



Department
for Environment
Food & Rural Affairs

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

**Guidance in relation to licensing of dog boarding
franchises**

October 2018

1. We have received a number of questions from local authorities in relation to dog boarding business models (these are referred to as "Businesses" in this note). These Businesses consists of model where by a central office, or series of regional offices, arranges provision of dog boarding accommodation with host families across England. These host families do not themselves meet the business test in the Regulations, although some individual hosts may do, however the arranging company does meet this business test and so falls within the licensing regime in the Regulations.
2. Local authorities have requested further guidance on how these Businesses should be licensed. In particular local authorities have asked if each host should be licensed, if only the central arranging body should be licensed, or if a licence is required from each local authority in which a Business has a host family.
3. The policy intention behind the Regulations is that anyone who is undertaking one of the five activities specified in the Regulations in England is licensed. This will ensure that businesses profiting from these activities in England all meet the minimum welfare standards set out in the Regulations. We are aware that under the previous legislative regime (the Animal Boarding Establishments Act 1963) these Businesses used different approaches to licences. Some Businesses asked each of their host families to obtain a licence from their local authority (at significant cost) while other Businesses did not hold a licence at all. The policy intention is for a middle ground between these two existing approaches. Such an approach allows for the proper inspection of activities involving animals in the interests of animal welfare and accords with the interpretation that businesses should be licensed where they are undertaking such activities.
4. The policy intention is for these Businesses to require a licence from each local authority in which they have host families. The individual host families do not themselves need to be licensed (unless they separately meet the business test in the Regulations). It does not matter how many host families the Business has in each local authority only one licence will be required per area.
5. It will be for the individual local authorities to decide what level of inspection they wish to conduct in relation to each licence. Depending on the number of hosts in their area they may wish to inspect all of them or only a selection, they may also wish to cooperate to ensure a consistent approach is taken across local authorities. Beyond the requirement that these Businesses obtain a licence in each local authority in which they operate it will be for each local authority to make an assessment of how best to assess whether the business meets the licence conditions in their area. We do not want to specify a standard approach here as what may work in one local authority may be inappropriate in another.
6. This is a proportionate approach towards these Businesses. It does not go as far as requiring each host family to be licensed but will ensure that the level of care and welfare provided by the host families is regulated and a consistent standard maintained. This approach also provides additional protection for the Businesses concerned. If they had only one licence for the whole of their operation this licence

would be at risk of being suspended or revoked through the actions of one host family. It also allows these Businesses to take advantage of the risk model (as set out in the Procedural Guidance). If these Businesses only required one licence then the star rating would have to be given based on the lowest achieving host family. With this approach the Business may have several star ratings depending on the area. This will aid the Business to monitor standards provision in each area and help to bring all areas in which it operates to the same standard.

