

## REVISED VERSION

This report may be of interest to: ALL MEMBERS

### INSPECTIONS OF PET SHOPS BY A VETERINARIAN

Accountable Officer: Geoff Beck (Head of Regulatory Services)

Author: Phil Winsor (Chief Environmental Health Officer) MK 252405

#### 1. Purpose

- 1.1 To advise the Committee of the cost to the applicant if veterinarian inspections of pet shops were required.
- 1.2 To seek the Committee's views on the matter, and effect changes to the administrative arrangements as appropriate.

#### 2. Summary

- 2.1 The Committee has received reports regarding the concerns of the R.S.P.C.A. in respect of the standards of animal welfare and level of training/expertise of staff employed in licensed pet shops with a particular focus on exotic pets.
- 2.2 The Committee has requested further information regarding the feasibility and cost of requiring an inspection of the premises to be undertaken by a competent veterinarian as recommended by the R.S.P.C.A.

#### 3. Recommendations

- 3.1 That pet shops continue to be licensed for the sale of species which may be classified as exotic.
- 3.2 That a veterinarian undertakes an accompanied visit at least once a year to premises holding a Pet Shop Licence
- 3.3 That all costs incurred by the Council in engaging a veterinarian to visit a licensed pet shop be
  - a) recharged to the applicant prior to the grant/renewal of the licence, or

- b) absorbed by the Council until the next review of the licence fee is undertaken, and “benchmarked” against adjacent local authorities or
  - c) The use of a veterinarian is deferred until such time that the licence fee is reviewed in 2000/1.
- 3.4 That any veterinarian authorised to act for Milton Keynes Council shall not be the veterinarian for the applicant.
- 3.5 That the standard licence conditions for pet shops in Milton Keynes remain unchanged.
- 3.6 That a recommendation made by the veterinarian in respect of an animal welfare matter may be included in a licence as a special condition.

#### 4. **Background**

- 4.1 A decision on this matter was deferred at the meeting of the Licensing Committee on 22 March 2000. (Minute L65/00 refers) Officers were requested to provide additional information on this issue and report back to the Committee.
- 4.2 Information in respect of other Council's policies on this issue has been requested via the Chartered Institute Environmental Health website, and also by making contact with adjacent local authorities, a synopsis of the information received is set down below.

##### Cost of employing a competent veterinarian

- a) British Veterinary Association – recommended rate for pet shop inspections £52.69 + VAT per hour (2000/2001).
- b) Scott's Veterinary Clinic, Bedford – currently used by Milton Keynes Council for Dangerous Wild Animal inspections - £60 per hour including travelling time + VAT.
- c) Thurrock (U.A.) - £51.50 per hour plus mileage - costs recovered through licence fees, veterinarian used on renewal of licence and on an ad hoc basis.
- d) Basingstoke & Deane Borough Council – used on an ad hoc basis only.
- e) Bolsover District Council – only used for pet shops selling Dangerous Wild Animals – actual veterinarian costs charged in addition to standard Pet Shop Licence fees.
- f) Bromsgrove District Council – All inclusive fee, the veterinarian's rate is £48.86 + VAT per hour. The veterinarian undertakes inspections alone.
- g) Aylesbury Vale District Council – Only use a veterinarian if any concerns about conditions. Veterinarian charges not passed onto applicant. (£68.00 for Pet Shop Licence but £15.00 for fish only.)
- h) South Northamptonshire District Council – Veterinarian only used if any problems or concerns. The cost of £42.57 (inc VAT) is not passed onto the applicant.
- i) Mid-Beds District Council – Veterinarian used for a licensed pet shop where problems are in existence. Veterinary costs are built into the fee structure based on historical information. Renewal inspections are not always inspected by a veterinarian.
- j) Luton Borough Council – Veterinarian visits all premises once a year – not necessary at time of renewal. An Environmental Health Officer always undertakes the renewal inspection of an existing premise. Veterinarian charges are approximately £30.00 per hour which is

incorporated into the annual charge of pet shop licence of £85. Pet shops that only have fish only get inspected by a veterinarian if there are any concerns.

- k) South Beds District Council – Use two different veterinarians at approximately £50.00 per hour. The Pet Shop licence fee is £140.00 and the veterinarian fees do not get recharged to the applicant.
- l) Bedford Borough Council – Pet Shop Licence fee £200 which includes veterinarian's fees. (Biggleswade Veterinary Practice used as licensed premises use Scotts Veterinary Clinic – Bedford.)
- m) Wyre Forest District Council – Pet Shop Licence fee £53 + approximately £50 veterinarians fee both payable prior to inspection being made.
- n) Hart District Council – charge of £48 per hour for veterinarian
- o) Liverpool City Council – two-tier system - £210 including veterinarian inspection for premises selling puppies/kittens/exotics or £100 inclusive for small pet shops selling hamsters, budgerigars. Veterinarian inspections charged at £70 per hour plus VAT plus mileage.

- 4.3 The Council's existing fees for certain animal welfare regulatory functions, eg Dangerous Wild Animals, are considered to be at a level where individuals running small businesses or having a single pet, consider them to be rather onerous. If the Committee were to require a veterinarian inspection with the costs recharged to the licensee then further consumer resistance or complaints may occur.
- 4.4 The News for Members Item on Animal Welfare in Pet Shops, brought to the attention of the Licensing Committee in January 2000 referred to the salient points in the R.S.P.A.'s letter to all local authorities regarding their concerns on animal welfare issues in pet shops. The R.S.P.C.A. have recommended that at least one annual veterinary inspection be made in addition to spot checks by Environmental Health enforcement staff. If "exotic" species are sold then a veterinarian with suitable experience in the species should carry out the inspection.
- 4.5 Milton Keynes Council currently licences 6 pet shops 3 of which sell exotic species, with 2 selling aquatic species only. Complaints are very occasionally received by the Environmental Health Division from members of the public and normally refer to the condition of the livestock or aquatic species. Outbreaks of zoonoses eg. psittacosis from parakeets, etc rarely occur, and in such circumstances the pet shop will normally have their own veterinarian to liaise with the local authority.
- 4.6 The Trading Standards Division have advised that they have not received complaints concerning the quality of livestock or aquatic species being sold from pet shops in Milton Keynes.
- 4.7 An experienced and competent veterinarian is the only person who can provide detailed and scientific advice on this issue to the licensing authority.

## 5. **Issues and Choices**

- 5.1 The Council could continue with the existing arrangements whereby an Officer from the Environmental Health Division undertakes inspections of premises prior to new businesses opening, and also upon an application for renewal of pet shop licence. The officer would look at the structure, equipment, animals and training/record keeping. If any shortcomings were noted, or if there were any serious concerns, then a senior colleague would be advised. When appropriate, the Chief Environmental Health Officer would bring the matter to the attention of the Licensing Committee, if a renewal was imminent, otherwise a report would be made to the Legal Department if breaches of the legislation had occurred. Practical experience indicates that premises may be satisfactory, but if key members with expert knowledge leave, standards can slip.
- 5.2 If the Council were minded to use the services of a suitably experienced veterinarian to undertake joint visits with the Environmental Health staff then this could be considered to be unduly bureaucratic by individuals or businesses, although the accompanying officer would enhance their level of knowledge. Alternatively, a duly authorised veterinarian could undertake the inspection unaccompanied, and then file a report to the Council. The details of the report would be communicated to the business proprietor, and when necessary the veterinarian may be required to attend the Licensing Committee or Court as an expert witness.
- 5.3 It is anticipated that a veterinarian inspection including travelling time would take approximately 2 hours at a cost of £120 plus £21 VAT; when added to the current licence fee of £171 the total cost for a grant/renewal would be circa £312. From the survey results such a figure would make Milton Keynes the most expensive local authority, and therefore the Council could consider absorbing an element of the veterinarian expenses into the existing licence fee so that the total cost to the applicant would be similar to say, Bedford Borough Council - £200.

## 6. **Implications**

- 6.1 Environmental - None
- 6.2 Equalities – Only certain veterinarians have the necessary expertise in the wide range of live animals including exotic and aquatic species retailed at pet shops, and therefore the Council would need to engage the services of an acknowledged expert in this area.
- 6.3 Financial – The current fee for a pet shop licence is £171 per annum. The cost to Milton Keynes Council of a competent veterinarian would be in the region of £60 per hour + VAT. If this is recovered from the applicant there will be no additional cost to the Council. Pet Shop Licences are valid from 1<sup>st</sup> January to 31<sup>st</sup> December and existing premises have just had their licences renewed. It is unlikely that any new applications will be received but if this occurred and a veterinarian's inspection undertaken, the cost of same could be absorbed within the licensing budget.

- 6.4 Legal – A local authority may authorise in writing a veterinarian/practitioner to inspect a premises within their area only where a licence has been granted, ie renewals only.

An authorised person has the power of entry at all reasonable times to inspect the licensed premises and the animals, for the purpose of ascertaining whether there has been an offence committed.

A local authority is empowered to charge a fee necessary for the determination of the licence, and this could include the veterinarians' expenses. Although, as can be seen from paragraphs 4.2 c–o there is a differing view as to whether or not veterinarian costs should be included into the fee structure or added onto the fee that covers the local authority's expenditure. There is no case law on this issue. However in practice by charging the veterinarian's expenses as an addition, this will be proportional to the amount of time needed to undertake the inspection.

- 6.5 Staff and Accommodation – The Scott Veterinary Clinic at Bedford would be the preferred choice as they have undertaken work for the Environmental Health Division previously in respect of Dangerous Wild Animals.

- 6.6 Cultural - None

## 7. **Conclusions**

- 7.1 In order to ensure the highest possible standards of animal welfare in licensed pet shops in Milton Keynes an annual inspection by a competent veterinarian would be considered beneficial.

Background Papers: None