Guidance for Applicants on Legal Requirements and Licence Conditions for Dog Breeding Establishments
As Amended By the Breeding and Sale of Dogs (Welfare) Act 1999

Introduction
When is a licence required?

The above legislation provides for inspection of premises at which dogs are bred, controls the transportation of puppies and sets standards connected with these matters.

For the purpose of this Act a person keeps a breeding establishment for dogs at any premises if they carry on a business of breeding dogs for sale.

In terms of what constitutes the running of a business, the legislation makes it clear that once five or more litters have been produced in any twelve month period, the breeder must be licensed and there is an automatic presumption the breeder is running a ‘business’. The decision as to whether breeders with bitches producing fewer than five litters a year need to be licensed will depend on whether the persons concerned are deemed to be carrying on a business based on the facts of each case. However, it should be noted that the legislation is not intended to apply to hobby breeders.

Breeding bitches are included if:

- they are kept at any time during the twelve month period by the applicant/licence holder at the premises at which they are carrying on a business of breeding dogs for sale;
- they are kept at those premises by any of their relatives (ie parent, grandparent, child, grandchild, brother, sister, aunt, uncle, niece or nephew or someone with whom they live as a couple);
- they are kept by them elsewhere;
- if they are kept by any other person by a contract or other arrangement with them;

“Premises” includes a private dwelling;
You will not be granted a licence if you have been disqualified from any of the following:

- keeping a breeding establishment;
- keeping a pet shop;
- having custody of animals;
- from keeping an animal boarding establishment.

Licences run for twelve months from the date of issue and are renewable annually.

Breeding establishments coming within the scope of the Act, can only operate once in receipt of a valid licence.

On the death of a licence holder, licences pass to their personal representative for a period of three months from the day of their death and then expire.

**What conditions are required by a licence?**

Before a licence is issued, the local authority must be satisfied that certain ‘dog breeding’ conditions, relating to the welfare of the animals, are met. Further guidance is provided in this information pack.

It is an offence to keep a dog breeding establishment without a licence, or to contravene any condition attached to a licence.

**How to apply:**

Before making an application you must consider whether the activity will require planning permission. You are advised to contact the Council’s Planning Services Section, telephone (01768) 817817.

If you wish to apply for a dog breeding licence, you can do so by completing a ‘dog breeding’ application form (which is available to complete and submit online). NB we cannot process your competed form until we are in receipt of the licensing fee, which should be sent to the Environmental Services Section, Eden District Council, Mansion House, Penrith, CA11 7YG. Cheques should be made payable to Eden District Council.

**What happens after I apply for a licence?**

If a licence has not previously been issued to the applicant in respect of a premises, an inspection will be made by an authorised officer of the Council and a veterinary practitioner. A report concerning the applicant, the premises and any other relevant matter will be considered before a licence is issued. The Applicant will be invoiced for the veterinary practitioner’s visit. Subsequent inspections may be undertaken by an authorised officer and/or a veterinary practitioner.

Licences are issued for a maximum period of twelve months. Renewal application forms are sent out by the Council six to eight weeks prior to the renewal date.
The law:
The law relating to the breeding of Dogs can be found in:

- The Breeding of Dogs Act 1973
- The Breeding of Dogs Act 1991
- The Breeding and Sale of Dogs (Welfare) Act 1999

Local Authority Officers, Veterinary Surgeons or Practitioners authorised in writing by the Local Authority may, upon producing such authorisation, enter any licensed Dog Breeding Establishment for the purposes of carrying out an inspection.

An unlicensed breeder can be imprisoned for up to three months and/or fined up to £2500 and be banned from breeding dogs for any period of time the court thinks fit.

The licence holder will be committing an offence if they contravene any licence condition or obstruct an authorised officer.

For further information please contact the Council’s Food, Health and Safety Team.

Contact details:
Telephone: (01768) 817817
E-mail: env.health@eden.gov.uk
Address: Environmental Services Section, Eden District Council, Mansion House, Penrith, Cumbria, CA11 7YG
Conditions which are attached to all licenses

1. Dogs must at all times be kept in accommodation suitable as respects construction, size of quarters, number of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness (in accordance with additional information provided in this document).

2. Dogs must be adequately supplied with suitable food, drink and bedding material, adequately exercised and visited at suitable intervals.

3. All reasonable precautions must be taken to prevent and control the spread among dogs of infectious and contagious diseases.

4. Appropriate steps must be taken for the protection of dogs in case if fire or other emergency.

5. All appropriate steps must be taken to ensure that the dogs will be provided with suitable food, drink and bedding material and adequately exercised when being transported to or from the breeding establishment.

6. No bitch under the age of one year shall be mated for the purpose of breeding.

7. No bitch may give birth to a total of more than six litters of puppies.

8. No bitch may give birth to more than one litter in any period of twelve months.

9. The licence holder(s) shall keep accurate records in a form prescribed by the Breeding of Dogs (Licensing Records) Regulations 1999. (Please see Appendix A).

10. The keeper of a licensed breeding establishment may only sell a dog from:
   a) *His/her breeding establishment; or
   b) A licensed pet shop.
   c) A licensed Scottish rearing establishment

11. No dog that is less than eight weeks old may be sold other than to a licensed pet shop or a licensed Scottish rearing establishment.

12. Dogs sold to such business at 11 above by a licensed breeder must have been bred at the licensed breeding establishment and must wear an identification tag or badge. The tag or badge shall display the following information:
   a) The address of the licensed breeding establishment where the dog was born;
   b) The date of birth of the dog;
   c) The identifying number, if any, allocated to the dog by the licensed breeders establishment at which it was born.

*Note: It is an offence to sell a dog directly to anyone, other than to a keeper of a licensed pet shop or licensed Scottish rearing establishment, knowing or believing the dog will be sold to another person.
Advice to all breeders
1. Provide suitable bedding material for the breed and ensure adequate exercise is given. Where cages are provided, these must be of sufficient size for a dog to lie down, stand up, turn around comfortably and to defecate away from the sleeping area.
2. Temperature of the sleeping accommodation should be a minimum of 10°C (50°F) and a maximum of 26°C (79°F). Open flame heating appliances should not be used.
3. Natural and artificial lighting should be provided. Low level night light is recommended.
4. An adequate supply of suitable food and clean water should be available at all times. There should be adequate refrigeration to keep food fresh, particularly for fresh and cooked meats.
5. Eating and drinking vessels must be capable of being easily cleansed.
6. Whelping should not take place in a domestic kitchen. If there are children in the house, there should be separate facilities for food preparation.
7. Reasonable precautions should be taken to prevent and control the spread amongst the dogs of any infectious diseases. All dogs should be vaccinated against Canine Distemper, Infectious Canine Hepatitis, Leptospirosis and Canine Parvovirus.
8. A first-aid kit suitable for use on dogs and puppies should be available and accessible. Your vet will advise on contents appropriate for your breed of dog.
9. A fit and proper person should always be present to exercise supervision and deal with emergencies. Dogs must be regularly checked throughout the day.

Guidance on licence conditions for non-domestic breeders (ie breeders who keep dogs in kennelling which is not within the house)
1. Walls, floors and ceilings should be capable of being easily cleaned and disinfected. Great care must be taken when using and storing bleach; always follow the manufacturers’ instructions. Phenolic disinfectants should not be used around dogs.
2. Wood must be smooth and treated to render it impervious; it should not be used on exposed surfaces of walls, floors, partitions, door frames or doors in the dog kennelling area. All exterior wood should be treated against wood rot using a non-toxic coating.
3. Walls with which dogs may come into contact must be of smooth impervious materials. Where concrete or other building blocks or bricks are used they should be sealed so as to be smooth and impervious.
4. Floors in kennels exercise areas should be smooth and impervious and be constructed and maintained so as to prevent pooling of liquids. A minimum fall of 1 in 80 is recommended.
5. Kennels should be provided with an adequate size of sleeping area for the breed. Dogs should be able to lie down, turn around and stand comfortably in the sleeping area, with sufficient space for the door to open fully. Adequate exercise areas should be provided and partition walls between kennels and individual exercise areas should be of solid construction to a minimum height of 1.2 metres (4 feet).

6. Windows and doors should be strong and secure.

7. Sleeping areas in kennels must be insulated to prevent extremes of temperature. Bedding should have sufficient depth to allow the dog protection against draughts and must be capable of being easily cleaned.

8. The establishment should be connected to mains drainage or a sewerage system of an approved type.

9. During daylight hours light must be provided to exercise and sleeping areas so that all parts are clearly visible. Where practicable this should be natural light. Adequate supplementary lighting must be provided throughout the establishment.

10. Ventilation must be provided to all interior areas without the creation of excessive, localised draughts in the sleeping area.

11. Isolation facilities should be available when required. The isolation facility must be physically isolated from other dogs.

12. All kennels and exercise areas must be kept clean and free from accumulation of dirt. Each kennel must be cleaned daily and regularly disinfected. Sleeping areas and bedding must be kept clean and dry. Measures must be taken to minimise the risk from rodents, insects and other pests.

**Advice on kitchen facilities**

1. Storage and preparation facilities for food should be hygienically constructed and maintained to a high standard. Please be mindful of the risks posed by the dog roundworm parasite toxocara canis, particularly if children are likely to come into contact with the dogs or their feeding equipment.

2. Fresh and cooked meats should always be stored in a refrigerator. Other food should be stored in vermin and insect proof containers.

3. A sink with hot and cold running water is essential. It is recommended that a separate hand basin with hot and cold running water is also provided.
Advice on transportation
1. Suitable food, clean drinking water and bedding should be provided.
2. Dogs should be adequately exercised whilst being transported to and from the breeding establishment.
3. It is recommended that records are kept of how and when you dogs are transported.

Advice on emergencies/fire prevention
1. All appropriate steps should be taken for the protection of the dogs in case of fire or other emergency. You should have in place an emergency evacuation plan which should be practised at least annually. The fitting of smoke detectors is recommended.
2. The Fire Safety Officer is available on telephone number (01228) 521215.
3. Open flame heat appliances should not be used.
4. All electrical installations and appliances should be maintained in a safe condition.

You are recommended to purchase the following book which offers more detailed guidance if needed:

Breeding and Sale of Dogs (Welfare) Act 1999
Guidance and Model Conditions for Local Authorities and their Authorised Officers and Veterinary Inspectors for the Licensing of Breeding Establishments”

Published by BVA Publications, 7 Mansfield Street, London W1M 0AT
Telephone: 020 7636 6541

A copy of the licence should be suitably displayed to the public in a prominent position in the dog breeding establishment.
Appendix A Form of record to be kept by licensed dog breeder for each breeding bitch

Regulation 2 The Breeding Dogs (Licensing Records) Regulation 1999

<table>
<thead>
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<th>Name</th>
<th>Date of Birth</th>
<th>Address where kept</th>
<th>Breed</th>
<th>Description</th>
<th>Date of Mating</th>
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<th>Male</th>
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*Enter name (in the case of puppies), colour, identifying features (if any) and registration number (if any).
**Enter name, address where kept, breed, colour and registration number (if any).
***Enter date of sale, and name, address and status (for example, private/pet shop) of purchaser.