



## **GUIDANCE NOTES for PET SHOP LICENCES**

### **Pet Animals Act 1951**

#### **Disclaimer**

**These notes have been prepared as an outline of the licensing provisions in connection with pet shops introduced by the Pet Animals Act 1951. Whilst every effort has been made to ensure accuracy, these notes are for general guidance only and do not constitute legal advice. It is the responsibility of applicants and licence holders to ensure that they comply with the provisions of the Act, any statutory instruments made thereunder, the conditions outlined in the schedule attached to your licence and any policy/guidance notes issued by the Council.**

#### **INTRODUCTION**

To run a business selling pet animals you need a licence from us. This includes all commercial selling of pet animals, including pet shops and businesses selling animals over the internet.

The following conditions will apply to any licence granted:

1. That the animals will, at all times, be kept in accommodation suitable in respect to size, temperature, lighting, ventilation, and cleanliness.
2. That animals will be adequately supplied with suitable food and drink and, so far as necessary, visited at suitable intervals.
3. That animals, being mammals, will not be sold at too early an age.
4. That all reasonable precautions will be taken to prevent the spread among animals of infectious disease.
5. That appropriate steps will be taken in case of fire or any other emergency.
6. That the arrangements in regard to Conditions 1 to 5 above, as approved by the Council and as last seen by the Council's inspector before the granting of this licence be, in all respects, kept and maintained unless the consent of the Council is given in writing to any departure therefrom.

7. That every authorised officer of the Council be, at all times, allowed free access to the premises of the licensee for the purposes of ascertaining if the above conditions are properly observed.

## THE APPLICATION FORM

The application is split into 7 sections

- A. Personal Details
- B. Business Details
- C. Licence Details
- D. Premises Details
- E. Animal Details
- F. Disqualifications
- G. Residence Outside the UK

You must answer all of the questions as fully as you can as failure to do so may result in your application being returned to you. Your application will not be processed until you have provided all the necessary information.

### A. PERSONAL DETAILS

You require completing this section if you are an individual person applying for a Pet Shop Licence rather than a business or partnership. It is essential that your personal details are supplied on the application form so that necessary police checks can be undertaken swiftly and so your application can be processed as quickly as possible.

### B. BUSINESS DETAILS

You require completing this section if the premises are run by a company or partnership rather than an individual person. Please include the details of any Partners, Directors responsible for the management of the business.

### C. LICENCE DETAILS

A Pet Shop Licence generally lasts for a maximum of 1 year although the Licensing Authority have the discretion to grant it for a shorter period. Once it expires you can apply to renew it for a further 1 year.

**Grant of a Licence** - If you have never held a Pet Shop Licence before, or you do not currently have such a licence, or you are moving to different premises then you need to apply for the grant of a licence.

**Renewal of Licence** – If you currently hold a Pet Shop Licence which has not expired, but is due to expire then you need to apply for a renewal of the licence. The old licence remains in force until the renewal is granted, but only if the renewal application is made before the expiry date.

If you are applying for the grant of a licence you are asked questions on the form as to whether you have previously held a licence in the United Kingdom or whether you have been refused such a licence previously. Please note that it is very important that you complete these questions fully.

## D. PREMISES DETAILS

You are required to supply the full postal address and telephone number of the premises to which the licence is to relate. Please also include the details of the heating and ventilation, description of the fire and fire evacuation plan.

## E. ANIMAL DETAILS

Please give details of all the animals in which it is proposed to trade.

## F. DISQUALIFICATIONS

Please give details of any disqualifications for keeping or having custody of animals you or any of your employees have received under any of the Acts stated.

## G. RESIDENCE OUTSIDE THE UK

If you are making an application you, or anyone named in the application must provide evidence of your criminal history:

- **If you were born in the UK** but have lived in any other country within the ten years prior to your application for a continuous period of twelve months or more you must provide a Criminal Record Check for all those countries for the relevant period(s)
- **If you were born outwith the UK** you must provide a Criminal Record Check from your country of origin for the time of residence there IF it was in the last ten years, unless you left that country without reaching the criminal age of responsibility. You must also provide a Criminal Record Check from any other country in which you have resided for a continuous period of twelve months or more in the ten years prior to application.

**In all cases**, the Criminal Record Checks provided must

- have been obtained within the six months immediately prior to submitting your application; and
- be translated into English; and
- be verified by the relevant UK-based Embassy or High Commission

Process for obtaining Criminal Record Checks -

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

**Note:** The certificate must be produced before the licence can be granted. Whilst it is desirable for the applicant to produce the certificate with the application, it is not a strict requirement. This is so any applicant having difficulties will not be disadvantaged by delays to processing the application. At the applicant's choosing, the application can be accepted as valid without the convictions evidence but the evidence should be provided as soon as possible. In this way the convictions evidence will be a check rather than a validation. Applicants should still note, however, that the licence cannot be granted without the evidence having been produced. Therefore if the application is approaching the 9 month time limit without the evidence being produced, the application may be refused for failure to comply with administrative provisions.

**If you are experiencing difficulties** in obtaining a certificate then please contact the licensing team to discuss your options. It may be possible to accept alternative evidence, for

example: evidence of checks having been carried out by another government body; affidavits; or character references.

In cases where it is not possible to provide any satisfactory evidence, the application will be referred to the Licensing Committee for a decision. Therefore the application may be delayed pending the outcome of a hearing.

## **GENERAL INFORMATION**

You require to sign and date the declaration at the bottom of the application form. This is a very important part of the form and you should note that it is a criminal offence to make a false declaration for which you can be prosecuted and fined up to £2,500.

Once you have completed the application form please submit it to:

Head of Legal and Democratic Services  
Moray Council  
High Street  
Elgin  
IV30 1BX

If you have any queries please e-mail [licensing@moray.gov.uk](mailto:licensing@moray.gov.uk) or contact us on 01343 563027.