

# HOME BOARDING STABLISHMENTS - IMPLEMENTING CONDITIONS FOR DOG HOME BOARDING ESTABLISHMENTS - ANIMAL BOARDING ESTABLISHMENTS ACT 1963

**Report By: Licensing Officer for Head of Environment and  
Culture**

## **Wards Affected**

All

## **Purpose**

1. To consider implementing licence conditions for Home Boarding Establishments.

2. **Background**

Under the act the running of a boarding establishment is *"the carrying on by him at premises of any nature (including a private dwelling) of a business of providing accommodation for others people's animals"*.

In 2005 LACORS issued guidance and Model Conditions to local authorities on home boarding and whether host families and/or agencies required a Boarding Establishment Licence.

The Model conditions are attached for dogs at (Appendix 1). In relation to cats the situation is a little different. It is the view of both DEFRA and the Feline Advisory Bureau that the homeboarding of cats is not to be encouraged. Indeed DEFRA have publicly stated that they will look, under new secondary legislation following the Animal Welfare Act, to outlaw this activity.

In relation to the host family LACORS is of the view that they are providing accommodation as defined by the Act so if they are doing it as a business then they require a licence.

LACORS suggest that local authorities give consideration to offering a discounted licence fee for such host families where it is a small scale activity. The actual agreement to or level of any discount is a matter for each individual authority.

In relation to any agent, LACORS is of the view that they are not "providing" accommodation as defined under the Act and do not therefore themselves need a license. However if local authorities are advising such agents then they should be advised that they should be ensuring that all their host families are properly licensed where necessary.

The conditions are set out in Appendix 1. To date we have received one application to carry out homeboarding.

**Duty on Local Authority**

- (a) that animals will at all times be kept in accommodation suitable as respects construction, size of quarters, number of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness;
- (b) that animals will be adequately supplied with suitable food, drink and bedding material, adequately exercised, and (so far as necessary) visited at suitable intervals;
- (c) that all reasonable precautions will be taken to prevent and control the spread among animals of infectious or contagious diseases, including the provision of adequate isolation facilities;
- (d) that appropriate steps will be taken for the protection of the animals in case of fire or other emergency;
- (e) that a register be kept containing a description of any animals received into the establishment, date of arrival and departure, and the name and address of the owner, such register to be available for inspection at all times by an officer of the local authority, veterinary surgeon or veterinary practitioner.

**RECOMMENDATIONS**

- (a) that the proposed licence conditions as set out in Appendix 1 be approved;
- (b) such conditions shall come into force on 1 August 2008;
- (c) that any application to homeboard cats will be refused on the grounds of consideration for Animal Welfare, based on the advice from Defra and the Feline Advisory Board.
- (d) that the fee for Homeboarding shall be £80.00.

**BACKGROUND PAPERS**

Herefordshire Council draft licence conditions Appendix 1 Lacors Model Licence Conditions Appendix 2 and Guidance for Home Boarding Establishments Appendix 3.

Licence conditions for:

Eden District Council  
Wigan Council  
Ryedale Council  
Charnwood Council  
Rotherham Council  
Hull City Council  
Telford Council  
Cotswold Council

## Appendix 1



**HEREFORDSHIRE COUNCIL LICENCE CONDITIONS FOR HOME BOARDING ( DOGS )**  
**ANIMAL BOARDING ESTABLISHMENTS ACT 1963.**

**1. INTRODUCTION**

- 1.1 Unless otherwise stated, these conditions shall apply to all buildings and areas to which dogs have access and/or which are used in association with the boarding of dogs.
- 1.2 Normally planning permission will not be required for the home boarding of animals on the scale proposed, however should complaints be received because of particular noise or odour problems, then the Council reserves the right to consider whether there has been a change of use which requires a planning application to be submitted.
- 1.3 The Licensee must ensure that the establishment is covered by adequate and suitable public liability insurance and, where necessary, adequate and suitable employers liability insurance.
- 1.4 No dog registered under the Dangerous Dogs Act 1991 must be accepted for home boarding.
- 1.5 Dog hybrids registered under the Dangerous Wild Animal Act 1976 (e.g. Wolf Hybrids) are not to be accepted for home boarding.
- 1.6 Entire males and bitches in season or bitches due to be in season during the boarding, must not be boarded together or boarded with resident dogs. Puppies under 6 months of age must not be boarded with other dogs including resident dogs.

**2. LICENCE DISPLAY**

- 2.1 A copy of the licence and its associated conditions must be suitably displayed to the public in a prominent position in, on or about the premises or made available to each boarder.

**3. NUMBERS OF ANIMALS**

- 3.1 The maximum number of dogs to be kept at any one time is (enter number).
- 3.2 Only dogs from the same household may be boarded at any one time. Dogs must not be boarded with any cat, unless they normally live together in the same household.
- 3.3 Where there is a resident dog or cat kept at the household, written consent from the owners of the boarded dog must be gained following a trial familiarisation session.

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Further information on the subject of this report is available from Claire Berrow, Licensing Officer on (01432) 353324 or e-mail [cberrow@herefordshire.gov.uk](mailto:cberrow@herefordshire.gov.uk)

3.4 The Licensee will be required to make an assessment of the risks of home boarding to include the risk to or caused by children who are likely to be at the property.

#### **4. CONSTRUCTION**

- 4.1 Dogs must live in the home as family pets. There must be no external construction of buildings, cages or runs.
- 4.2 The premises shall have its own entrance and must not have shared access e.g. communal stairs.
- 4.3 There must be adequate space, light, heat and ventilation for the dogs.
- 4.4 As far as reasonably practicable all areas/rooms within the home to which boarded dogs have access, must have no physical or chemical hazards that may cause injury to the dogs.
- 4.5 There must be sufficient space available to be able to keep the dogs separately if required.
- 4.6 If a collection and delivery service is provided, a suitable vehicle with a dog guard or cage in the rear must be provided.

#### **5. MANAGEMENT**

##### **5.1 TRAINING**

- 5.1.1 A written training policy for staff must be provided. Systematic training of staff must be demonstrated to have been carried out.

##### **5.2 CLEANLINESS**

- 5.2.1 All areas where the dogs have access to, including the kitchen etc must be kept clean and free from accumulations of dirt and dust and must be kept in such a manner as to be conducive to maintenance of disease control and dog comfort.
- 5.2.2 All excreta and soiled material must be removed from all areas used by dogs at least daily and more often if necessary. Disposal facilities for animal waste must be agreed with the Licensing Authority.
- 5.2.3 All bedding areas must be kept clean and dry.
- 5.2.4 Facilities must be provided for the proper reception, storage and disposal of all waste. Particular care should be taken to segregate clinical waste arising from the treatment and handling of dogs with infectious diseases. The final route for all such waste shall comply with current waste regulations.
- 5.2.5 Measures must be taken to minimise the risks from rodents, insects and other pests within the premises.

##### **5.3 FOOD AND WATER SUPPLIES**

- 5.3.1 All dogs shall have an adequate supply of suitable food as directed by the client.

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- 5.3.2 Fresh drinking water must be available at all times (unless advised otherwise by a veterinary surgeon) and the drinking vessel cleaned daily. The water must be changed at least twice a day.
- 5.3.3 Clients must be encouraged to provide each dog with its own bedding, bowls, grooming materials etc. These items must be cleaned regularly to prevent cross-infection. The Licensee however should also be able to provide extra bedding material.
- 5.3.4 Where necessary, eating and drinking vessels must be provided, and where so, they must be capable of being easily cleansed and disinfected to prevent cross-contamination. They must also be maintained in a clean condition. Feeding bowls must be cleaned or disposed of after each meal and each dog must be provided with its own bowl.

#### **5.4 KITCHEN FACILITIES**

- 5.4.1 Airtight containers must be provided for the storage of dry foods. Uncooked food and the remains of opened tins must be stored in covered, non-metal, leak proof containers in the fridge.
- 5.4.2 All bulk supplies of food shall be kept in vermin proof containers.

#### **5.5 DISEASE CONTROL AND VACCINATION**

- 5.5.1 Adequate precautions must be taken to prevent and control the spread of infectious and contagious disease and parasites amongst the dogs, staff and visitors.
- 5.5.2 Proof must be provided that boarded and resident dogs have current vaccinations against Canine Distemper, Infectious Canine Hepatitis (Canine adenovirus), Leptospirosis (*L. canicola* and *L. icterohaemorrhagicae*) and Canine Parvovirus and other relevant diseases. The course of vaccination must have been completed at least four weeks before the first date of boarding or in accordance with manufacturer instructions. A record that this proof has been supplied must be kept on-site throughout the period that the dog is boarded.
- 5.5.3 Advice from a veterinary surgeon must be sought in case of signs of disease, injury or illness. Where any dog is sick or injured, any instructions for its treatment, which have been given by a veterinary surgeon, must be strictly followed.
- 5.5.4 A well-stocked first-aid kit suitable for use on dogs must be available and accessible on site.
- 5.5.5 The Licensee must be registered with a veterinary practice that can provide 24-hour help and advice. The clients own veterinary practice must be known and consulted if necessary.
- 5.5.6 Precautions must be taken to prevent the spread of fleas, ticks, intestinal parasites and other parasites in both boarded and resident dogs. Proof must be maintained of all routine and emergency treatment for parasites.
- 5.5.7 The premises shall be regularly treated for fleas and parasites with a veterinary recommended product.

5.5.8 Veterinary advice must be sought in relation to cleaning substances so that they or their fumes cannot be harmful to an animal.

## **5.6 ISOLATION AND CONTAGIOUS DISEASE OUTBREAK.**

5.6.1 Dogs showing signs of any disease or illness shall be isolated from any other dogs until veterinary advice is obtained. There must be sufficient facilities within the licensed premises to ensure effective separation of any sick animal.

5.6.2 The Licensee must inform the Licensing Authority on the next working day if a dog develops an infectious disease.

5.6.3 Following an episode of infectious disease during any stay, the premises must undergo a reasonable quarantine period before new boarders are admitted. This period will be specified by the Licensing Authority as agreed with their authorised veterinary surgeon.

5.6.4 The Licensing Authority must be informed of any animal death on the premises. The Licensee must make arrangements for the body to be stored at a veterinary surgeons premises until the owners return.

## **5.7 REGISTER**

5.7.1 A register must be kept of all dogs boarded. The information kept must include the following:

- Date of arrival
- Name of dog, any identification system such as microchip number, tattoo
- Description, breed, age and gender of dog
- Name, address and telephone number of owner or keeper
- Name, address and telephone number of contact person whilst boarded
- Name, address and telephone number of dog's veterinary surgeon
- Anticipated and actual date of departure
- Proof of current vaccinations, medical history and requirements
- Health, welfare nutrition and exercise requirements

5.7.2 Such a register is to be available for inspection at all times by an officer of Licensing Authority, veterinary surgeon.

5.7.3 The register must be kept readily available for a minimum of 2 years and kept in such a manner as to allow an authorised officer easy access to such information.

5.7.4 If medication is to be administered, this must be recorded.

5.7.4 Where records are computerised, a back-up copy must be kept. The register must also be available to key members of staff of the establishment at all times.

**5.8 SUPERVISION**

- 5.8.1 A fit and proper person with relevant experience must always be present to exercise supervision and deal with emergencies whenever dogs are boarded at the premises. This person must not have any conviction or formal Cautions for any animal welfare related offence.
- 5.8.2 Dogs must be visited at regular intervals, as necessary for their health, safety and welfare, and must not be left unattended for longer than 3 hours at a time and then not on a regular basis.
- 5.8.3 No home where there are children under 5 years of age will be licensed.
- 5.8.4 Only people over 16 years of age are allowed to walk the dogs in public places.

**5.9 EXERCISE**

- 5.9.1 Dogs must be exercised in accordance with their owner's wishes. If dogs are taken off the premises, they must be kept on leads unless with the owners written permission.
- 5.9.2 There must be direct access to a suitable outside area. The area / garden must only be for use by the homeowner (not shared with other residents). The area must be kept clean.
- 5.9.3 The exercise/garden area of the premises and any other area to which the boarded dogs may have access, must be totally secure and safe. Fencing must be adequate to offer security to prevent escape and be safe, with no dangerous sharp objects or protrusions. Gates must be able to be locked.
- 5.9.4 If there is a pond, it must be covered to avoid drowning.
- 5.9.5 Dogs must wear a collar and identity tag during their time in boarding. The tag must display the name, address and telephone number of the boarding premises.
- 5.9.6 The Licensing Authority must be informed on the next working day if a dog is lost.

**5.10 FIRE / EMERGENCY PRECAUTIONS**

- 5.10.1 Appropriate steps must be taken for the protection of the dogs in case of fire or other emergencies.
- 5.10.2 The occupier of the property must be aware of the location of the dogs in the property at all times.
- 5.10.3 Careful consideration needs to be given to the sleeping area for dogs to ensure that they can be easily evacuated in the event of a fire, without putting the occupiers of the property at risk.
- 5.10.4 A fire warning procedure and emergency evacuation plan – including details of where dogs are to be evacuated to in the event of a fire or other emergency - must be drawn up, brought to the attention of those involved in the home boarding

arrangements and/or displayed in a prominent place on the premises. The Licensee must have suitable arrangements for the temporary boarding of dogs in the event that the licensed premises is rendered uninhabitable.

- 5.10.5 Fire detection equipment must be provided in accordance with general advice given by the Fire Safety Officer. The home must have at least 2 working smoke detectors located at the top & bottom of the staircase, or other appropriate location.
- 5.10.6 All doors to rooms must be kept shut at night.
- 5.10.7 All electrical installations and appliances must be maintained in a safe condition. No dog must be left in a room with loose or trailing cables or wires.
- 5.10.8 All heating appliances must be free of risk of fire as is reasonably practicable. There must be no use of freestanding gas or oil appliances.
- 5.10.9 A relative, friend or neighbour within 5 minutes travelling time must have a spare set of keys and access to the premises in case of an emergency. These details must be made available to the Licensing Authority.



**LACORS MODEL LICENCE CONDITIONS FOR HOME BOARDING ( DOGS)**  
**ANIMAL BOARDING ESTABLISHMENTS ACT 1963.**

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- 1.6 Normally planning permission will not be required for the home boarding of animals on the scale proposed, however should complaints be received because of particular noise or odour problems, then the Council reserves the right to consider whether there has been a change of use which requires a planning application to be submitted.
- 1.7 The Licensee must ensure that the establishment is covered by adequate and suitable public liability insurance and, where necessary, adequate and suitable employers liability insurance.
- 1.8 No dog registered under the Dangerous Dogs Act 1991 must be accepted for home boarding.
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- 2.1 A copy of the licence and its associated conditions must be suitably displayed to the public in a prominent position in, on or about the premises or made available to each boarder.

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  - Proof of current vaccinations, medical history and requirements
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- 5.7.3 The register must be kept readily available for a minimum of 2 years and kept in such a manner as to allow an authorised officer easy access to such information.

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5.7.4 Where records are computerised, a back-up copy must be kept. The register must also be available to key members of staff of the establishment at all times.

## **5.8 SUPERVISION**

5.8.1 A fit and proper person with relevant experience must always be present to exercise supervision and deal with emergencies whenever dogs are boarded at the premises. This person must not have any conviction or formal Cautions for any animal welfare related offence.

5.8.2 Dogs must be visited at regular intervals, as necessary for their health, safety and welfare, and must not be left unattended for longer than 3 hours at a time and then not on a regular basis.

5.8.3 No home where there are children under 5 years of age will be licensed.

5.8.4 Only people over 16 years of age are allowed to walk the dogs in public places.

## **5.9 EXERCISE**

5.9.1 Dogs must be exercised in accordance with their owner's wishes. If dogs are taken off the premises, they must be kept on leads unless with the owners written permission.

5.9.2 There must be direct access to a suitable outside area. The area / garden must only be for use by the homeowner (not shared with other residents). The area must be kept clean.

5.9.3 The exercise/garden area of the premises and any other area to which the boarded dogs may have access, must be totally secure and safe. Fencing must be adequate to offer security to prevent escape and be safe, with no dangerous sharp objects or protrusions. Gates must be able to be locked.

5.9.4 If there is a pond, it must be covered to avoid drowning.

5.9.5 Dogs must wear a collar and identity tag during their time in boarding. The tag must display the name, address and telephone number of the boarding premises.

5.9.6 The Licensing Authority must be informed on the next working day if a dog is lost.

## **5.10 FIRE / EMERGENCY PRECAUTIONS**

5.10.1 Appropriate steps must be taken for the protection of the dogs in case of fire or other emergencies.

5.10.10 The occupier of the property must be aware of the location of the dogs in the property at all times.

5.10.11 Careful consideration needs to be given to the sleeping area for dogs to ensure that they can be easily evacuated in the event of a fire, without putting the occupiers of the property at risk.

- 5.10.12 A fire warning procedure and emergency evacuation plan – including details of where dogs are to be evacuated to in the event of a fire or other emergency - must be drawn up, brought to the attention of those involved in the home boarding arrangements and/or displayed in a prominent place on the premises. The Licensee must have suitable arrangements for the temporary boarding of dogs in the event that the licensed premises is rendered uninhabitable.
- 5.10.13 Fire detection equipment must be provided in accordance with general advice given by the Fire Safety Officer. The home must have at least 2 working smoke detectors located at the top & bottom of the staircase, or other appropriate location.
- 5.10.14 All doors to rooms must be kept shut at night.
- 5.10.15 All electrical installations and appliances must be maintained in a safe condition. No dog must be left in a room with loose or trailing cables or wires.
- 5.10.16 All heating appliances must be free of risk of fire as is reasonably practicable. There must be no use of freestanding gas or oil appliances.
- 5.10.17 A relative, friend or neighbour within 5 minutes travelling time must have a spare set of keys and access to the premises in case of an emergency. These details must be made available to the Licensing Authority.

**APPENDIX 3****BACKGROUND**

LACORS HAS RECEIVED AN ENQUIRY AS TO WHETHER EITHER THE HOST FAMILIES AND/OR THE AGENTS WHO ARRANGE HOMEBOARDING OF CATS AND DOGS WHILST OWNERS ARE ON HOLIDAY REQUIRE A LICENSE UNDER THE ANIMAL BOARDING ESTABLISHMENTS ACT.

THE EXISTING LEGISLATION WAS OBVIOUSLY DRAFTED WITHOUT SUCH ACTIVITIES IN MIND. LACORS WILL BE LOBBYING TO ENSURE ABSOLUTE CLARITY UNDER ANY NEW LEGISLATION THAT WILL FOLLOW THE ANIMAL WELFARE ACT. HOWEVER IN THE MEANTIME, IN ORDER TO ASSIST LOCAL AUTHORITIES, AND PROMOTE CONSISTENCY OF APPROACH, WE HAVE BEEN ASKED TO ISSUE GUIDANCE ON THE APPROACH THAT SHOULD BE TAKEN UNDER THE CURRENT LEGISLATION.

**GUIDANCE**

UNDER THE ACT THAT THE RUNNING OF A BOARDING ESTABLISHMENT IS *"THE CARRYING ON BY HIM AT PREMISES OF ANY NATURE (INCLUDING A PRIVATE DWELLING) OF A BUSINESS OF PROVIDING ACCOMMODATION FOR OTHERS PEOPLE'S ANIMALS"*.

IN RELATION TO THE HOST FAMILY LACORS IS OF THE VIEW THAT THEY ARE PROVIDING ACCOMMODATION AS DEFINED BY THE ACT SO IF THEY ARE DOING IT AS A BUSINESS THEN THEY REQUIRE A LICENCE. WHETHER A HOST FAMILY CAN BE DEFINED AS RUNNING A BUSINESS WILL DEPEND ON THE INDIVIDUAL CIRCUMSTANCES OF THE CASE. THIS WOULD DEPEND ON VOLUME, REGULARITY, WHETHER OR NOT THEY ARE DOING IT FOR REWARD. IT IS ALSO LICENSABLE WHETHER THEY DO IT DIRECTLY OR VIA AN AGENT BUT LACORS WOULD SUGGEST THAT SIGNING UP TO AN AGENCY WOULD BE INDICATIVE THAT IT WAS A BUSINESS ACTIVITY FOR THE HOST FAMILY.

LACORS WOULD SUGGEST THAT LOCAL AUTHORITIES GIVE CONSIDERATION TO OFFERING A DISCOUNTED LICENCE FEE FOR SUCH HOST FAMILIES WHERE IT IS A SMALL SCALE ACTIVITY. THE ACTUAL AGREEMENT TO OR LEVEL OF ANY DISCOUNT IS A MATTER FOR EACH INDIVIDUAL AUTHORITY.

IN RELATION TO ANY AGENT, LACORS IS OF THE VIEW THAT THEY ARE NOT "PROVIDING" ACCOMMODATION AS DEFINED UNDER THE ACT AND DO NOT THEREFORE THEMSELVES NEED A LICENSE. HOWEVER IF LOCAL AUTHORITIES ARE ADVISING SUCH AGENTS THEN THEY SHOULD BE ADVISED THAT THEY SHOULD BE ENSURING THAT ALL THEIR HOST FAMILIES ARE PROPERLY LICENSED WHERE NECESSARY.

LACORS IS AWARE THAT SEVERAL REGIONAL GROUPS HAVE DEVELOPED MODEL LICENCE CONDITIONS FOR SUCH HOMEBOARDERS. TO AVOID FURTHER DUPLICATION OF EFFORT LACORS PLANS TO ISSUE A SET OF MODEL LICENCE CONDITIONS FOR HOMEBOARDERS IN NOVEMBER 2005.

LACORS HOPES THIS ADVICE WILL ASSIST AUTHORITIES IN DEALING WITH BUSINESSES ASKING FOR ADVICE ON THIS ISSUE AND WE HOPE IT WILL ALSO ASSIST LOCAL AUTHORITIES IN DEALING WITH COMPLAINTS ABOUT SUCH BUSINESSES AND/OR THOSE THAT COME TO THE AUTHORITY'S ATTENTION VIA OTHER MEANS.

IN OFFERING THIS ADVICE LACORS WISHES TO MAKE IT CLEAR THAT:

- Legislation may change over time and the advice given is based on the information available at the time the guidance was produced. It is not necessarily comprehensive or complete and is subject to revision in the light of further information
- Only the courts can interpret statutory legislation with any authority.

20 October 2005

