

Proposed Pet Shop (Licensing) (Scotland) Bill

Page 1: Introduction

A proposal for a Bill to improve animal welfare by enhancing local authority pet shop licensing powers and updating the licensing system, including in relation to licence conditions, fees and inspections. The consultation runs from 26 March 2018 to 18 June 2018. All those wishing to respond to the consultation are strongly encouraged to enter their responses electronically through this survey. This makes collation of responses much simpler and quicker. However, the option also exists of sending in a separate response (in hard copy or by other electronic means such as e-mail), and details of how to do so are included in the member's consultation document. Questions marked with an asterisk (*) require an answer. All responses must include a name and contact details. Names will only be published if you give us permission, and contact details are never published – but we may use them to contact you if there is a query about your response. If you do not include a name and/or contact details, we may have to disregard your response. Please note that you must complete the survey in order for your response to be accepted. If you don't wish to complete the survey in a single session, you can choose "Save and Continue later" at any point. Whilst you have the option to skip particular questions, you must continue to the end of the survey and press "Submit" to have your response fully recorded. Please ensure you have read the consultation document before responding to any of the questions that follow. In particular, you should read the information contained in the document about how your response will be handled. The consultation document is available here: [Consultation Document](#) [Privacy Notice](#)

I confirm that I have read and understood the Privacy Notice attached to this consultation which explains how my personal data will be used

Page 2: About you

Are you responding as an individual or on behalf of an organisation?

an individual

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

Professional with experience in a relevant subject

Optional: You may wish to explain briefly what expertise or experience you have that is relevant to the subject-matter of the consultation:

I am a member of several professional animal conservation, welfare and crime prevention organisations.

Please select the category which best describes your organisation

No Response

Please choose one of the following:

I am content for this response to be published and attributed to me or my organisation

Please provide your name or the name of your organisation. This will not be published if you have asked for the response to be anonymous or "not for publication". Otherwise this is how your name/name of your organisation will be published.

Fraser Gilchrist

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number. We will not publish these details.

Page 8: Aim and approach

Q1. Which of the following best describes your view of the proposal to strengthen the licensing regime for pet shops in Scotland?

Fully supportive

Please explain the reasons for your response.

Provided the change in licensing regime adopts a common sense approach where improving animal welfare as it's main / primary aim then I am full supportive. What I would not be in favour of is using this as an opportunity to restrict the keeping of animals and penalising those individuals who contribute to our understanding of these creatures.

Q2. Could the aims of the Bill be better delivered in another way (rather than by the means of a Bill in the Scottish Parliament)?

No

Please explain the reasons for your response.

No, the Scottish Government needs to set a benchmark and challenge everyone to surpass it. Without appropriate powers to administer, enforce and if required penalise, the situation will remain as is.

Q3. Under the proposal, pet shop licence fees would be based on a recovery of the costs incurred by local authorities in processing applications and inspecting premises to ensure animal welfare standards are maintained. In your view, which of the following should local authorities do?

(c) Differentiate licence fees for pet shops according to other criteria (e.g. shop surface area).

Please give reasons for your answer. If you have selected option (c) please indicate which criteria you think should be used.

You can't expect a sole trader to pay the same as a national pet shop retailer. I believe the charges should be fair - enough to cover the cost of administration, inspection, enforcement, training etc

Q4. Which of the following best expresses your view of developing statutory licence conditions, building on the current Model conditions for pet vending, that would apply to all pet shops in Scotland?

Fully supportive

Please give reasons for your answer, including any advantages or disadvantages of the proposal.

As a nation of animal lovers, we should strive for welfare standards that are beyond reproach. Why shouldn't the 'good guys/girls' be praised and the 'bad guys/girls' be challenged to do better?

Q5. Which of the following best describes your view of banning the sale of puppies and kittens in pet shops?

Neutral (neither support nor oppose)

Please give reasons for your answer, including any advantages or disadvantages of the proposal.

I can see both a positive and negative to this. At present thousands of puppies and kittens are sold by private breeders where there is absolutely no control or monitoring of standards. Puppies and kittens are being sold far too young, without appropriate vaccinations, without proper vetting of new owners, without proper socialising or without any after care. Selling puppies and kittens at a central location - a pet shop if you will, would allow for better monitoring of the above and could help prevent animals being passed from pillar to post at a young age or being taken into a rehoming centre. In many cases it is not 'is this animal suitable for me, it is a case of am I suitable for this animal'

Q6. Which of the following best describes your view of pet shop licence applications listing all animal categories they intend to sell, with owners under an obligation to inform the local authority before stocking any new categories?

Fully supportive

Please give reasons for your answer, including any advantages or disadvantages of the proposal.

I think any prospective owner of a pet shop should be able to display suitable knowledge and experience before they are able to stock certain species. An exceptional fish retailer for example may not have suitable experience in keeping snakes for example and any application to change the species being kept / sold should be accompanied by the appropriate training certificate.

Q7. Which of the following best describes your view of mandatory inspections for all pet shops before an initial licence is granted?

Fully supportive

Please give reasons for your answer, including any advantages or disadvantages of the proposal.

Absolutely, to determine competency of the applicant before any licence is granted. I would even go as far as to say a primary application should be required - initial proposal / application. Then before the final licence was granted - for the retailer to actually begin trading - another inspection be carried out to determine whether all standards had been met. Lets not forget, many people use the enclosures in store as the basis for their own enclosure at home, if the enclosure in the pet shop is sub-standard then the chances are the keeper will not have a suitable enclosure at home. Caveat: appreciation that a pet shop enclosure is a temporary enclosure and that any new keeper should provide a suitable life-long, enclosure at home.

Q8. Which of the following best describes your view of all local authorities using a standardised approach to conducting and reporting on inspections of pet shops?

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Fully supportive

Please give reasons for your answer, including any advantages or disadvantages of the proposal. Is there any reason why a standardised approach would not be appropriate?

Animal welfare should be 'measured' the same regardless of whether you live in Edinburgh or Aberdeen - a standardised approach would allow best practice to be used throughout Scotland and provide measurable criteria, this would help identify potential training needs or areas of improvement.

Q9. Which of the following best describes your view of local authorities using a risk-based assessment and issuing longer-term licences to pet shops that demonstrate a low risk to animal welfare?

Partially supportive

Please give reasons for your answer, including any advantages or disadvantages of the proposal.

Although the majority of successful applicants would adhere to this low risk approach, we should not allow complacency. A change in staffing or species could mean that standards change (both for the better and worse) so ad hoc inspections should still be carried out to help ensure standards do not slip. Increased animal welfare standards is not a destination - it is a journey. As new research or information becomes available our keeping should also change. For this reason regular inspection should be adopted.

Q10. Which of the following best describes your view of enabling local authorities to contract other qualified professionals (in addition to their own officers and vets) to carry out and report on pet shop inspections, including qualified officers from other local authorities?

Fully supportive

Please give reasons for your answer, including any advantages or disadvantages of the proposal.

With the best will in the world nobody can know everything about everything. An expert in parrots can't be expected to provide a learned opinion on how a tortoise is being kept. Likewise a vet is an expert in medication - he/she may not be suitably qualified to provide husbandry help or advice.

Q11. Which of the following best describes your view of enabling local authorities to take steps to address non-compliance with licence conditions, giving licensees the opportunity to make improvements before any further action is taken, with the power to revoke a licence as a last resort?

Partially supportive

Please give reasons for your answer, and any detail you think relevant, including what appropriate intermediate steps could be.

I absolutely agree that where standards fall short, measures should be taken to address them - having said this if basic requirements are not being met e.g a tortoise requiring an ultra violet light source for example giving the pet shop owner 6 months to comply for example would mean that the tortoise was unnecessarily suffering potentially, for those 6 months in addition to the time spent without this UV prior to inspection. Where an essential requirement for a healthy life is lacking, a stipulation should be made that this is rectified within 7 days otherwise the animal is removed until suitable changes are made - the shop would be responsible for the cost of boarding etc. Most pet shop owners are animal lovers first and foremost so I don't see this being a big issue but certainly something to consider when drafting up the legislation.

Q12. Which of the following best describes your view of increasing the maximum fine for failing to comply with the legislation, in line with more recent animal welfare legislation?

Fully supportive

Please give reasons for your answer, including any advantages or disadvantages of the proposal.

In this day and age - with access to information at your fingertips - there is no excuse for poor welfare standards. As I have said in a previous response, customers expect the standards within a pet shop to be the best possible and where this is not the case animal suffering is surely going to continue. After suitable mentoring and/or assistance, financially penalising those who fall below what is expected of them is possibly the best deterrent.

Q13. Which of the following best describes your view of placing an obligation on pet shop owners to provide advice to people buying pets?

Fully supportive

Please give reasons for your answer, including any advantages or disadvantages of the proposal.

I have said for many years that it should be a mandatory requirement to provide a care sheet - at the VERY least - with each and every purchase. I would also like to see some sort of mentoring scheme - not sure how this would be policed - whereby a level of competency must be shown before you are able to purchase a certain species. Maybe pet shops should run workshops or evening 'classes' and before you are able to purchase a certain species you must attend these classes so that any new keeper is fully aware of what to expect in the short, medium and long term. As a youngster I had an interest in birds of prey, I was fortunate that an experienced keeper 'took me under his wing' :-) and showed me EVERYTHING from how to fit jesses to being a responsible outdoors man. Having had this mentoring I was fully aware of the monumental undertaking of buying a bird - I decided that I couldn't offer a bird the attention it required. My point is that had I not had this mentoring, I may have purchased a bird which could have had disastrous consequences for both myself and more importantly, the bird. Too many animals from dogs, cats, rabbits and snakes are purchased on a whim without fully appreciating the work involved and the tremendous responsibility that goes along with being a responsible animal owner. My area of expertise is in exotic species and it is extremely disappointing that anyone can walk into a pet shop and purchase a hatchling Burmese Python without any legal requirement for the owner to inform the purchaser of the requirements of this little snake when it reaches 15-18ft long - these are exceptional snakes, is everyone purchasing one of these snakes exceptional keepers?

Page 21: Financial implications

Q14. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have on:

	Significant increase in cost	Some increase in cost	Broadly cost neutral	Some reduction in cost	Significant reduction in cost	Unsure
(a) Local authorities		X				
(b) Pet shop owners		X				
(c) Individuals (including pet owners)		X				
(d) Animal welfare		✓				

Q14. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have on:

organisations						
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Please explain the reasons for your responses.

To get the licencing scheme off the ground I think it would be a major undertaking - this should subside after implementation. I think everyone would be happy to pay a fair price for a licence provided it was fair, transparent and helped improve animal welfare standards. Special dispensation (waiver of fees) could be applied for welfare organisations, scientific research or conservation organisations.

Q15. Are there ways in which the Bill could achieve its aim more cost-effectively (e.g. by reducing costs or increasing savings)?

Unsure

Page 23: Equalities

Q16. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected characteristics (under the Equality Act 2010): race, disability, sex, gender re-assignment, age, religion and belief, sexual orientation, marriage and civil partnership, pregnancy and maternity?

Neutral (neither positive nor negative)

Please explain the reasons for your response.

Improving animal welfare standards should have no impact upon someone's characteristics. If you are unable to provide an animal with its basic and fundamental needs, then you shouldn't be keeping it - it is that simple.

Page 24: Sustainability

Q17. Do you consider that the proposed Bill can be delivered sustainably i.e. without having likely future disproportionate economic, social and/or environmental impacts?

Yes

Please explain the reasons for your response.

As I said, there may be some pain in introducing the bill initially but once all the teething problems are addressed - it would be silly to assume there wouldn't be any - I can see a huge benefit for retailers, customers, local authorities, rehoming centres and of course the animals themselves. Providing another living species be it a dog, cat, rabbit or snake with the right to have their basic requirements (based of the five principles) met is the least we should be providing them - keeping animals is a privilege NOT a right.

Page 25: General

Q18. Do you have any other comments or suggestions on the proposal?

Scotland has a fantastic opportunity to not only set the benchmark in animal welfare standards but to surpass it.