Animal Boarding Establishment Licence

Guidance Notes

The keeping of a boarding establishment for animals is defined as the carrying on at premises of any nature (including a private dwelling) of a business of providing accommodation for other people’s dogs or cats. Other animals are not covered by the legislation.

An application for a licence should be made to the Local Authority in which the boarding establishment is located.

An officer of Manchester City Council shall inspect the premises prior to a licence being granted.

Licences are granted under the provisions of the Animal Boarding Establishments Act 1963 and shall specify such conditions in the licence as appear necessary or expedient for securing all the objects specified below:

a) that animals will at all times be kept in accommodation suitable as respects construction, size of quarters, number of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness;

b) that animals will be adequately supplied with suitable food, drink and bedding material, adequately exercised, and (so far as necessary) visited at suitable intervals;

c) that all reasonable precautions will be taken to prevent and control the spread among animals of infectious or contagious diseases, including the provision of adequate isolation facilities;

d) that appropriate steps will be taken for the protection of the animals in case of fire or other emergency;

e) that a register be kept containing a description of any animals received into the establishment, date of arrival and departure, and the name and address of the owner, such register to be available for inspection at all times by an officer of the local authority, veterinary surgeon or veterinary practitioner authorised under section 2(1) of this Act;
Licences shall also incorporate the requirements of the Animal Welfare Act 2006. The Act requires that those responsible for an animal take all reasonable steps to meet the needs of that animal, which are set out in the Act as follows:

a) its need for a suitable environment;
b) its need for a suitable diet;
c) its need to be able to exhibit normal behaviour patterns;
d) any need it has to be housed with, or apart from, other animals;
e) its need to be protected from pain, injury, suffering or disease.

Any person disqualified from:

- keeping a boarding establishment for animals; or
- keeping a pet shop; or
- having the custody of animals,

will not be granted a boarding establishment licence.

There is an increasing trend of individuals offering to “house sit” for dog owners who work etc. Also dog owners going on holiday or who are in hospital etc. are placing their own pets in the home of existing pet owners. The Animal Welfare Act 2006 states that any person(s) who are responsible for the care of animals of their own or others are responsible for the well being and care of the animal(s) they are looking after. Therefore any individual wishing to provide a day sitting or fostering service must be licensed with the Local Authority.

Copies of Manchester City Council’s standard conditions for kennels and catteries and standard conditions for home boarding of cats and dogs are available upon request.

Normally planning permission will not be required for home boarding of animals. However, should complaints be received because of particular noise or odour problems, then the Council reserves the right to consider whether there has been a change of use which requires a planning application to be submitted.

Planning permission will usually be required for applications for kennels or catteries. Please contact Manchester City Council’s Planning Department on 0161 234 4516 for further information regarding whether planning permission is required and how to make an application.

The Council may authorise any of its officers or any veterinary surgeon or veterinary practitioner to inspect any premises where a licence is in force.
Fees

£144.00

The licence comes into force at the beginning of the day on which it is granted, or on 1st January of the following year (according to the applicant's requirements). In both cases the licence shall remain in force until the end of the year to which it relates and shall expire on 31st December of that year.

A new application will then have to be made for the following year.

Please note: Applicants should be aware that the fee paid is the same regardless of whether the licence comes into force on 1st of January or part way through the year.

Change of circumstances

When a person has been granted a licence to operate a boarding establishment for animals (i.e. cats or dogs) they must apply for authorisation if they wish to change the terms of the licence.

If you wish to apply to change the terms of your boarding establishment for animals licence, you will need to submit a new application.
Other Relevant Legislation

1) **Health and Safety at Work etc. Act 1974**

   a) There is a duty on all employers and employees to ensure safety of themselves, workmates and visitors to the site and contractors. This also extends to the self-employed.

   b) An "accident book" must be provided to record details of accidents and "near misses". An annual review will indicate how to keep staff safer by introducing safer practices based on experience.

   c) Regard should be paid to providing safe systems of work for staff, particularly those involved in dog handling.

   d) An establishment employing more than four people requires a written safety policy.

   e) There is a requirement for a risk assessment to be carried out to identify hazards in the workplace and assess risks, e.g. number of people affected etc., in order to assess any health and safety risk in an objective manner as far as possible.

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

2) **Environmental Protection Act 1990**

   a) Under section 34 operators have a "duty of care" to ensure that all waste arising from their premises is disposed of without harm to human health or the environment. They may only pass their waste to registered carriers or appropriately licensed or authorised disposal facilities. The definition of waste is currently under review. Reference to the local authority will help clarify the position with regard to waste material generated from boarding establishments.

   b) Part III of this Act deals with nuisance. When setting up a boarding establishment, it is most important to consider the potential problem of noise or odour nuisance in order to prevent possible legal action which could lead to closure at a later date. Environmental Health Officers are able to give further advice and guidance on nuisance problems and related statutory provisions.

   c) Noise emission is often not considered by establishment owners. Monitoring a single dog barking at close range may produce a reading in the region of 95 dB(A). It is important to design and site kennels to minimise any cause of complaint from neighbours. The choice of appropriate materials, and their correct use in design, in terms of preventing noise nuisance is extremely important.

   d) In view of the law allowing noise sensitive premises to be built near kennels, often after the kennel has been built, consideration should always be given to the need to retain noise within site boundaries as much as possible, having regard to local background noise levels.
e) The use of incinerators to dispose of animal carcasses may require licensing by your local authority who will advise you regarding the requirements of part 1 of the Environmental Protection Act 1990.

f) If you use an incinerator you are advised to notify the local authority. 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. Those wishing to dispose of waste on their premises or operate an incinerator may need planning permission, and a waste management licence or authorisation under the Environmental Protection Act 1990. They should seek advice from their local Environmental Services Department. Dog faeces and "sharps" such as needles, scalpels etc, constitute "clinical" waste and are likely to be subject to specific disposal conditions.

3) Electricity at Work Regulations 1989
   a) This legislation applies to every employer or self employed person, and you therefore have a duty to ensure 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 regular testing of fittings is advisable.

4) Control of Substances Hazardous to Health Regulations 1994 (COSHH) – as amended January 1997
   a) These are known as the "COSHH" Regulations. They require you to keep chemical substances on your premises in a safe manner, and 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.
   b) The legislation also deals with zoonoses (diseases transmitted from animals to people, such as Salmonellosis, Toxocariasis and Toxoplasmosis) and you should bring suitable advice on risks and precautions to the attention of your staff, and ensure that they are suitably vaccinated.
   c) For further advice contact your medical practitioner and/or the environmental services department.

5) Controlled Waste Regulations 1992
   a) 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.
   b) 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.

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

7) **Dangerous Dogs Act 1991**
   a) The Act prohibits persons from having in their possession or
      custody dogs belonging to types bred for fighting; it imposes
      restrictions in respect of such dogs; it enables restrictions to be
      imposed in relation to 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.
Annex F

Further Reading, Help & Advice

Association for the Study of Animal Behaviour: www.asab.nottingham.ac.uk
Association of Pet Behaviour Counsellors: www.apbc.org.uk
Blue Cross: www.bluecross.org.uk
Blue Dog: www.bluedog.co.uk
British Veterinary Association Animal Welfare Foundation: www.bva-awf.org.uk
Defra and Directgov websites: www.defra.gov.uk and www.direct.gov.uk have information on the Animal Welfare Act 2006, Pet Travel Scheme (PETS) and copies of the Code of Practice for the Welfare of Dogs.
Dogs Trust: www.dogtrust.org.uk
PDSA: www.pdsa.org.uk
Petlog: www.petlog.co.uk
Pet Care Trust: www.petcare.org.uk
Pet Food Manufacturer’s Association: www.pfma.or.uk
Pet Health Council: www.pethealthcouncil.co.uk
The Kennel Club: www.the-kennel-club.org.uk

For further information please contact the Licensing Business Unit as per the contact details below –

Premises Licensing Team
Level 1 Town Hall Extension
Albert Square
PO Box 532
M60 2LA

Email: premises.licensing@manchester.gov.uk