

North East Derbyshire District Council

General Licensing Committee

14 May 2026

Review of the Council's Animal Welfare Licensing Policy

Report of the Assistant Director of Communities & Environmental Health

Classification: This report is Public

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PURPOSE / SUMMARY

To consider the draft Animal Welfare Licensing Policy.

RECOMMENDATIONS

1. The Committee approves the revised draft Animal Welfare Licensing Policy for public consultation.
2. The Committee requires the Assistant Director of Communities & Environmental Health to present the draft Animal Welfare Licensing Policy to the Environment Scrutiny Committee for consideration.
3. The Committee requires the Assistant Director of Communities & Environmental Health to conduct a 12-week public and stakeholder consultation in line with best practice guidance and report the findings back to the Committee for consideration at a later date.

Approved by the Portfolio Holder – Cllr Pickering
(Delete completely for Scrutiny Reports)

IMPLICATIONS

Finance and Risk: Yes No

Details:

There will be a minor cost associated with conducting the consultation. This can be accommodated from existing budgets.

On Behalf of the Section 151 Officer

Legal (including Data Protection): **Yes** **No**

Details:

There is no legal requirement to prepare and publish a Policy every three years; however, it is considered best practice. Having a policy which is up to date, compliant with the legislation, fit for purpose and clear to operators could assist in implementing rules while preventing a legal challenge by way of appeal or judicial review.

On Behalf of the Solicitor to the Council

Staffing: **Yes** **No**

Details:

It is not anticipated that the introduction of the new regulations or the revised Policy will have any significant staffing implications. However, this will be kept under review.

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p>NEDDC: Revenue - £125,000 <input type="checkbox"/> Capital - £310,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
District Wards Significantly Affected	All
Equality Impact Assessment (EIA) details:	
<p>Stage 1 screening undertaken</p> <ul style="list-style-type: none"> Completed EIA stage 1 to be appended if not required to do a stage 2 	No, not applicable
<p>Stage 2 full assessment undertaken</p> <ul style="list-style-type: none"> Completed EIA stage 2 needs to be appended to the report 	Draft EIA stage 2 appended to report
<p>Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet <input type="checkbox"/> SMT <input checked="" type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input checked="" type="checkbox"/> Other <input checked="" type="checkbox"/></p>	<p>Yes</p> <p>Details: Chair of General Licensing Committee</p> <p>Portfolio Holder for Environment</p>

Links to Council Plan priorities, including Climate Change, Economic and Health implications.

All

REPORT DETAILS

1 **Background** *(reasons for bringing the report)*

1.1 The Animal Welfare Act 2006 creates an overarching welfare obligation on those who are responsible for animals, to ensure the 'five needs' of animals are met:

- The need for a suitable environment,
- The need for a suitable diet,
- The need to be able to exhibit normal behaviour patterns,
- Any need to be housed with, or apart from, other animals; and
- The need to be protected from pain, suffering, injury, and disease.

1.2 North East Derbyshire District Council ('the Council') is responsible for the licensing and regulation of animal related activities in the district under four separate pieces of legislation. Those include:

- Animal Activity Licences issued under The Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018,
- Primate Licences issued under the Animal Welfare (Primate Licences) (England) Regulations 2024,
- Dangerous Wild Animal Licences issued under the Dangerous Wild Animals Act 1976; and
- Zoo Licences issued under the Zoo Licensing Act 1981.

Although each piece of legislation establishes its own licensing regime, they all share the same core purpose: safeguarding animal welfare. The frameworks are based on shared principles and processes, with consistent standards and expectations applied across each regime.

1.3 Following the introduction of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018; which replaced a previous, fragmented licensing system and introduced a modern licensing framework for commercial activities involving animals; the Council adopted its current Animal Welfare Licensing Policy ('the Policy'). This Policy, in place since 5 September 2019, has remained unchanged since its adoption.

1.4 Whilst the Council is not legally required to adopt a Policy, doing so is recognised as good practice. The Council considers it essential for promoting high standards, ensuring consistent decision making, and safeguarding the welfare of both animals and people across the district.

1.5 Under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 the authority to grant or renew animal licences is excluded from the remit of the Executive. In accordance with the Council's Constitution, the General Licensing Committee is responsible for all licensing matters not covered by the Licensing Act 2003 or the Gambling Act 2005, while the responsibility for the final determination of policies is reserved to Council.

2. Details of Proposal or Information

- 2.1 The current Policy was approved on 5 September 2019 and has remained unchanged since its adoption.
- 2.2 The joint Environmental Health Service, has undertaken an extensive review of the Policy, resulting in a complete and substantive rewrite of the Policy.
- 2.3 In summary the draft proposals aim to achieve the following:
- Modify the format of the Policy to ensure it is comprehensive and cohesive;
 - Ensure the Policy is consistent with legislation and statutory guidance;
 - Ensure the Council's processes are transparent;
 - Ensure the Council promotes the highest animal welfare standards; and
 - Ensure the Policy adequately safeguards the public.
- 2.4 The fundamental principles of the Policy remain the same; however, upon review it was felt that the Policy would benefit from being rewritten to achieve a more transparent and robust service.
- 2.5 The current Policy is attached as **Appendix 1**, and the revised draft Policy is attached as **Appendix 2**.
- 2.6 An equality impact assessment has been carried out, and a draft copy is attached as **Appendix 3**.

Animal Activity in the District

- 2.7 **Table 1 and Graph 1** below show how animal activity has changed across the district since the introduction of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 and the Council's current Animal Welfare Licensing Policy.

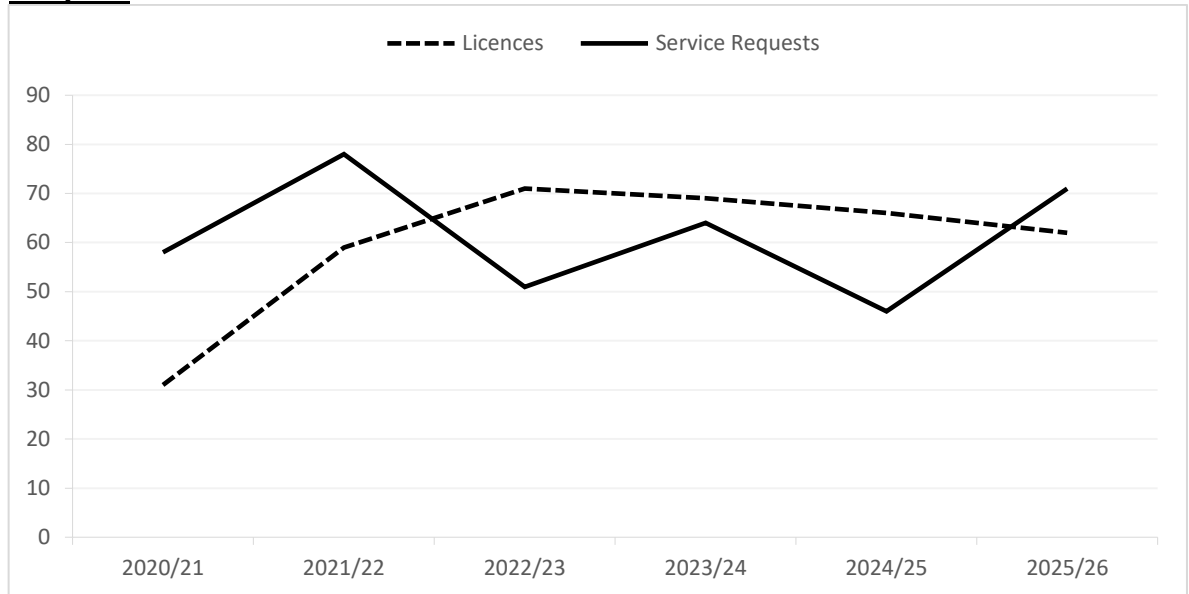
The number of animal licences within the district has doubled since 2021, while service requests relating to animal welfare fluctuate from year to year.

Table 1

Number of animal licences and service requests recorded annually as of **1 April in each year** shown.

	2021	2022	2023	2024	2025	2026
No of Licences	31	59	71	69	66	62
Service Requests	58	78	51	64	46	71

Graph 1



- 2.8 The increase in animal licences and complaints is likely a consequence of greater awareness of the animal licensing regime among operators and the public. Awareness of the licensing requirements may have increased over time, resulting in more reports of unlicensed activity and more operators obtaining licences. The subsequent plateau of licences may indicate a settling of the market as the regime becomes established.
- 2.9 To understand more about the requests being received by the Council, a more detailed qualitative analysis of the type of requests being received was conducted. This analysis demonstrated the following recurring themes:
- Reports of unlicensed activity.
 - Concerns about animal welfare.
 - Nuisance linked to animal activities.
 - Requests for advice to start or expand a business.
 - Requests for advice on what activities need a licence.
 - Requests to verify information on current licences/licensing registers.

Legislative Updates

- 2.10 On 06 April 2026 the Animal Welfare (Primate Licences) (England) Regulations 2024 were introduced. These regulations introduce a new regime whereby keepers of primates are required to obtain a licence from the Council. It is currently unknown how many primates are in the district; however, in the [do-you-give-a-monkeys](#) report published by the RSPCA in 2016, it is estimated that the number of primates in the UK is between 4000 and 5000. It is therefore likely that the Council will see some demand for licences, particularly as awareness increases over time.

Conclusions

- 2.11 Overall the Council has seen a growth in animal activity in the district and is likely to see more growth as the new Animal Welfare (Primate Licences) (England) Regulations 2024 are introduced. Whilst no evidence has been found

to suggest there are any major areas of concern in the district, data suggests the Council could benefit from enhancing their provision of information to operators and the public through a more detailed and comprehensive Policy.

Next Steps

- 2.12 Following approval at the General Licensing Committee a 12-week public and stakeholder consultation will be carried out. During this time the revised Policy will be presented to the Environment Scrutiny Committee for comment. The results of the consultation will be presented back to the General Licensing Committee for consideration, before a final draft is recommended to Council for adoption.

3 Reasons for Recommendation

- 3.1 Adopting an Animal Welfare Licensing Policy is widely considered to be best practice. A clear and up to date Policy enables the Council to set transparent standards, promote consistency in decision-making, and provide clarity to operators and the public. This in turn supports high standards of animal welfare and instils public confidence in the Council.

4 Alternative Options and Reasons for Rejection

- 4.1 The Council can choose not to prepare and publish a new Policy; however, this would leave the authority open to potential legal challenge by way of appeal against decisions, or judicial review.

DOCUMENT INFORMATION

Appendix No	Title
1	Current Animal Welfare Licensing Policy
2	Draft Animal Welfare Licensing Policy
3	Draft Equality Impact Assessment
<p>Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet you must provide copies of the background papers)</p>	
<p>Statistical information from the Council's systems. RSPCA (no date) <i>Do you give a monkeys?</i> Available at: https://www.rspca.org.uk/documents/d/rspca/do-you-give-a-monkeys</p>	