

Report to: **Overview Committee**



Date of Meeting 17 July 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Animal Licensing and Enforcement Policies

Report summary:

East Devon District Council has statutory responsibilities in relation to the administration (licensing) and enforcement of laws relating to animal control and welfare. This work is delivered by the Environmental Health team. It is good practice for Council to adopt a policy in relation to this work.

The Council has adopted a Regulatory Enforcement and Prosecution Policy which sets out the general principles that the Council will follow in relation to the investigation, enforcement and prosecution of its regulatory functions. In addition to this overarching policy, it is imperative that we consider specific approaches for individual service areas.

This report introduces proposed service specific policies relating to Animal Licensing and Animal Enforcement, to ensure a consistent and effective approach to animal related enforcement.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

- 1. Consider the draft policies and make recommendations where appropriate**
- 2. To recommend to cabinet to formally adopt the draft Animal Enforcement Policy.**
- 3. To recommend to cabinet to formally adopt the draft Animal Licensing Policy.**

Reason for recommendation:

To ensure that licensing and enforcement of the areas specified are consistent, effective and reflect the Council's priorities.

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Portfolio(s) (check which apply):

- ☐ Assets and Economy
- ☐ Communications and Democracy
- ☐ Council, Corporate and External Engagement
- ☐ Culture, Leisure, Sport and Tourism
- ☒ Environment - Nature and Climate
- ☒ Environment - Operational
- ☐ Finance

- ☐ Place, Infrastructure and Strategic Planning
- ☐ Sustainable Homes and Communities

Equalities impact Low Impact

Climate change Low Impact

Risk: Low. The overarching Council enforcement policy gives adequate oversight but specific policies give the opportunity to define the Council's approach in those areas.

Links to background information [Regulatory Enforcement and Prosecution Policy - East Devon](#)

Link to [Council Plan](#)

Priorities (check which apply)

- ☒ A supported and engaged community
 - ☐ Carbon neutrality and ecological recovery
 - ☒ Resilient economy that supports local business
 - ☒ Financially secure and improving quality of services
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Introduction

1. East Devon District Council has statutory responsibilities in relation to the administration (licensing) and enforcement of laws relating to animal control and welfare.
2. In order to ensure a consistent and effective approach that reflects the Council's priorities in this area of work it is good practice to have policies in place.
3. Two policies that will work together in parallel are proposed for consideration, to support understanding of how they interact:
 - a. The Animal Enforcement Policy sets out the Council's approach to the enforcement of all aspects of animal related legislation for which it is responsible.
 - b. The Animal Licensing Policy sets out the Council's approach to administering legislation relating to animal licensing.

Animal Enforcement Policy

4. The Council has adopted a Regulatory Enforcement and Prosecution Policy. The last review was carried out on 19 August 2021. This policy covers all regulatory activity that the Council carries out.
5. It sets out the general principles that the Council will follow in relation to the investigation, enforcement and prosecution of its regulatory functions. In particular it sets out what individuals, businesses and the community as a whole can expect from the Council's regulatory services and its officers.
6. The primary function of the Council's regulatory and enforcement work is to protect the public, public funds, the environment and groups such as individual consumers / residents & tenants, workers / businesses and the community. At the same time, carrying out such activity in an equitable, practical and consistent manner helps to maintain a level playing field for local businesses, individuals and our other service users. Good regulation and enforcement will help to promote a thriving local economy and protect the environment for the benefit of all.
7. This policy has been developed with due regard to the 'Principles of Good Enforcement' set out in the following guidance documents:
 - a. Central and Local Government Enforcement Concordat, March 1998
 - b. The Regulators' Code issued under the Legislative and Regulatory Reform Act 2006

- c. and the Code for Crown Prosecutors issued by the Director of Public Prosecutions under the Prosecution of Offenders Act 1985.
- 8. The overarching Regulatory Enforcement and Prosecution Policy states that it will be augmented, where appropriate, by service area specific strategies or procedures. In the absence of any service area specific policy or procedure the general principles set out in this overarching policy will be followed by any service area carrying out a regulatory function.
- 9. Because animal related enforcement can be complex and often high profile it was felt that a subject specific enforcement policy (Appendix 1) would be beneficial to:
 - a. Ensure that authorised officers act in way that is consistent with the Council's overall approach.
 - b. Ensure that the specific tools and actions available to authorised officers are given greater context.
 - c. Aid public understanding of the approach the Council takes towards animal enforcement.
- 10. The animal enforcement policy covers all aspects of animal related enforcement including:
 - a. Dog control through Public Space Protection Orders
 - b. Stray dogs/Dog Identification Tags/Microchipping of Dogs and Cats
 - c. Antisocial Behaviour: Control of Dogs
 - d. Animal Licensing
 - e. Animal Welfare Act 2006

Animal Licensing Policy

- 11. East Devon District Council has statutory responsibilities for the licensing of several activities relating to the welfare of animals under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, the Dangerous Wild Animals Act 1976, the Zoo Licensing Act 1981 and The Animal Welfare (Primates) Regulations 2024. These pieces of legislation are aimed at protecting the welfare and safety of animals and those that interact with them and make it an offence for any person to possess, own, or keep animals to carry out certain businesses, or have possession of certain animals without first being licensed by the Council.
- 12. The Council is required to ensure that:
 - a. licence holders are suitably inspected/ assessed against the regulation requirements.
 - b. individuals who apply for a licence and do not meet the regulation requirements for the grant of a new licence are refused a licence.
 - c. appropriate enforcement action is taken against operators carrying out, attempting to carry on, or knowingly allowing a licensable activity to be carried out without a licence or in contravention of regulations or licence conditions.
 - d. licences are not granted to individuals that are already disqualified from holding a licence or have previously had one revoked.
- 13. The attached draft policy (Appendix 2) sets out the general principles that the Council will follow in relation to the provision and enforcement of animal licensing. The Policy describes the types of animal licensing matters that are likely to occur and how the Council will deal with them. It works in parallel with the proposed Animal Enforcement Policy.

Conclusion

- 14. A consistent, considered approach to the enforcement of legislation is key to success.

15. The proposed policies should assist the Council in achieving this in relation to animal control and licensing.

Financial implications:

There is no request being made for additional budgets, it is therefore assumed that these policies can be undertaken within existing resources.

Legal implications:

The legal issues are dealt with in the body of the report. (ALW/4/7/25 002515)