

WILTSHIRE COUNCIL

LICENSING COMMITTEE

6 MARCH 2023

Briefing Note – Dangerous Wild Animals

Purpose of Briefing Note

- 1.1 To inform the Licensing Committee of the current procedure with regard to issuing licences under the Dangerous Wild Animals Act 1976 (DWA) and to advise the committee of the revision of the conditions attached to licences from 1 September 2022 to give more specific controls.
- 1.2 There is no formal role for the Licensing Committee in respect of Dangerous Wild Animals as there is a statutory right of appeal to the Magistrates Court.

Background

- 2.1 The Dangerous Wild Animals Act 1976 places a duty on local authorities to grant licences to keepers of dangerous wild animals.
- 2.2 The Authority currently carefully balances the needs of those individuals wishing to carry out their hobby or for rescue/sanctuary/educational purposes against the need to ensure the safety of the residents in the area and wellbeing of the animals to be kept.
- 2.3 The protection of the public and welfare of the animals will always be the main considerations in any decision made. In accordance with the Act, the grant of a Dangerous Wild Animal Licence is made at the discretion of the Council.
- 2.4 The Dangerous Wild Animals Act 1976 aims to ensure that where private individuals keep dangerous wild animals, they do so in circumstances which create no risk to the public and which safeguard the welfare of the animals.

When is a licence required?

- 3.1 Animals which are classified as "dangerous wild animals" can be anything from an Aardvark to a Zebra. They are identified in a schedule to the Dangerous Wild Animals Act. Anyone wishing to keep one of these animals requires a Licence issued by the local authority.

[The Dangerous Wild Animals Act 1976 \(Modification\) \(No.2\) Order 2007 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2007/1453)

- 3.2 This licensing process does not apply to animals kept in:

- a zoo
- a circus
- a pet shop
- a place which is a designated establishment within the meaning of Animals (Scientific Procedures) Act 1986

3.3 A licence holder has to contact the licensing authority for approval if animals are to be moved to another destination.

Procedure

4.1 Before granting a licence, an inspection is undertaken by the Licensing Officer and an appropriate competent veterinary surgeon or veterinary practitioner to ensure compliance with the legislation.

4.2 The animals covered by the Act require extremely specialised care and accommodation. The licensing process ensures that both the animal's welfare and the safety of the keeper and the wider public will be protected.

4.3 The inspection considers whether the premises are suitable for the keeping of the species, the condition and suitability of the accommodation, and whether the applicant has the specialist knowledge, skills, and equipment to ensure they can appropriately care for the animals.

4.4 Licences shall only be granted when the Local Authority is satisfied that:

a) it would not be contrary to public interest, on the grounds of public safety or nuisance or otherwise (each ground will be considered separately), and is equally important.

b) the animal's accommodation is adequate and secure.

c) the individual is suitably qualified and/or experienced to keep the species subject of the application.

d) the individual will not place themselves at risk particularly if working alone with the dangerous wild animal(s).

e) a qualified vet has been instructed, an inspection has been carried out and a report made available for the consideration of the Local Authority.

In granting the licence Wiltshire Council may attach a number of conditions, in respect of care and security of the animal(s). These can be tailored depending on the species and recommendations of the veterinary inspector.

4.5 Should the licence holder wish to take an animal kept under a licence to premises in another area for more than 72 hours (for example, to exhibit the animal at a specialist event, or to participate in a breeding programme), they will need our permission for this.

- 4.6 A written request with full details should be sent to Licensing. We will consult the local council for the area you wish to take the animal to, and if agreed, we will vary the licence to allow the transport of the animal.
- 4.7 Licences are granted for two years per The Legislative Reform (Dangerous Wild Animals) (Licensing) Order 2010. A further inspection of the premises and veterinary report is undertaken on each renewal.
- 4.8 If an application is refused, the applicant may appeal against the decision. Licence-holders may also appeal against a decision to attach a particular condition to their licence. In all cases, appeals must be lodged in a magistrates' court

Amended conditions

- 5.1 Wiltshire Council's standard / existing conditions relating to Dangerous Wild Animals establishments are attached at Appendix 1.
- 5.2 The revised conditions are attached at Appendix 2. These have replaced existing conditions on any licence granted, or renewed from 1 September 2022, giving more specific control in respect of Dangerous Wild Animal licensing, with no detriment to existing controls. The revised conditions will standardise the requirements for all licence holders and applicants. Further conditions can be added at the request of the veterinary inspector specific to the premises and species kept.

Summary

- 6.1 Members are requested to acknowledge the revised conditions:-

Updated conditions relating to Dangerous Wild Animals Licences as attached at Appendix 2.

Linda Holland
Licensing Manager
Public Protection
13 February 2023

Documents reviewed:

Dangerous Wild Animals Act 1976
Dangerous Wild Animals Act 1976 (Modification) (No 2) Order 2007
The Legislative Reform (Dangerous Wild Animals) (Licensing) Order 2010

Appendices

Appendix 1 Existing Conditions
Appendix 2 Revised conditions