

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?

on behalf of an organisation

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".)

No Response

Please select the category which best describes your organisation

Third sector (charitable, campaigning, social enterprise, voluntary, non-profit)

Optional: You may wish to explain briefly what the organisation does, its experience and expertise in the subject-matter of the consultation, and how the view expressed in the response was arrived at (e.g. whether it is the view of particular office-holders or has been approved by the membership as a whole). RAAF is the largest charity in the UK dedicated to improving standards for domestic rabbits. We campaign to improve conditions on pet retailers both on line and with actual pet shops. These views are those of our Vet Specialist Advisor Dr Richard Saunders, and also those of the Directors.

Please choose one of the following:

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.

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.

Standards vary across pet stores, welfare issues exist, and it is time to make improvements. There is data from PAW report for example which suggests improvements are required. From RWAf perspective, rabbits are commonly sold in pet shops and we see the effects of bad housing, poor diet advice, incorrect sexing and owners who took on a pet that is more complex than they realised. This should all be addressed at point of sale.

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.

Legislation needs to be updated and then enforced to ensure standards are raised.

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.

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?

Were reluctant to comment on costs of the licence fee. A large fee favours a bigger pet retailer / chain. Whilst the smaller may not be better we would not want to push them towards on line sales, where they would not be inspected or regulated.

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.

All LA's should work from the same standards, which have been agreed by a working party. We'd also like to see the inspections themselves carried out by a small number of highly trained specialist inspectors, rather than each LA doing a small number for their area.

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

Partially supportive

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

Given the evidence that this causes them further distress it would seem better to ban third party sales. However, other species should also be considered because the same concerns exist, and this would include rabbits. The only hesitation here is that it could again drive more sales on line which is less regulated and inspected and this needs to be considered with a plan of action for this also.

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.

And any animal under DWA should not be included. The LA needs to satisfy themselves that the store have the required skills and knowledge to stock and sell each species, and can ensure that they the new owners are properly prepared for their new pet(s) and will provide good welfare.

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.

To ensure that the store is suitable, and that staff are properly qualified. This should include the food sold and the housing stocked, and not just the animals themselves.

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?

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?

A 'best practice' inspection should be developed for use across all LA's. This would help with raising standards and ensuring standards do not vary across different LA's Use of a specialist team would be an advantage here.

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?

Fully opposed

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

Owners and staff can change frequently and the quality of the advice given is dependant upon the member of staff at the time. Given the importance of the information passed to new owners being correct, and correct home checks being carried out, it is far too risky to allow inspections to go longer than 12 months apart. A decision made at point of sale will affect that animal for its entire life.

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.

A specialist licence inspector would offer the same standards across all LA's and be familiar with all legislation and species because their scope would be narrower. As it is, LA's need to be able to inspect all sorts of different businesses and this means they can not specialise in all of the species involved in the pet shop inspections.

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?

Fully supportive

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

We are very often aware of breaches of licence conditions, but when they are raised with LA's we rarely see action taken, meaning welfare is not improved. This also means owners can have been misled and the welfare of the animal sold could be affected for the duration of its life We'd like to see licence conditions enforced (and based on MLC, not the conditions the LA's themselves chose as this can lead to a very diluted licence).

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.
Retailers would be encouraged to uphold licence conditions if there was a real consequence to not doing so.

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.
Owners need to be fully aware of the life time costs, and requirements of their pet(s) This advice however should be scientifically accepted, or in the absence of that, agreed best practice, and not based on what the retailer themselves feels is best.

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 organisations			X			

Please explain the reasons for your responses.

Cost should not be a consideration where welfare is concerned, especially the sums we are talking here, which are not excessive. Standards need to improve, there will be costs incurred to do this, in the form of training etc, and this is a realistic and justified business expense.

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)

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.

Yes, and if it can not the alternative is to leave things as they are, with varying welfare standards across LA's which also has disproportionate economic, social and environmental impacts, as well as welfare impacts.

Page 25: General

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

There has been no mention of home checks in this proposal and they are vital and need to be included in the vending process. Best practice guidelines need to be developed for this also, which could also apply to rehoming organisations, as well as retailers.