



Llywodraeth Cymru  
Welsh Government

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Welsh Government  
Dog Breeding Establishments – Guidance for Local  
Authorities – summary of response

December 2021

## **Overview**

A review of the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014 was undertaken by the Animal Health and Welfare Framework Group ('the Framework') and the report and recommendations of the review were submitted to the Welsh Government in January 2020.

To address several of the recommendations in the Review, work is underway in relation to tackling barriers to enforcement of the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014. Part of this process involves updating the Guidance that Local Authorities use when assessing applications and inspecting premises.

## **Action Required**

This document is for information only.

## **Further information and related documents**

Large print, Braille and alternative language versions of this document are available on request.

## **Contact details**

For further information:

Animal Welfare Branch  
Welsh Government  
Cathays Park  
Cardiff  
CF10 3NQ

email: [companionanimalwelfare@gov.wales](mailto:companionanimalwelfare@gov.wales)

## **Additional copies**

This summary of response and copies of all the consultation documentation are published in electronic form only and can be accessed on the Welsh Government's website.

Link to the consultation documentation: [Local Authority Guidance](#)

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## 1. **Consultation Exercise**

### 1.1 **Background Information**

The Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014 ('the Regulations') replaced the Breeding of Dogs Act 1973 in Wales and provide for the licensing by Local Authorities ('LAs') of persons involved in the breeding of dogs. The Regulations introduced stricter criteria for breeding establishments and established an attendant to adult dog ratio at a minimum of one full-time member of staff to 20 adult dogs.

The regulations were the first of their kind in the UK and, whilst many welfare organisations and charities had differing views on the contents of the regulations, they were widely welcomed.

Since the introduction of the regulation there have been ongoing concerns about the standards at some licensed premises and the resources and expertise available within Local Authorities to tackle the issues.

#### **Review of the Breeding Regulations**

Following a BBC Wales Investigation programme on dog breeding premises in Wales, a small Task & Finish Group, drawn from members of the Wales Animal Health and Welfare Framework Group, was asked to review and make recommendations on the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014, with a view to promoting welfare provision for breeding dogs and their offspring in Wales.

A T&F Group and Local Authority engagement meeting was held on 19 November 2019 to gain insight in to the issues facing LA officials and vets when dealing with dog breeding premises.

The T&F Group subsequently produced a report ("the Review") which considered the existing provision for dog breeding in Wales, including legislation, guidance and its enforcement, as well as a consideration of whether any additional provisions were necessary and what they might be.

The Review was submitted to the Welsh Government in January 2020.

A [Government response](#) to the Review was published on 4 March 2020

#### **Findings and Recommendations**

To address several of the recommendations in the Review, work is underway in relation to tackling barriers to enforcement of the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014. A three-year Welsh Government funded project, which includes enhancement of training and better guidance for inspectors, together with improved use of resources within Local Authorities and across Wales, has been established and is being led by Trading Standards Wales..

## 1.2 Public Consultation

An eight-week public consultation on Dog Breeding Establishments - Guidance for Local Authorities was launched on 23 July 2021 and ended on 17 September 2021. The consultation was published on the Welsh Government website.

The consultation sought views on recommended amendments to the Guidance made by the Animal Health and Welfare Framework Group as a result of the Review.

## 1.3 Consultation Questions

The respondents were asked to consider 4 questions:

- 1) **Section 1**- Does the Guidance provide sufficient information to address the various situations and premises in which dogs are bred (ranging from, for example, small-scale home environments to larger-scale commercial breeding premises)?
- 2) **Section 3** - Does the additional advice relating to the setting of staff to adult dog ratios make it clear that the inspecting officers should consider this on a case by case basis?
- 3) **Section 4** - Do you agree that the role of the private veterinary surgeon, and that of the inspecting veterinary surgeon, should be clearly separated and defined, and that inspecting vets should be independent and should not inspect their own clients' premises?
- 4) **Additional Information** - The suggested amendments to enclosure sizes are complex and require further consideration. Please feel free to comment on the current enclosure sizes. However, it is envisaged a specialist working group will be formed to take forward this issue. A draft of a separate addendum will be undertaken once the main body of the Guidance is completed.

## **2. Responses to the Consultation**

There were 68 responses to the consultation, of which 15 were identical responses originating from one template reply. The organisations which responded are listed at Annex A.

### **2.1 Question 1 - Does the Guidance provide sufficient information to address the various situations and premises in which dogs are bred (ranging from, for example, small-scale home environments to larger-scale commercial breeding premises)?**

16 respondents agreed the guidance provides enough information to address the various situations dogs are bred in. 24 respondents believed that more advice was necessary, particularly relating to home breeders. The remaining 28 responses provided other comments, including:

*The guidance has a clear focus on large scale breeding operations, therefore our answer to this questions is, No.*

*Clearly it is important that there is nothing dangerous or uncomfortable in the construction of dog kennels, and essential that cleaning and hygiene regimes are to the highest standard. The wording is applicable to smaller scale breeders whose dogs are housed in kennels but not to those who typically breed inside the home. (Dog Breeding Reform Group)*

*This wording is clearly not applicable to the typical home breeding environment. Considering that those inspecting on behalf of the local authorities are required to apply the principles of the guidance to home breeding environment, this increases the prospects of variation in the implementation of licensing conditions. This could potentially result in negative implications for animal welfare in breeding establishments, with ambiguity of what constitutes good welfare in home breeding environments. The Framework Group's recommendations should be incorporated to provide further detail and information that would be useful on a practical level for any inspector when inspecting a domestic environment. (Companion Animal Welfare Group for Wales).*

*There is no justification for different regulations in different environments as the welfare needs of the dogs remain the same, however consideration should be given to the appropriateness of management systems in place for different scales of operation. (The Association of Licensed Dog Breeders (Wales)).*

**2.2 Question 2 - Section 3 - Does the additional advice relating to the setting of staff to adult dog ratios make it clear that the inspecting officers should consider this on a case by case basis?**

15 respondents thought the guidance as amended provided clarity that inspecting officers were to set the staff to adult dog ratio on a case by case basis. 22 respondents did not agree and of that 22, 17 believed that more detailed advice should be included. 13 respondents provided comments on the ratio itself rather than the draft Guidance. 15 respondents thought the proposed amendments would add confusion however agreed the demands of different premises will vary and suggested that this needs to be taken in to account by Local Authority officials.

*The experience levels and skills set of the operator (/staff) will also have an impact on what staff to dog ratio is acceptable at a licenced establishment. Someone who's been successfully breeding dogs to a good standard for a number of years, will likely be able to meet the needs of a larger number of dogs and puppies than someone who is brand new to looking after dogs and puppies.*

*Fundamentally, rather than thinking about arbitrary numerical limits, it is key that licensing officers set staff to dog ratios based on the ability of the operator (and their staff) to meet the health and welfare needs of both the dogs and expected puppy levels on the premises.*

*It is unlikely that litters produced will be whelped evenly across the year, therefore consideration should be given to the maximum number of puppies in addition to adult dogs that a given staff member would reasonably be able to look after at any given time. Kennel Club*

*The existing provisions work well and therefor no need for change. (Gary Pugh)*

**2.3 Question 3 - Section 4 - Do you agree that the role of the private veterinary surgeon, and that of the inspecting veterinary surgeon, should be clearly separated and defined, and that inspecting vets should be independent and should not inspect their own clients' premises?**

46 respondents agreed with this recommendation. Three people did not agree. Three provided other comments. One did not reply. 15 respondents raised concerns with the question as they felt it painted an inaccurate picture of how inspections were conducted and also implied vets were not acting in a professional manner. Inspection arrangements differ amongst Local Authorities, some of which appoint a private veterinary surgeon to inspect premises on behalf of the Local Authority. For this reason further clarity on the roles of vets has been included in the Guidance.

*As set out in the RCVS Professional Code of Conduct, veterinary surgeons have a professional responsibility to work within their own area of competence. Therefore, inspections should only be undertaken by a veterinary surgeon with an appropriate*

*level of experience and/or training in inspecting and licensing animal activities businesses, with a relevant CPD record for the species involved.*

*In addition, veterinary surgeons should be mindful that the RCVS Professional Code of Conduct sets out that “Veterinary surgeons must provide independent and impartial advice and inform a client of any conflict of interest”. The Code states “generally speaking, conflicts of interest should be avoided. Veterinarians signing certificates should not allow commercial, financial or other pressures to compromise their impartiality”.*

*Consequently, although veterinary surgeons should make their own decision on whether a conflict exists, it is usually not advisable for them to offer inspections for their existing clients. (British Veterinary Association).*

*Only those appropriately registered with the Royal College of Veterinary Surgeons may practice veterinary medicine in Wales, and the wider UK - and all should adhere to the RCVS Code of Professional Conduct, including five principles of practice; namely professional competence, honesty and integrity, independence and impartiality . As such, any veterinary surgeon should be able to separate any 4 conflicting interests with regards to any prior relationship with an owner of a breeding establishment, and instead focus on the welfare interests of the animal involved. While we are certain this would be the case for the overwhelming number of veterinary professionals in Wales, we do, however, understand that the aforementioned BBC documentary, and other evidence, has suggested that a conflict of interests can arise; which indicates that more needs to be done to guarantee the independence of inspecting vets. As such, we feel clearly separating and defining that inspecting vets should be independent, and not inspect the premises of their own clients, will help ensure transparency and additional checks and balances into the process; and ensure those inspecting on behalf of a council have no prior knowledge or background beyond what they witness at the inspection. We feel this will provide an additional safeguard and assurance to the public as to the reliability of the inspection process. (RSPCA Cymru)*

**2.4 Question 4 – Additional Information - The suggested amendments to enclosure sizes are complex and require further consideration. Please feel free to comment on the current enclosure sizes. However, it is envisaged a specialist working group will be formed to take forward this issue. A draft of a separate addendum will be undertaken once the main body of the Guidance is completed.**

Various comments were received relating to the pen sizes, including requests to be included in the working group. These ranged from support for the current sizes and views that they were too small and needed reviewing.

Other comments related to views on breeding dogs in general and will be considered in future amendments where appropriate.



### **3. Next Steps**

All comments on, and responses to, the consultation have been considered. Comments and suggested amendments will, where appropriate, be incorporated in to the Guidance. A final draft of the Guidance will be published as soon as possible.

Comments received on pen sizes will be collated and shared with the Local Authority Enforcement Project team, which will be included in a future working group to consider this area.

### **Annex A – Organisations who responded to the Consultation**

Albert Heath  
Alison Harvey  
Andrea Bennett  
Annie Wilson  
The Association of Licensed Dog  
Breeders (Wales)  
Barbara Reese  
Battersea dogs Homes  
Blue Cross  
Bridget Osborne  
British Veterinary Association  
Caerphilly Council  
Ceredigion Council  
Charlotte Bevan  
Companion Animal Welfare Group  
Wales  
Countryside Alliance  
Dog Breeding Reform Group  
Dogs Trust  
Drusilla Williams  
Dylan Jones  
Elizabeth Roberts  
Eric Price  
Four Paws UK  
Gary Pugh  
Gwynlais Phillips

Hugh Davies  
Joanna Relph  
John Wyn Jones  
Julia Metcalfe  
Karen Lewis  
The Kennel Club  
Lesley Jones  
Macwydd Kennels  
Margaret Gilmour  
Maritsa Dee  
Martina Hogg  
Maureen Heath  
NeighbourWoof Watch  
PDSA  
Richard Ackers  
RSPCA Cymru  
Sally Weale  
Sara Butler  
The Self Help Group for Farmers,  
Pet Owners and Others  
experiencing difficulties with the  
RSPCA (The SHG)  
Sian Meredudd  
Stephen Bale  
Susan Parfitt  
Tammy James  
Vicky Smillie