

Wyre Forest District Council

THE DANGEROUS WILD ANIMALS ACT, 1976

**POLICY AND ADVICE TO
APPLICANTS
ON
THE KEEPING OF DANGEROUS
WILD ANIMAL(S)**



January 2009

Wyre Forest District Council

01562 732928

Dangerous Wild Animals Licences are administered by the Environmental Health and Licensing Section.

Officers may be contacted on the number above.

**This advice booklet is issued by:
The Environmental Health and Licensing
Section
Duke House, Clensmore Street
Kidderminster
Worcs.
DY10 2JX**

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DANGEROUS WILD ANIMALS ACT LICENCES GENERAL INFORMATION FOR APPLICANTS

1. Licences are given for a maximum period of 12 months.
2. All licences expire on 31st December each year by law.
3. Applicants are advised that the law requires the Council to arrange for the inspection of the premises by a Veterinary Surgeon or a Veterinary Practitioner. The fee for this service is additional to the standard licence fee and will initially be invoiced by the vet to the Council, who will pay this and recharge it to the applicant.

The Vet is required to submit a report about:

- the suitability of the premises;
- the suitability of the applicant;
- any other relevant matter relating to the welfare of the animal.

The Council is obliged to consider this report before determining whether or not to grant the licence. Renewal of the licence for a further 12 months will be offered by the Council following an inspection by an authorised Officer and Veterinary Practitioner / Surgeon unless there are good reasons not to do so. Such reasons could include previous failure to comply with the conditions of the licence.

4. Invitations to renew a Dangerous Wild Animals Act Licence are usually sent in writing some two months before the expiry of the current licence. The time can vary, but be assured that all existing licence holders will be asked to reapply. Where a completed reapplication is not received, two reminder letters will be issued by post over the following five weeks. After this period an Officer will make a visit to determine whether or not a licence is still needed.
5. The Council's Officers always try to provide help and advice where they receive reasonable requests for assistance on licensing issues.
6. It is normal practice for us to ask for or recommend improvements by letter where we feel these are needed or appropriate. Where there are several items in need of attention and/or they are perceived by us to be of high importance, we may indicate that a reinspection will take place, usually after a suitable amount of time has passed to allow for the improvements to be effected.

7. Applicants are advised that the licence process from start to finish (i.e. from the receipt date of your application form to posting out of the completed licence) can take up to 10 weeks. This is because of many factors, e.g. applications arriving at the time of public holidays, staff non-availability or sickness, difficulties in arranging the inspection appointment, the need to involve Veterinary Practitioners for new and renewal licences. We will deal with your application as quickly as we can BUT PLEASE BE REASSURED that if we have received your application form and fee before the expiry date of your existing licence, we will treat your premises as if they are in possession of a valid licence whilst the application is being processed. Applicants who are late requesting renewal, thereby allowing their licence to lapse, are advised to contact the Environmental Health and Licensing Manager on 01562 732928 to discuss the matter.

8. Please note that you do not need to apply for a Dangerous Wild Animals Act Licence for any dangerous wild animal kept in:-

- a zoo;
- a circus;
- a premises licensed as a pet shop under the Pet Animals Act, 1951

9. The Dangerous Wild Animals Act 1976 originally specified those animals considered in need of Licence in the Schedule attached to it. However, the Act was modified by the Dangerous Wild Animals Act 1976 (Modification) (No.2) Order 2007 SI No. 2465, in that the Schedule was replaced by a longer list of animals. It is this list to which you should refer in deciding if a Licence is needed and it is reproduced in Section 4 of this booklet.

THANK YOU FOR YOUR ATTENTION TO THESE MATTERS.

SECTION 1 CONDITIONS ATTACHED TO YOUR LICENCE

PLEASE NOTE THESE ARE REQUIREMENTS AND ARE NOT ADVICE. THEY ARE PRINTED UPON THE LICENCE DOCUMENT

- 1.** The premises where the animal will normally be held will be specified on the licence.
- 2.** The species (whether one or more) of animal and the number of animals of each species, which will be kept at the premises specified, will be detailed on the schedule which forms part of the licence document. You will be restricted to the keeping of those animals only to which this Act applies. (i.e. This does not prevent you from keeping animals not covered by this Act)
- 3.** The animal shall be kept by no other person other than the person or persons specified on the front of the licence.
- 4.** The animal shall not be moved from the premises except in circumstances which are specified on the licence. (This usually involves a condition which states that the animal may only be removed from the premises at the request of a veterinary practitioner engaged by the licence holder.) If an animal is removed the Council should be notified of this so that they are able to change their inventory lists.
- 5.** The person to whom the licence is granted must hold a current insurance policy which insures him/her and any other person entitled to keep the animal under the authority of the licence against liability for any damage which may be caused by the animal. The terms of any such Public Liability Insurance policy must be satisfactory in the opinion of the Council, therefore a copy of the policy must be made available for inspection.
- 6.** You must ensure that at all reasonable times, a copy of the licence is available on site to any person entitled to keep any animal under the authority of the licence.

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| SECTION 2 CONDITIONS WHICH MUST BE SATISFIED BEFORE A LICENCE WILL BE GRANTED |
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PLEASE NOTE: These are considerations which the Council must make before a licence may be granted. The considerations detailed below are those contained within Sections 2, 3, 4 and 5 of the Dangerous Wild Animals Act, 1976.

The Council must be satisfied that:

1. It is not contrary to the Public Interest on the grounds of safety, nuisance, or any other reasons if the licence were to be issued.

2. The applicant(s) for the licence are suitable person(s) to hold a licence for the keeping of such an animal under this Act.

3. Any animal which is concerned with this licence will at all times of being kept:-

- Be kept in accommodation which:
- ensures that the animal will not escape.
- is suitable re. construction/size/temperature/lighting/ventilation/ drainage and cleanliness

The above must be suitable for the species and number of animals which are proposed to be kept.

- animals which are licensed must be supplied with adequate and suitable food, drink and bedding materials and be visited at suitable intervals.

- Micro chipped (this is only recommended but not mandatory).

4. Appropriate steps must be taken for the protection of any animal at the premises in case of fire or other emergency.

5. Reasonable precautions must in place to prevent and control the spread of infectious disease.

6. While any animal subject to the licence is at the premises, its accommodation is such that it can take adequate exercise applicable to the species of animal.

7. The application for the licence must be made by the person who both owns and possess or proposes to both own and possess any animal(s) concerned. This point may only be altered in circumstances which the Council decide are exceptional.

8. Depending on the species of the animal, we may also specify other licence conditions which are applicable to the type of animal being kept. This could include, for example, keeping of Wild Boar where there should be a standard of security regarding fencing. Guidelines to this can be found in Appendix A.

9. YOU MUST BE 18 OR OVER TO APPLY FOR A LICENCE TO KEEP AN ANIMAL SPECIFIED ON THE LIST IN SECTION 4 OF THIS BOOKLET.

SECTION 3 CONSIDERATIONS YOU SHOULD MAKE

Before you apply for a Dangerous Wild Animals Licence we invite you to consider the following:-

- 1.** Keeping any animal of the type listed in Section 4 will require a great deal of commitment in order to ensure its well being. You should be certain that you are prepared to take on this commitment and have carried out the necessary research to ensure you are fully aware of the care and facilities which the type of animal you are going to keep requires.
- 2.** Some animals of the types listed in Section 4 of this booklet can grow quite large and need adequate space for exercise. You should consider whether you have the space and adequate facilities to house the animal correctly. If you do not currently have adequate space or facilities, it may be that a substantial investment is needed to provide them and it may require planning permission.
- 3.** As stated previously, a condition of the licence is that adequate insurance cover is provided. Please take this into account in determining whether or not you can afford to keep an animal of the type listed in Section 4 of this booklet.
- 4.** Consider if you are able to afford to pay for vets bills; the animal you may be proposing to keep might require treatment from a specialist veterinary practitioner. You could find this will cost more than simply going to your local veterinary practitioner.
- 5.** Consider if you should discuss the issue of having an animal which requires a Dangerous Wild Animals Licence at your premises with your immediate neighbours (where applicable). Some applications may involve also making an application for planning permission, the processing of which could involve taking into account their comments and concerns.
- 6.** You may need to source a supplier for the type of food required to satisfy the dietary requirements for the animal you intend to keep.
- 7.** Some animals will produce waste products which are difficult to dispose of e.g. big cat excreta. You will need to make arrangements for this. Where you propose to dispose of such materials to the Property and Operational Services or to landfill sites, you are invited to contact the Environment Agency (Tel. No. 01562 60631).

8. You will need to make adequate arrangements to ensure that all feed kept onsite is stored in suitable vermin proof containers and that all waste food is removed regularly so as not to attract vermin. You may wish to seek advice from an appropriate pest control contractor in relation to adequate means of vermin control/proofing.

9. You will also need to make an assessment of the potential problems if your animal(s) should escape and to plan accordingly how you or others will deal with this eventuality. See also SECTION 7.

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| SECTION 4 ANIMALS THAT REQUIRE A DANGEROUS WILD ANIMALS ACT LICENCE |
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| Scientific Name | Common Name or Names |
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| Antilocapridae | Pronghorn |
| Bovidae except the species Cephalophus, Sylvicapra grimmia, Oreotragus Oreotragus, Ourebia, Raphicerus, Nesotragus moschatus, Neotragus pygmeaus, Madoqua, any domestic form of Capra hircus, Dorcatragus megalotis, Orvis aries and Bubalus | These include cattle, antelopes gazelles, goats and sheep except that duikers, grey duiker, klipspringer, oribi, grysbok, suni, royal antelope, dik-dik, domestic goat, Beira antelope, domestic sheep and domestic cattle are specifically excluded. |
| Camelidae except the species Lama Glama and Lama pacos | This kind includes the bactrian camel and Arabian camel except that llama and alpaca are specifically excluded. |
| Canidae except the species Canis Familiaris, all species of the genera Alopex, Dusicyon and Otocyon | This kind includes the wild dog, wolf, jackal, coyote except that the Vulpes, domestic dog and all foxes are Specifically excluded. (PLEASE NOTE: Wolf-dog hybrids are classed As Dangerous Wild Animals. |
| Casuariidae | Cassowary |
| Cercopithecidae | Old world monkeys, including langur, colobus, macaque, guenon, patas, mangabey, baboon and mandrill. |
| Crocodylia | This kind includes the alligator, crocodile, gharial, false gharial and caiman. |
| Dromaiidae | Emu |
| Elapidae (including Hydrophiidae) | This kind includes the cobra, krait, mambra, cobra snake and sea snake, and all Australian poisonous snakes including the death adder. |
| Equidae except the species Equis cavallus, Equus asinus and Equus Caballus x Equus asinus | Horses except that the domestic horse, domestic donkeys, mules and hinny are specifically excluded. |

| Scientific Name | Common Name or Names |
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| Felidae, except the species <i>Felis catus</i> | This Kind includes the Lynx, Caracal, serval, bobcat, cheetah, Lion, tiger, leopard panther, jaguar, Puma, cougar and ocelot, except that The domestic cat is specifically excluded. |
| Giraffidae | This kind includes the giraffe and okapi |
| Helodermatidae | Gila monster and Mexican beaded Lizard. |
| Hippopotamidae | This kind includes the Hippopotamus And pygmy hippopotamus. |
| Hyaenidae except the species <i>Proteles</i> | Hyaenas except the aardwolf is specifically excluded. |
| Hylobatidae | Gibbon |
| Pongidae | Anthropoid apes including orangutan, Gorilla and chimpanzee |
| Proboscidae | Elephants including the African and Indian elephant. |
| Rhinocerotidae | Rhinoceros |
| Struthiniodae | Ostrich |
| Suidae except any domestic form of <i>Sus scrofa</i> | Old world pigs except that the domestic pig is specifically excluded. |
| Tapiridae | Tapirs |
| Tayassuidae | New world pigs including the collared Peccary and white lipped peccary. |
| Urisidae | This kind includes the polar bear, Brown bear and grizzly bear. |

Viperidae (including Crotalidae)

Viperidae (including Crotalidae)

This kind includes –

(a) most snakes known as vipers and adders, and

(b) the rattlesnake, bushmaster, Fer-de-lance, water moccasin and copperhead.

SECTION 5 INSURANCE

As part of the licence conditions, you are required to ensure that you have adequate Public Liability Insurance which provides cover for the animal which you have on site. You must ensure that any policy you take out provides sufficient cover against any damage which may be caused by the animal should it escape. The level of insurance will depend on many factors which may include the species, number of animals you wish to keep and whether the operation is commercial or domestic.

SECTION 6 STAFF SAFETY/PUBLIC SAFETY

You must ensure that you have carried out enough research into the type of animal which you are proposing to keep which requires the licence in order to enable you to:-

- correctly house the animal;
- correctly handle the animal including using personal protective equipment and any other handling devices specific to that species;
- ensure Sufficient procedures are in place to prevent the potential spread of infectious diseases eg have washing facilities.
- ensure that any visitors to your property are made aware of any immediate dangers present in terms of what not to do, i.e. putting fingers near cage wire, smiling at certain species of monkeys, etc.;
- ensure that any employees have received adequate instruction, information and training to carry out their duties.
- ensure that you have adequately secured the property/area where animals are housed against unauthorised access. **THIS SHOULD INCLUDE THE DISPLAY OF WARNING NOTICES ETC. WHICH MUST COMPLY WITH THE HEALTH AND SAFETY (SAFETY SIGNS AND SIGNALS) REGULATIONS 1996.**

In short, you must have looked into as many areas as possible which are likely to cause harm to either a person in your employment or a visitor to your site. Should you wish to discuss this issue further or request an appointment for an informal site visit please contact the Health and Safety Section 01562 732928.

SECTION 7 EMERGENCIES AND FIRE PREVENTION

The design and layout of the accommodation should ensure that the animal can be suitably protected and/or removed in the event of a fire or damage. In addition appropriate means of fighting fires must be provided. This will normally be in the form of fire extinguishers or a fire hose reel with a water supply protected from frost.

Any equipment provided must be regularly serviced and maintained in good working order. In particular, fire extinguishers should be inspected annually by a competent person.

Should you need to evacuate any animal from its accommodation you must ensure you have made adequate arrangements for re-housing the animal on a temporary basis. It is, therefore, recommended that you formulate an emergency plan for what action must be taken to cover certain foreseeable emergencies such as fire/flood/wind damage etc.

For further guidance on fire fighting equipment you should contact your local Fire Safety Officer who will be able to advise on the requirements you need to meet.

Please note that, where appropriate, we may ask the Fire Safety Officer to call in order to provide us with a report on these matters. His findings in such circumstances will be communicated to you usually by letter.

APPENDIX A

The recommended standard for fencing to Wild Boar is:-

High Security accommodation. External high tensile stock fencing 1.8m high and 0.5m sunk into the ground and internal electric wire 0.5m off ground and one strand of electric wire on top. All gates and access areas must be padlocked at all times. Internal fences should be 1.1m high with two electrified wires on top and a strand of wire on each side.