

# 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?

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".)

Please select the category which best describes your organisation

**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).**

Please choose one of the following:

**Please give a reason why you have requested anonymity or asked for your response not to be published:**

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?

Partially opposed

**Please explain the reasons for your response.**

This will ensure clarity and consistency.

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.**

A legislative framework places a duty on the business owner. Codes of Practice can be ignored.

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?

(b) Charge all pet shops the same basic licence fee, but charge the costs of inspections separately to each pet shop.

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

Smaller businesses are likely to incur a lesser inspection fee. Shop surface area may not be fair on businesses with good space standards and may encourage some business owners to operate from cramped conditions.

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?

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Fully supportive

**Please give reasons for your answer, including any advantages or disadvantages of the proposal.**  
We have already adopted the model standards.

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

Fully supportive

**Please give reasons for your answer, including any advantages or disadvantages of the proposal.**  
We have already banned all sale of puppies and kittens from pet shops.

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.**  
We already operate in this way.

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.**  
There is no better way of ensuring that the premises and facilities are suitable.

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?**  
This ensures a consistent approach by local authorities.

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?

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 opposed

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

Conditions/staff, etc. can change year to year and local authorities would have to rely on complaints from the public as a means of detecting deteriorating standards, therefore reactive rather than proactive.

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 opposed

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

Likely to be problematic in terms of consistency, competencies, legal and insurance implications.

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.**

This is in accordance with The Scottish Regulators' Strategic Code of Practice and LA Enforcement Policies that recognise that enforcement should be transparent, accountable, proportionate and targeted only where required.

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.**

A clear message has to be sent about the seriousness of not complying with the legislation.

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.**

This is already a condition of our licences and essential to ensure that the buyer is fully aware of the needs of the animal/breed. No disadvantage at all.

## 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.**

No significant change to our existing procedures.

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

## Page 25: General

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

We need a consistent and fair approach to licensing of pet shops in order to ensure the wellbeing of animals and their owners.