladeshi	11	3.7	3.8			
	Asian/ Asian British - Indian	2	.7	.7			
	Asian / Asian British - Chinese	4	1.3	1.4			
	Asian / Asian British - Other	26	8.8	8.9			
	Black or Black British - Caribbean	1	.3	.3			
	Black/Black British - Other	14	4.7	4.8			
	Mixed - White & Asian	4	1.3	1.4			
	Mixed - White & Black African	4	1.3	1.4			
	Mixed - Other	3	1.0	1.0			
	Arab	11	3.7	3.8			
	Any other ethnic group	20	6.7	6.9			
	Total	291	98.0	100.0			
Missing	Not known	6	2.0				
Total		297	100.0				

Any other White ethnicity						
Sudanese	19					
Polish	3					
Portuguese	2					
Afghan	1					
British Iranian	1					
Coptic	1					
European	1					
Greek	1					
Israeli	1					
Persian	1					
South American	1					
Spanish	1					
Not known	2					
Total	35					
Any other Asian ethnicity						
Afghan	11					
Afghan British	1					
Anglo-Indian	1					
British Afghan	1					
British Iranian	1					
Iranian	5					
Iranian British	2					
Iranian/Persian	1					
Not known	2					
Persian	1					
Total	26					
Any other Black ethnicity						
Sudanese	13					
Italian	1					
Total	14					
Any other Mixed ethnicity						
Mauritian	1					
Ukrainian/Sudanese Coptic	1					
Iraqi	1					
Total	3					
Any other ethnicity						
Mauritian	5					
Ukrainian/Sudanese Coptic	5					
Egyptian	2					
Persian	2					
Afghan	1					
Imazighen	1					
Kurdish	1					
Libyan	1					
Middle Eastern	1					
Not known	1					
Total	20					

Sexual orientation				
		Frequency	Percent	Valid Percent
Valid	Heterosexual / Straight	189	63.6	100.0
Missing	Not known	108	36.4	
Total		297	100.0	
What is your religion or belief				
		Frequency	Percent	Valid Percent
Valid	I have no particular religion	44	14.8	22.1
	Budhist	2	.7	1.0
	Christian	94	31.6	47.2
	Hindu	1	.3	.5
	Jewish	4	1.3	2.0
	Muslim	45	15.2	22.6
	Agnosic	3	1.0	1.5
	Atheist	3	1.0	1.5
	Other	2	.7	1.0
	Other philosophical belief	1	.3	.5
Total		199	67.0	100.0
Missing	Not known	98	33.0	
Total		297	100.0	
Other religion				
Coptic Orthodox				
Other belief				
No particular/christian/Jewish/Muslim/Other				
Health problem or disability				
		Frequency	Percent	Valid Percent
Valid	Yes	1	.3	.5
	No	202	68.0	99.5
	Total	203	68.4	100.0
Missing	Not knowen	94	31.6	
Total		297	100.0	
Type of impairment				
Phisical impairment		1		
Limiting Long Term Illness		0		
Mental Health Condition		0		
Learning Disability/Difficulty		0		
Other impairement		0		
Not known		0		
Total		1		
Base: All respondents with a health problem or disability (n=1)				

Are you a carer?				
		Frequency	Percent	Valid Percent
Valid	Yes	10	3.4	5.2
	No	182	61.3	94.8
	Total	192	64.6	100.0
Missing	Not knowen	105	35.4	
Total		297	100.0	
Type of impairment				
Parent		4		
Child with special needs		1		
Other family member		2		
Partner/ spouse		3		
Friend		0		
Other		0		
Not known		0		
Total		10		
Base: All respondents who are Carers (n=10)				

Frequency Tables: Private Hire Vehicles (n=208)				
Age range				
		Frequency	Percent	Valid Percent
Valid	18 to 24	2	1.0	1.1
	25 to 34	17	8.2	9.0
	35 to 49	76	36.5	40.4
	50 to 59	61	29.3	32.4
	60 and over	32	15.4	17.0
	Total	188	90.4	100.0
Missing	Not known	20	9.6	
Total		208	100.0	
Gender				
		Frequency	Percent	Valid Percent
Valid	Male	201	96.6	98.5
	Female	3	1.4	1.5
	Total	204	98.1	100.0
Missing	Not known	4	1.9	
Total		208	100.0	
Do you identify as the gender you were assigned at birth				
		Frequency	Percent	Valid Percent
Valid	Yes	179	86.1	98.9
	No	2	1.0	1.1
	Total	181	87.0	100.0
Missing	Not known	27	13.0	
Total		208	100.0	

Ethnicity				
		Frequency	Percent	Valid Percent
Valid	White British	131	63.0	63.0
	White Irish	1	.5	.5
	White gypsy / traveller	1	.5	.5
	White Other	23	11.1	11.1
	Asian/ Asian British - Bangladeshi	19	9.1	9.1
	Asian / Asian British - Pakistani	5	2.4	2.4
	Asian / Asian British - Chinese	4	1.9	1.9
	Asian / Asian British - Other	6	2.9	2.9
	Black or Black British - African	5	2.4	2.4
	Black/Black British - Other	4	1.9	1.9
	Mixed - White & Black African	1	.5	.5
	Mixed - Other	1	.5	.5
	Arab	4	1.9	1.9
	Any other ethnic group	3	1.4	1.4
	Total	208	100.0	100.0

Any other White ethnicity						
American		2				
Italian		1				
Italian/British		1				
Moroccan		1				
North African		1				
Persian		1				
Polish		3				
Portuguese		1				
Romanian		2				
Sudanese		10				
Total		23				
Any other Asian ethnicity						
Afghan		3				
Afghan British		1				
Nepalese		1				
Not known		1				
Total		6				
Any other Black ethnicity						
Sudanese		4				
Total		4				
Any other Mixed ethnicity						
British Libyan		1				
Total		1				
Any other ethnicity						
Iranian		1				
Mauritian		1				
Moroccan		1				
Total		3				
Sexual orientation						
		Frequency	Percent	Valid Percent		
Valid	Heterosexual / Straight	122	58.7	100.0		
Missing	Not known	86	41.3			
Total		208	100.0			

What is your religion or belief				
		Frequency	Percent	Valid Percent
Valid	I have no particular religion	33	15.9	24.3
	Christian	62	29.8	45.6
	Jewish	3	1.4	2.2
	Muslim	34	16.3	25.0
	Atheist	2	1.0	1.5
	Other	1	.5	.7
	Other philosophical belief	1	.5	.7
	Total	136	65.4	100.0
Missing	Not known	72	34.6	
Total		208	100.0	
Other religion				
Bahai				
Other belief				
Jedi				
Health problem or disability				
		Frequency	Percent	Valid Percent
Valid	Yes	2	1.0	1.5
	No	135	64.9	98.5
	Total	137	65.9	100.0
Missing	Not known	71	34.1	
Total		208	100.0	
Type of impairment				
Physical impairment		1		
Limiting Long Term Illness		0		
Mental Health Condition		0		
Learning Disability/Difficulty		0		
Other impairment		0		
Not known		1		
Total		2		
Base: All respondents with a health problem or disability (n=2)				

Are you a carer		Frequency	Percent	Valid Percent
Valid	Yes	11	5.3	8.4
	No	120	57.7	91.6
	Total	131	63.0	100.0
Missing	Not known	77	37.0	
Total		208	100.0	
Type of impairment				
Parent		4		
Child with special needs		4		
Other family member		0		
Partner/ spouse		2		
Friend		0		
Other		0		
Not known		1		
Total		11		
Base: All respondents who are Carers (n=11)				

Frequency Tables: Hackney Carriage Drivers (n=924)				
age range				
		Frequency	Percent	Valid Percent
Valid	18 to 24	4	.4	.5
	25 to 34	103	11.1	12.1
	35 to 49	344	37.2	40.6
	50 to 59	234	25.3	27.6
	60 and over	163	17.6	19.2
	Total	848	91.8	100.0
Missing	Not known	76	8.2	
Total		924	100.0	
Gender				
		Frequency	Percent	Valid Percent
Valid	Male	861	93.2	95.0
	Female	45	4.9	5.0
	Total	906	98.1	100.0
Missing	Not known	18	1.9	
Total		924	100.0	
Do you identify as the gender you were assigned at birth				
		Frequency	Percent	Valid Percent
Valid	Yes	795	86.0	98.9
	No	9	1.0	1.1
	Total	804	87.0	100.0
Missing	Not known	120	13.0	
Total		924	100.0	

Ethnicity		Frequency	Percent	Valid Percent
Valid	White British	516	55.8	56.9
	White Irish	3	.3	.3
	White Other	107	11.6	11.8
	Asian/ Asian British - Bangladeshi	49	5.3	5.4
	Asian/ Asian British - Indian	2	.2	.2
	Asian / Asian British - Pakistani	7	.8	.8
	Asian / Asian British - Chinese	4	.4	.4
	Asian / Asian British - Other	56	6.1	6.2
	Black or Black British - African	6	.6	.7
	Black/Black British - Other	38	4.1	4.2
	Mixed - White & Asian	7	.8	.8
	Mixed - White & Black African	9	1.0	1.0
	Mixed - Other	9	1.0	1.0
	Arab	44	4.8	4.9
	Any other ethnic group	50	5.4	5.5
Total	907	98.2	100.0	
Missing	Not known	17	1.8	
Total		924	100.0	

Any other White ethnicity						
Sudanese	51					
Polish	19					
Egyptian	4					
Greek	3					
Italian	3					
Persian	3					
Portuguese	3					
Albanian	2					
Romanian	2					
Slovakian	2					
Bulgarian	1					
Cypriot Irish	1					
Czech	1					
European	1					
Hungarian	1					
Iranian	1					
Mediterranean	1					
Spanish	1					
Sudanese British	1					
Syrian	1					
Turkish	1					
Turkish & British	1					
Not known	3					
Total	107					
Any other Asian ethnicity						
Afghan	16					
Iranian	16					
Afghan British	10					
Not known	4					
Anglo-Indian	2					
British Afghan	2					
Persian	2					
Afghan Asian	1					
Afghan Dutch	1					
Iranian British	1					
South Asian	1					
Total	56					
Any other Black ethnicity						
Sudanese	37					
Mauritian	1					
Total	38					

Any other Mixed ethnicity							
British Libyan		2					
Iranian		2					
Afghan		1					
Egyptian		1					
English mixed		1					
Not known		2					
Total		9					
Any other ethnicity							
Turkish		22					
Iranian		5					
Egyptian		3					
Middle Eastern		2					
Persian		2					
Afghan British		1					
Berber, North Africa		1					
British Afghan		1					
British Iranian		1					
Coptic		1					
Coptic Orthodox		1					
Iranian (Persian)		1					
Iranian British		1					
Kurdish		1					
Libyan		1					
Moroccan		1					
North African		1					
Persian (Iranian)		1					
Sudanese Coptic		1					
Sudanese Coptic Orthodox		1					
White & Black African/Arab		1					
Total		50					
Sexual orientation							
		Frequency	Percent	Valid Percent			
Valid	Heterosexual / Straight	559	60.5	99.6			
	Gay man	1	.1	.2			
	Bisexual	1	.1	.2			
	Total	561	60.7	100.0			
Missing	Not known	363	39.3				
Total		924	100.0				

What is your religion or belief				
		Frequency	Percent	Valid Percent
Valid	I have no particular religion	147	15.9	24.7
	Budhist	3	.3	.5
	Christian	281	30.4	47.2
	Hindu	2	.2	.3
	Jewish	6	.6	1.0
	Muslim	128	13.9	21.5
	Pagan	1	.1	.2
	Agnosic	4	.4	.7
	Atheist	12	1.3	2.0
	Other	6	.6	1.0
	Other philosphical belief	5	.5	.8
Total	595	64.4	100.0	
Missing	Not known	329	35.6	
Total		924	100.0	
Other religion				
Buddhist/Christian/Hindu				
Quacker				
Scientologist				
Spiritualist				
Surfism				
Other belief				
Native American Probably Sioux				
No particular/christian/Jewish/Muslim/Other				
Spiritual				
Unity				
Health problem or disability				
		Frequency	Percent	Valid Percent
Valid	Yes	9	1.0	1.5
	No	596	64.5	98.5
	Total	605	65.5	100.0
Missing	Not knowen	319	34.5	
Total		924	100.0	

Type of impairment					
Physical impairment		3			
Limiting Long Term Illness		3			
Other impairment		2			
Not known		1			
Total		9			
Other impairments					
Back pain		1			
Back problem		1			
Base: All respondents with a health problem or disability (n=9)					
Are you a carer					
		Frequency	Percent	Valid Percent	
Valid	Yes	46	5.0	8.0	
	No	527	57.0	92.0	
	Total	573	62.0	100.0	
Missing	Not knowen	351	38.0		
Total		924	100.0		
Type of impairment					
Parent		22			
Child with special needs		5			
Other family member		10			
Partner/ spouse		15			
Friend		2			
Other		0			
Not known		1			
Total		55			
Base: All respondents who are Carers (n=46)					

Frequency Tables: First Applications (n=70)				
Age range				
		Frequency	Percent	Valid Percent
Valid	18 to 24	6	8.6	9.0
	25 to 34	30	42.9	44.8
	35 to 49	23	32.9	34.3
	50 to 59	6	8.6	9.0
	60 and over	2	2.9	3.0
	Total	67	95.7	100.0
Missing	Not known	3	4.3	
Total		70	100.0	
Gender				
		Frequency	Percent	Valid Percent
Valid	Male	62	88.6	92.5
	Female	5	7.1	7.5
	Total	67	95.7	100.0
Missing	Not known	3	4.3	
Total		70	100.0	
Do you identify as the gender you were assigned at birth				
		Frequency	Percent	Valid Percent
Valid	Yes	38	54.3	97.4
	No	1	1.4	2.6
	Total	39	55.7	100.0
Missing	Not known	31	44.3	
Total		70	100.0	

Ethnicity						
		Frequency	Percent	Valid Percent		
Valid	White British	15	21.4	22.1		
	White gypsy / traveller	1	1.4	1.5		
	White Other	10	14.3	14.7		
	Asian/ Asian British - Bangladeshi	6	8.6	8.8		
	Asian/ Asian British - Indian	2	2.9	2.9		
	Asian / Asian British - Pakistani	4	5.7	5.9		
	Asian / Asian British - Chinese	1	1.4	1.5		
	Asian / Asian British - Other	10	14.3	14.7		
	Black/Black British - Other	3	4.3	4.4		
	Mixed - White & Black African	3	4.3	4.4		
	Arab	3	4.3	4.4		
	Any other ethnic group	10	14.3	14.7		
Total	68	97.1	100.0			
Missing	Not known	2	2.9			
Total		70	100.0			

Any other White ethnicity						
Polish	6					
Albanian	1					
Eastern European	1					
European	1					
Non European White	1					
Total	10					
Any other Asian ethnicity						
Afghan	2					
Afghan British	1					
Iragi/British	1					
Iranian	1					
Middle Eastern (Syrian)	1					
Saudi Arabian	1					
Sri Lankan	1					
Not known	2					
Total	10					
Any other Black ethnicity						
Sudanese	3					
Total	3					
Any other Mixed ethnicity						
Any other ethnicity						
Turkish	4					
Iranian	2					
Afghan	1					
Iraqi	1					
Persian	1					
Not known	1					
Total	10					

Sexual orientation				
		Frequency	Percent	Valid Percent
Valid	Heterosexual / Straight	43	61.4	97.7
	Bisexual	1	1.4	2.3
	Total	44	62.9	100.0
Missing	Not known	26	37.1	
Total		70	100.0	
What is your religion or belief				
		Frequency	Percent	Valid Percent
Valid	I have no particular religion	6	8.6	15.0
	Budhist	1	1.4	2.5
	Christian	12	17.1	30.0
	Hindu	1	1.4	2.5
	Jewish	1	1.4	2.5
	Muslim	18	25.7	45.0
	Atheist	1	1.4	2.5
	Total	40	57.1	100.0
Missing	Not known	30	42.9	
Total		70	100.0	
Health problem or disability				
		Frequency	Percent	Valid Percent
Valid	Yes	1	1.4	2.4
	No	41	58.6	97.6
	Total	42	60.0	100.0
Missing	Not knowen	28	40.0	
Total		70	100.0	
Type of impairment				
Phisical impairment		0		
Limiting Long Term Illness		0		
Other impairment		0		
Not known		1		
Total		1		
Base: All respondents with a health problem or disability (n=1)				

Are you a carer				
		Frequency	Percent	Valid Percent
Valid	Yes	2	2.9	4.9
	No	39	55.7	95.1
	Total	41	58.6	100.0
Missing	Not known	29	41.4	
Total		70	100.0	
Type of impairment				
Parent		2		
Child with special needs		0		
Other family member		1		
Partner/ spouse		0		
Friend		1		
Other		0		
Not known		0		
Total		4		
Base: All respondents who are Carers (n=2)				

Frequency Tables: First Applications (n=70)				
Age range				
		Frequency	Percent	Valid Percent
Valid	18 to 24	6	8.6	9.0
	25 to 34	30	42.9	44.8
	35 to 49	23	32.9	34.3
	50 to 59	6	8.6	9.0
	60 and over	2	2.9	3.0
	Total	67	95.7	100.0
Missing	Not known	3	4.3	
Total		70	100.0	
Gender				
		Frequency	Percent	Valid Percent
Valid	Male	62	88.6	92.5
	Female	5	7.1	7.5
	Total	67	95.7	100.0
Missing	Not known	3	4.3	
Total		70	100.0	
Do you identify as the gender you were assigned at birth				
		Frequency	Percent	Valid Percent
Valid	Yes	38	54.3	97.4
	No	1	1.4	2.6
	Total	39	55.7	100.0
Missing	Not known	31	44.3	
Total		70	100.0	

Ethnicity						
		Frequency	Percent	Valid Percent		
Valid	White British	15	21.4	22.1		
	White gypsy / traveller	1	1.4	1.5		
	White Other	10	14.3	14.7		
	Asian/ Asian British - Bangladeshi	6	8.6	8.8		
	Asian/ Asian British - Indian	2	2.9	2.9		
	Asian / Asian British - Pakistani	4	5.7	5.9		
	Asian / Asian British - Chinese	1	1.4	1.5		
	Asian / Asian British - Other	10	14.3	14.7		
	Black/Black British - Other	3	4.3	4.4		
	Mixed - White & Black African	3	4.3	4.4		
	Arab	3	4.3	4.4		
	Any other ethnic group	10	14.3	14.7		
Total		68	97.1	100.0		
Missing	Not known	2	2.9			
Total		70	100.0			

Any other White ethnicity						
Polish	6					
Albanian	1					
Eastern European	1					
European	1					
Non European White	1					
Total	10					
Any other Asian ethnicity						
Afghan	2					
Afghan British	1					
Iragi/British	1					
Iranian	1					
Middle Eastern (Syrian)	1					
Saudi Arabian	1					
Sri Lankan	1					
Not known	2					
Total	10					
Any other Black ethnicity						
Sudanese	3					
Total	3					
Any other Mixed ethnicity						
Any other ethnicity						
Turkish	4					
Iranian	2					
Afghan	1					
Iraqi	1					
Persian	1					
Not known	1					
Total	10					

Sexual orientation				
		Frequency	Percent	Valid Percent
Valid	Heterosexual / Straight	43	61.4	97.7
	Bisexual	1	1.4	2.3
	Total	44	62.9	100.0
Missing	Not known	26	37.1	
Total		70	100.0	
What is your religion or belief				
		Frequency	Percent	Valid Percent
Valid	I have no particular religion	6	8.6	15.0
	Budhist	1	1.4	2.5
	Christian	12	17.1	30.0
	Hindu	1	1.4	2.5
	Jewish	1	1.4	2.5
	Muslim	18	25.7	45.0
	Atheist	1	1.4	2.5
	Total	40	57.1	100.0
Missing	Not known	30	42.9	
Total		70	100.0	
Health problem or disability				
		Frequency	Percent	Valid Percent
Valid	Yes	1	1.4	2.4
	No	41	58.6	97.6
	Total	42	60.0	100.0
Missing	Not knowen	28	40.0	
Total		70	100.0	
Type of impairment				
Phisical impairment		0		
Limiting Long Term Illness		0		
Other impairment		0		
Not known		1		
Total		1		
Base: All respondents with a health problem or disability (n=1)				

Are you a carer				
		Frequency	Percent	Valid Percent
Valid	Yes	2	2.9	4.9
	No	39	55.7	95.1
	Total	41	58.6	100.0
Missing	Not known	29	41.4	
Total		70	100.0	
Type of impairment				
Parent		2		
Child with special needs		0		
Other family member		1		
Partner/ spouse		0		
Friend		1		
Other		0		
Not known		0		
Total		4		
Base: All respondents who are Carers (n=2)				

Frequency Tables: Waiting List (n=92)				
Age range				
		Frequency	Percent	Valid Percent
Valid	25 to 34	18	19.6	20.9
	35 to 49	45	48.9	52.3
	50 to 59	17	18.5	19.8
	60 and over	6	6.5	7.0
	Total	86	93.5	100.0
Missing	Not known	6	6.5	
Total		92	100.0	
Gender				
		Frequency	Percent	Valid Percent
Valid	Male	85	92.4	95.5
	Female	4	4.3	4.5
	Total	89	96.7	100.0
Missing	Not known	3	3.3	
Total		92	100.0	
Do you identify as the gender you were assigned at birth				
		Frequency	Percent	Valid Percent
Valid	Yes	67	72.8	100.0
Missing	Not known	25	27.2	
Total		92	100.0	

Ethnicity				
		Frequency	Percent	Valid Percent
Valid	White British	19	20.7	22.6
	White Other	29	31.5	34.5
	Asian/ Asian British - Bangladeshi	11	12.0	13.1
	Asian / Asian British - Pakistani	1	1.1	1.2
	Asian / Asian British - Other	8	8.7	9.5
	Black or Black British - African	2	2.2	2.4
	Arab	9	9.8	10.7
	Any other ethnic group	5	5.4	6.0
	Total	84	91.3	100.0
	Missing	Not known	8	8.7
Total		92	100.0	
Any other White ethnicity				
	Polish	5		
	Italian	1		
	Slovakian	1		
	Not known	22		
	Total	29		
Any other Asian ethnicity				
	Afghan	1		
	Nepalese	1		
	Turkish	1		
	Not known	5		
	Total	8		
Any other Black ethnicity				
Any other Mixed ethnicity				
Any other ethnicity				
	Sudanese	2		
	Afghan	1		
	Moroccan British	1		
	White African	1		
	Total	5		

Sexual orientation				
		Frequency	Percent	Valid Percent
Valid	Heterosexual / Straight	68	73.9	97.1
	Lesbian / gay woman	1	1.1	1.4
	Bisexual	1	1.1	1.4
	Total	70	76.1	100.0
Missing	Not known	22	23.9	
Total		92	100.0	
What is your religion or belief				
		Frequency	Percent	Valid Percent
Valid	Christian	32	34.8	50.8
	Hindu	1	1.1	1.6
	Jewish	2	2.2	3.2
	Muslim	27	29.3	42.9
	Atheist	1	1.1	1.6
	Total	63	68.5	100.0
Missing	Not known	29	31.5	
Total		92	100.0	
Health problem or disability				
		Frequency	Percent	Valid Percent
Valid	No	87	94.6	100.0
Missing	Not knowen	5	5.4	
Total		92	100.0	
Are you a carer				
		Frequency	Percent	Valid Percent
Valid	Yes	3	3.3	3.5
	No	83	90.2	96.5
	Total	86	93.5	100.0
Missing	Not knowen	6	6.5	
Total		92	100.0	
Type of impairment				
Parent		0		
Child with special needs		3		
Other family member		0		
Partner/ spouse		0		
Friend		0		
Other		0		
Not known		0		
Total		3		
Base: All respondents who are Carers (n=3)				

