



COUNCIL - 8TH MARCH 2016

SUBJECT: ANIMAL WELFARE (BREEDING OF DOGS) (WALES) REGULATIONS 2014

REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER

-
- 1.1 The report, which was considered by Cabinet on 17th February 2016 outlines the new statutory legislation to licence Dog Breeding Establishments in Wales, proposals for determining the licence applications received by the Authority and seeks to set a licence fee under the above legislation.
 - 1.2 In addition, the report sought approval to recommend to Council that the Council's Monitoring Officer be authorised to make the necessary changes to the Constitution, to reflect the implementation of the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014.
 - 1.3 It was noted that the Breeding of Dogs Act 1973 has been replaced within Wales by the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014 which came into force on the 30th April 2015. The Regulations were brought into force under the Animal Welfare Act 2006 ("the 2006 Act") and therefore, any person wishing to breed dogs in Wales must obtain a licence from their local authority in compliance with the new regulations and relevant licence conditions.
 - 1.4 The 2006 Act and Regulations are silent upon the issue of the responsibility for exercising the function under the Act. Consequently the provisions of Section 9 (D) of the Local Government Act 2000 and/or the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 are triggered giving responsibility for exercising the function to the Executive.
 - 1.5 Members thanked the Officer for the report and sought further information on illegal dog imports and interbreeding of dogs. It was noted that, checks are made on dog importations by Animal and Plant Health Agency (A.P.H.A) who then inform local authorities if there are any concerns regarding dog passports or illegal imports. With reference to interbreeding of dogs, it was noted that, the authority's Dog Breeding Conditions and the new Legislation requires licensees to keep detailed records of the Sire, Dam and puppies, which could be checked and investigated by Officers. In response to a question on Licensing Officers workload, Members were assured that, the impact would be low as licensed dog breeders were few in number. The monitoring of possible breeders by Enforcement Officers to assess compliance with the law and licensing requirement was however very time consuming.
 - 1.6 Following consideration and discussion, it was moved and seconded that the recommendations in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the Officers report: -

- (i) the implementation of the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014 be noted;
- (ii) Licensing Officers be given delegated authority to determine Licences under the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014 as set out in paragraph 4.3 of the report;
- (iii) the revocations and disputed decisions referred to in paragraph 4.3 of the report be determined by the Trading Standards, Licensing and Registrars Manager;
- (iv) the fee structure set out at paragraph 4.10 of the report be approved for implementation from 1st April 2016.

RECOMMENDED that the report be presented to Council to authorise the Council's Monitoring Officer to make the necessary amendments to the Constitution to reflect the implementation of the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014.

1.7 Members are asked to consider the recommendation.

Author: C.A Evans, Committee Services Officer
Ext. 4210

Appendix: Report to Cabinet dated 17th February 2016.