

## Scenarios

1) A breeder who, at the moment owns 4 breeding bitches, but he only keeps one at his home and the other three bitches are kept at 3 different family members homes dotted all over the country. Should he be licensed?

**No. He does not have 3 breeding bitches on his premises.**

What the Regs say -

### **Dog breeding: interpretation**

5.—(1) A person carries on the activity of dog breeding for the purposes of section 13(1) of the Act if that person keeps **on premises** 3 or more breeding bitches and—

- (a) breeds on those premises 3 or more litters of puppies in any 12 month period;
  - (b) advertises for sale from those premises a puppy or puppies born from 3 or more litters of puppies for sale in any 12 month period;
  - (c) supplies from those premises a puppy or puppies born from 3 or more litters of puppies in any 12 month period; or
  - (d) advertises a business of breeding or selling puppies from those premises.
- (2) For the purposes of paragraph (1) any dog found on premises will be presumed to be kept by the occupier of those premises until the contrary is proved.
- (3) For the purposes of paragraph (1)(a) to (c) it is immaterial whether or not the litters of puppies are bred from the breeding bitches referred to in paragraph (1).

What the Guidance says – No ref

**However, under the previous legislation, it was possible to corral all those animals under the guise of ownership to one animal. Our stance has been directly from a welfare perspective. If a person owns a more than one dog**

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2) A breeder has 28 small adult dogs and breeds 10 litters a year from them. The breeder works on a working farm and tends to the dogs full time. Her husband works full time on the farm tending to the livestock but says that he also helps out 'as and when' with the dogs.

The dogs are clean and appear healthy. All vaccinations are up to date and there is evidence that the socialisation and enhancement and enrichment plans are being implemented effectively (evidence such as designated areas for exercise is clearly used, toys are visible, grooming is evident).

What would be your approach to setting the ratio at this establishment?

**This would depend on many factors so there is no definitive answer.**

What the regs say -

(2) The local authority must attach to each licence granted—

(a) the conditions contained in Schedule 1 to these Regulations;

(b) a condition specifying the maximum number of adult dogs and puppies to be kept under the terms of the licence; and

(c) a condition specifying a staff to adult dog ratio which must ensure as a minimum staff requirement—

(i) 1 full-time attendant per 20 adult dogs kept; or

(ii) 1 part-time attendant per 10 adult dogs kept.

What the guidance says –

The local authority should have regard to factors such as the size and type of dogs kept at a dog breeding establishment when deciding the most appropriate staff: adult dog ratio to apply.

In particular, this relates to accommodation; the dogs' health, environmental and socialisation needs. The Regulations state that the maximum number of adult dogs and puppies kept at any one time is stated on the licence and in no case will exceed 20 adult dogs per full time attendant or 10 adult dogs per part time attendant in line with the definitions provided in the Regulations.

Supervision should be by a suitable and competent person who should be at least 16 years of age. They should be available, and capable of dealing with emergencies.

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**3)** A breeder has 15 adult dogs (Labradors) and breeds 8 litters a year from them. When inspecting you find evidence that the exercise area has not been used for the last few months and the dogs look in poor condition. The breeder explains that his son used to help out but has recently moved out but he feels that he is still capable of running the premises on his own.

It is likely that there will be issues with the existing conditions so in addition to addressing those, what would be your approach in setting the ratio at this establishment?

**This would depend on many factors so there is no definitive answer.**

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**4)** Someone has called your office to inform you that a lady in their street is selling puppies and they feel the welfare of her dogs is poor. On inspection you find that the lady takes in unwanted animals and she currently has 2 dogs and 3 un-neutered bitches on the premises (in addition to several cats and rabbits).

There is evidence that the lady has advertised 2 litters of puppies in the last 12 months (from flyers provided by the neighbour who reported her) and she explained that litters have been dumped on her door step rather than being born at the premises as local people know she takes in strays.

There are no puppies to see at present but the adult dogs appear to be well looked after and are housed in appropriate runs in the garden.

Would this activity fall within scope of the breeding regulations?

**Guv, We're unsure about this – does the fact that point 3 refers to (1)(a) to (c) indicate that point (d) needs to be from the breeding bitches kept at the premises?**

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  - (b) advertises for sale from those premises a puppy or puppies born from 3 or more litters of puppies for sale in any 12 month period;
  - (c) supplies from those premises a puppy or puppies born from 3 or more litters of puppies in any 12 month period; or
  - (d) **advertises a business of breeding or selling puppies from those premises.**
- (2) For the purposes of paragraph (1) any dog found on premises will be presumed to be kept by the occupier of those premises until the contrary is proved.
- (3) For the purposes of paragraph (1)(a) to (c) it is immaterial whether or not the litters of puppies are bred from the breeding bitches referred to in paragraph (1).

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**5)** A local hunt kennel has called your office to find out if they need to be licensed under the new Regulations. They explain that they have 50 hounds on site; 20 of which are un-neutered bitches although they only breed three of them per year (average litter size is 5). The hunt do not sell any puppies but they do loan them out to walkers when they are six months old to socialise them. Sometimes they swap the dogs with other hunt kennels after they are returned from the walkers. There are three full time staff on site.

Would this activity fall within scope of the breeding regulations?

**Yes, they would need to be licensed.**

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**Additional question – For each of the scenarios above that DO fall within scope of the regulations how would you approach setting the condition specifying the maximum number of adult dogs and puppies to be kept under the terms of the licence?**

**Do you have an understanding of the needs of different breeds, if not who do you ask?**