

# **Licensing of activities involving animals**

**Consultation document**

**July 2023**

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## **PART 1**

### **About this consultation**

This consultation seeks views on proposals to introduce new licensing regulations in Scotland covering the following activities when carried on in the course of a business—

- dog walking,
- dog grooming,
- providing livery services,
- offering canine fertility services.

The consultation also seeks views on proposals to licence greyhound racing in Scotland, and replace existing legislation covering animal boarding (including day care) and riding establishments, replacing it with updated licensing requirements. The legislation we propose to replace is as follows—

- Riding Establishments Act 1964,
- Riding Establishments Act 1970,
- Animal Boarding Establishments Act 1963.

The rationale for the proposals set out in this document is to enhance and protect animal welfare through the introduction of a statutory licensing scheme which will set minimum standards that all licence holders must comply with. Licensing will ensure that individuals offering such services are—

- subject to appropriate checks before being granted a licence,
- subject to periodic inspection by local authorities,
- suitably experienced and/or qualified to deliver the services offered,
- operating to defined statutory standards,
- accountable when licence conditions are breached or animal welfare is compromised,
- listed on a publicly available register (held and maintained by the licensing body) to reassure the public that persons offering a particular service are properly licensed.

It is anticipated that any new licensing requirements would be introduced through the same framework as used in the [Animal Welfare \(Licensing of Activities Involving Animals\) \(Scotland\) Regulations 2021 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2021/1200). This framework currently requires persons engaging in the following activities to be licensed (subject to meeting certain criteria)—

- dog, cat or rabbit breeding,
- pet selling,
- operating an animal welfare establishment (including sanctuaries and rehoming centres),
- engaging in other animal rehoming activities (other than operating an animal welfare establishment).

## **Geographical extent**

Animal welfare is a devolved matter. The proposals outlined in this consultation paper may only apply to activities that take place in Scotland.

## **Audience**

Anyone can reply to this consultation. The Scottish Government particularly encourages responses from individuals and businesses already offering the services covered by this consultation and from representative member bodies, animal welfare organisations, local authorities and veterinary professionals.

## **Duration**

The consultation will be open for responses for 12 weeks. The relevant dates are:

Start date: 4 July 2023

Closing date: 26 September 2023

## **How to make an enquiry about this consultation**

If you have any queries about this consultation please contact the Scottish Government's Animal Welfare Team at: [AnimalHealthWelfare@gov.scot](mailto:AnimalHealthWelfare@gov.scot).

## **Responding to this consultation paper**

Please respond to this consultation using the Scottish Government's consultation hub: "**Citizen Space**" (<http://consult.gov.scot>). You can access and respond to **this consultation** here: <https://consult.gov.scot/agriculture-and-rural-economy/licensing-of-activities-involving-animals>.

You can save and return to your response while the consultation remains open. **Please ensure that your consultation response is submitted via Citizen Space before the closing date of 26 September 2023.**

If you are unable to submit your response through our consultation hub, then please submit it along with a completed Respondent Information Form (which has been published alongside this consultation paper) to:

Animal Licensing Consultation  
Animal Welfare Team  
The Scottish Government  
P Spur  
Saughton House  
Broomhouse Drive  
EH11 3XD

Please do try to reply using the Citizen Space hub as it makes administration of consultations considerably easier.

We appreciate that many respondees will only have an interest in one particular part of this consultation and may therefore only wish to respond to the section of relevance. Where this is the case you should complete the section of interest using Citizen Space or, alternatively, complete the consultation questionnaire and return it to the address above along with the Respondee Information Form.

Please try to answer all the questions; however if you are unable to answer any particular question then please feel free to move on to the next. Please note that you will be asked to explain the reasons for your answer as appropriate in the space provided in the questionnaire on Citizen Space.

When answering the consultation questions, we ask that you take into consideration the information provided in this document alongside your own relevant knowledge or personal experience. All opinions are welcome.

### **Handling your response**

If you respond using Citizen Space, you will be directed to the About You page before submitting your response. Please indicate on the Respondee Information Form how you wish your response to be handled and, in particular, whether you are happy for your response to be published. If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

To find out how we handle your personal data, please see our privacy policy: <https://beta.gov.scot/privacy/>.

### **Next steps in the process**

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made publicly available at <http://consult.scotland.gov.uk>. If you use Citizen Space to respond, you will receive a copy of your response via email.

When the consultation closes all responses will be analysed and considered along with any other available evidence including any recommendations made by the Scottish Parliament's Rural Affairs and Islands Committee in respect to greyhound racing in Scotland, to help us decide on whether to progress our proposals. Responses will be published where permission to do so has been

given. A consultation summary report will also be published that will include an anonymised analysis of the responses received and set out the next steps.

### **Scottish Government consultation process**

Consultation is an essential part of the policy making process. It gives you the opportunity to have your say on what we do or propose to do and it gives us valuable insight, perspective, and evidence that in turn informs and shapes what we do.

All Scottish Government consultations are available online at:

<http://consult.gov.scot>.

Consultation responses received are analysed and used as part of the decision making process, along with a range of other available information and evidence. We publish a report for every consultation we undertake. Depending on the nature of the consultation undertaken, the responses received may:

- indicate the need for policy development or review,
- inform the development of a particular policy,
- help decisions to be made between alternative policy proposals,
- be used to finalise legislation before it is implemented.

While the details of individual circumstances described in a response to a consultation may usefully inform the policy process, public consultations cannot address individual concerns and comments, which should be directed to the relevant body as appropriate.

## **PART 2**

### **Licensing of commercial dog walkers**

#### **Background**

In Scotland currently there is no statutory licensing requirement to operate a dog walking business, nor is there any need to hold a recognised qualification. Over the past few years there has been a significant increase in the number of people offering dog walking services. The absence of any regulatory framework or formal training requirements is a growing cause for concern among animal welfare organisations, local authorities, and the general public. While it is recognised that the majority of dog walking businesses operate responsibly and professionally, there is growing evidence that the increase in the number of dog walking businesses is leading to problems linked to—

- dog walkers walking too many dogs at any one time with dogs not being fully under the control of the individual walking them,
- dogs being walked in inappropriate environments and without regard to or consideration for other users of that environment,
- out of control dogs chasing wildlife and/or farm livestock,
- failure to clean up and responsibly dispose of dog waste,
- inappropriately trained/experienced individuals walking dogs with little knowledge of how to properly control and care for the dogs entrusted to their care,
- inappropriate vehicles being used to transport dogs and too many dogs, and/or an inappropriate mix of dogs being transported at the same time,
- non-compliance with or lack of understanding of current animal welfare and/or environmental legislation.

These factors have led to an increase in the number of complaints made to local authorities and the Scottish SPCA. These are often linked to attacks on dogs being walked by members of the public, public concern and fear about large numbers of dogs being walked off-lead in public parks, dog fouling and occasionally disrespectful and/or aggressive behaviour from operators of dog walking businesses towards members of the public or land owners when challenged about the behaviour of the dogs in their care.

In response to this, a number of councils in Scotland have since introduced voluntary local accreditation or registration schemes for operators of dog walking businesses. Businesses signing up agree to comply with a number of conditions covering, for example, the number of dogs walked at any one time, insurance, ensuring safe and suitable transport, record keeping, ensuring dogs are under control at all times and canine first aid.

As the numbers of commercial dog walking businesses continues to grow, the problems and concerns highlighted above are likely to increase significantly. Following discussions with key animal welfare organisations and local authorities, the Scottish Government has concluded that there is a reasonable

case for dog walking businesses to be subject to licensing requirements. It is our view that service providers taking responsibility for the care of animals, even on temporary basis, should be subject to some form of targeted, regulatory control. This would principally be to protect animal welfare and ensure service providers can be held accountable if animal welfare is compromised. It should also have the effect of increasing accountability where service providers cause distress or annoyance to the public or landowners.

Introduction of licensing will introduce additional burden to businesses and enforcement authorities. However, it should be noted that a significant benefit of licensing, apart from safeguarding animal welfare and introducing accountability, is that businesses who are officially licensed will be able to use this fact to promote their business and reassure current and future clients that their dogs are being entrusted to a business that operates, as a minimum, to the standards set out in law. Further benefits include:

- improved public safety, as any licence conditions imposed in the interests of animal welfare, for example keeping dogs on leashes in public areas, would reduce the risk of injury to the public and reduce the likelihood of attacks on dogs being walked by members of the public.
- improved public perception of and trust in the commercial dog walking sector.
- a standardized and improved level of service to clients ensuring that the sector as a whole operates on a more consistent and level basis.

### **Requirements of a future licensing scheme**

Whilst not an exhaustive list, it is proposed that a future statutory licensing scheme would—

- Require any person wishing to operate or already operating a dog walking business to be licensed by the licensing authority (this would likely be the local authority). Where a dog walker applies for a licence, any vehicles or premises used in connection with the business activity would require to be inspected by the licensing authority before any licence could be issued. The inspection would be undertaken to assist in the preparation of a report regarding the suitability of the applicant, any relevant premises, relevant records, the condition of any animals observed and any other relevant matters.
- Require any licence holder to comply with the conditions of any licence granted by the licensing authority. As is already the case for animal related activities subject to licensing in Scotland, the conditions that would need to be complied with would be set out in legislation. The licensing authority would have powers to add additional conditions of licence, but only where it considers it necessary to ensure the welfare of animals under the care of dog walkers.



- Require the licensing authority to be satisfied that the licence conditions are likely to be met and that grant of a licence is otherwise appropriate before issuing a licence. This would involve considering the applicant's conduct, whether the applicant is a fit and proper person and other relevant circumstances. This is already a requirement under the existing licensing framework.
- Allow the licensing authority to grant licences for a period of one to three years' duration. It is anticipated that licence holders who consistently demonstrate professionalism, high levels of compliance with licence conditions and a solid understanding of animal welfare and care could be granted a licence of three years' duration.
- Subject to an assessment of relevant factors, allow the licensing authority to stipulate on any licence granted the maximum number of dogs that can be walked at any one time.
- Allow the licensing authority to charge a fee for the consideration of a licence application and grant of licence.
- Allow the licensing authority to vary, suspend or revoke a licence as appropriate due to the actions or conduct of a licence holder.
- Require the licensing authority to publish online a register of licence holders. This is to allow the public to quickly check whether a service provider is properly licensed to provide dog walking services.
- Provide an appeals mechanism for applicants or licence holders aggrieved by a decision by the licensing authority.

### **Consultation questions**

**Q1.** Do you agree that dog walking businesses should be subject to a statutory licensing scheme?

Yes / No / Not sure.

Please provide reasons for your answer.

**Q2.** If you do not support the introduction of statutory licensing, what controls, if any, would you otherwise recommend?

**Q3.** Do you think that license applicants should be required to hold recognised, relevant qualifications (for example, in dog behaviour, canine first aid, animal welfare)? If yes, what level of training do you consider appropriate?

**Q4.** Do you agree that the licensing authority should, where appropriate, be able to stipulate on any licence granted the maximum number of dogs that can be walked at any one time?

**Q5.** Are there any further controls or measures that you would like to see introduced as part of a licensing scheme for dog walking businesses?

**Q6.** Do you support the proposal that applicants for a dog walking business licence are required to demonstrate that they maintain an acceptable level of record keeping and have clearly set out and established standards of service and care?

Yes / No / Not sure.

Please provide reasons for your answer.

**Q7.** Do you know of any challenges or negative consequences that may arise from the introduction of statutory licensing for dog walking businesses? If yes, what are they and how best could these be addressed?

**Q8.** Are you aware of any examples of how any of the proposals above may impact, either positively or negatively, on those with protected characteristics?

These are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Yes / No / Don't know

If yes, please explain your answer.

## PART 3

### Licensing dog groomers

#### Background

Dog grooming is currently an unregulated activity in Scotland and there are no specific qualifications needed to operate or start a dog grooming service. Dog groomers deliver a range of important services that contribute to the physical and emotional wellbeing of dogs, including bathing, hair clipping, nail trimming and ear cleaning. There are various organisations and individuals that offer specific training, with more formal providers delivering training which leads to the award of SQA or City & Guilds (recognised qualifications). Other training of relevance to those offering dog grooming services is available through a number of colleges covering animal care, animal husbandry, first aid etc.

There are a number of bodies and organisations (some international, some UK-wide only) relevant to the provision of pet grooming services. These bodies exist to promote training and high standards of customer care and animal welfare. The main body in the UK (United Kingdom) is the British Dog Groomers Association - [British Dog Groomers' Association](#) - which is part of the Pet Industry Federation and represents its members through the provision of recognised training, education, support, and the sharing of best practice.

With the huge increase in dog ownership over the past few years there has been an increase in the number of people establishing dog grooming businesses. In common with other businesses offering services to pet owners, the vast majority of individuals working as dog groomers do so due to their love of working and interacting with dogs and they will aim to deliver a positive experience for both dog and owners. Groomers play an important role in helping pet owners ensure the health and wellbeing of their dogs, so the rise in businesses offering such services is in many ways a positive development.

The vast majority of owners who take their dog to a groomer have a positive experience, as do their dogs. Regrettably however, there have been reports where dogs entrusted to a groomer return showing signs of stress, mistreatment, or injury. These are often linked to rough handling, improper care when using chemical sprays or, more often, dryers. There have also been well documented cases in the past few years where dogs have unfortunately died at or following a visit to a groomer.

Some of the key concerns raised in respect to pet grooming include—

- animals becoming stressed or suffering discomfort due to incorrect or rough handling by the groomer;
- misuse or poor administration of pet grooming products - sprays, shampoos, ear cleaners etc. - leading to stress and/or physical irritation;

- failing to ensure the needs of animals whilst under the temporary care, i.e. ensuring the animal does not become stressed due to the proximity of other animals, ensuring access to drinking water, ensuring that animals are not exposed to temperature extremes;
- the lack of regulatory control and oversight to ensure accountability and safeguard animal welfare.

Under existing animal welfare legislation (the Animal Health and Welfare (Scotland) Act 2006), groomers are responsible for the welfare of any animal while in their care and must ensure that they are protected from unnecessary suffering. Aside from the 2006 Act, however, there is very little in the way of regulation to ensure that those offering dog grooming services are operating to acceptable animal welfare standards.

Following discussions with key animal welfare organisations and local authorities, and a growing call for some form of formal licensing scheme from individuals working in this sector, the Scottish Government has concluded that there is a strong case for licensing of dog groomers/pet grooming services. It is our view that it is not unreasonable to expect that businesses or individuals taking responsibility for the care of animals, even on temporary basis, should be subject to some form of regulatory oversight. This will provide necessary additional safeguards for animal welfare and will ensure those operating on a commercial basis comply with set standards and can be held accountable for their operations.

The introduction of licensing will introduce additional burden to businesses and enforcement authorities. However, a significant benefit of licensing, apart from safeguarding animal welfare and introducing accountability, is that businesses which are officially licensed will be able to use this fact to promote their business and reassure current and future clients that their pets are being entrusted to a business that operates, as a minimum, to the standards set out in law. Further benefits include:

- improved animal welfare.
- improved public perception of and trust in the pet grooming sector.
- a standardized and improved level of service to clients ensuring that the sector as a whole operates on a more consistent and level basis.

### **Requirements of a future licensing scheme**

Whilst not an exhaustive list, it is proposed that a future statutory licensing scheme for dog groomers would—

- Require any person wishing to operate or already operating a dog grooming business (mobile or from fixed premises) to be licensed by the licensing authority (this would be the local authority). Any premises or vehicles (in the case of mobile groomers) linked to an application for a licence would require to be inspected by the licensing authority before any licence was issued. The inspection would be undertaken to

assist in the preparation of a report regarding the suitability of the applicant, relevant premises, relevant records, the condition of any animals observed and any other relevant matters.

- Allow inspectors appointed by the licensing authority to inspect licensed premises or to enter premises suspected of operating without a licence.
- Require any licence holder to comply with the conditions of any licence granted by the licensing authority. As is already the case for animal related activities subject to licensing in Scotland, the conditions that would need to be complied with would be set out in legislation. The licensing authority would have powers to add additional conditions of licence, but only where it considers it necessary to ensure the welfare of animals.
- Require the licensing authority to be satisfied that the licence conditions are likely to be met and that grant of a licence is otherwise appropriate before issuing a licence. This would involve considering the applicant's conduct, whether the applicant is a fit and proper person and other relevant circumstances. This is already a requirement for licensable activities under the existing licensing framework.
- Involve consideration of whether the applicant and/or relevant employees have recognised qualifications relating to grooming and knowledge and experience in understanding animal behaviour and fundamental animal welfare needs.
- Allow the licensing authority to grant licences for a period of one to three years' duration. It is anticipated that licence holders who consistently demonstrate professionalism, high levels of compliance with licence conditions and a solid understanding of animal welfare and care could be granted a licence of three years' duration.
- Allow the licensing authority to charge a fee for the consideration of a licence application and grant of licence.
- Allow the licensing authority to vary, suspend or revoke a licence as appropriate due to the actions or conduct of a licence holder.
- Require the licensing authority to publish online a register of licence holders. This is to allow the public to quickly check whether a provider of dog grooming services is properly licensed.
- Provide an appeals mechanism for applicants or licence holders aggrieved by a decision by the licensing authority.

## Consultation questions

**Q1.** Do you agree that dog grooming businesses should be subject to a statutory licensing scheme?

Yes / No / Not sure.

Please explain the reasons for your answer.

**Q2.** If you do not support the introduction of statutory licensing, what controls, if any, would you otherwise recommend?

**Q3.** In your opinion, should any future licensing scheme apply to dog groomers only or should it apply more widely, for example to all pet animals?

**Q4.** There is currently no requirement for dog groomers to hold any qualifications (although many do). Do you think that holding a recognised qualification should be a requirement under any future licensing scheme?

Yes / No / Not sure.

If yes, what qualification as a minimum should be required?

**Q5.** Are there any further controls or measures that you would like to see introduced as part of a licensing scheme for dog grooming businesses?

**Q6.** Are you aware of any examples of how any of the proposals above may impact, either positively or negatively, on those with protected characteristics?

These are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Yes / No / Don't know

If yes, please explain your answer.

## **PART 4**

### **Licensing of livery services**

#### **Background**

Currently in Scotland the provision of livery services is unregulated, with no licence or equine qualifications required to own or run a livery business. The absence of regulation and minimum standards to protect animal welfare and ensure accountability is a matter of concern. While some general welfare protection for equines is provided under the Animal Health and Welfare (Scotland) Act 2006, these are limited in terms of their scope.

Other relevant equine legislation and guidance applying in Scotland is—

- the 1964 Riding Establishments Act (as amended),
- The 1925 Performing Animals Act,
- The Welfare of Animals (Transport) (Scotland) Order 2006,
- Welfare of equidae: code of practice.

The Riding Establishments Act 1964 requires equine riding establishments to be licensed. It does not however directly apply to livery services unless the establishment hires out equines for riding and/or offer riding tuition. Where it does, the establishment would require to hold a licence under the 1964 Act.

The 1925 Performing Animals Act requires anyone who trains or exhibits a performing animal to register with their local authority. It does not however apply to livery services.

The Welfare of Animals (Transport) (Scotland) Order 2006 sets out the requirements for transporting an animal.

The Animal Health and Welfare (Scotland) Act 2006 sets out some key animal welfare needs applicable to all animals in Scotland including—

- (a) its need for a suitable environment;
- (b) its need for a suitable diet;
- (c) its need to be able to exhibit normal behaviour patterns;
- (d) any need it has to be housed with, or apart from, other animals;
- (e) its need to be protected from suffering, injury and disease.

The Scottish Government, equine stakeholders and key animal welfare organisations consider that focused statutory safeguards are required to ensure that livery services are delivered to agreed minimum standards to better protect equine welfare and the users of such services. Why we consider this is discussed below.

## **What are livery services?**

Livery services are generally sought out and used by horse/equine owners who do not have the space or means to care for their animal at home. The type of livery services offered to equine owners in Scotland can vary considerably. Examples of the different types of livery are presented below.

**Grass livery:** Grass livery is where horses and equines are kept in a field or 'at grass' individually or as part of a group. The animal owner handles all care and feeding. This type of livery often requires the owner to attend to their animal every day, to ensure there has been no injury or illness. Some livery yards may offer regular checks as part of the agreement.

**DIY stabled livery:** A stable in which to keep equines alongside a field or paddock. The equine owner is responsible for all care and feeding, including mucking out, turning the equine out of the stables, and bringing their equine back into the stables. Bedding and hay are often not included, and the owner must buy these separately. Some livery yards may offer DIY stabled livery at a higher price with bedding and hay included. This type of livery requires the horse owner to attend to the horse in the morning and evening.

**Part livery:** Like a DIY stabled livery, but the day-to-day care of the equine is shared by the owner and livery yard staff. The care routine will vary from yard to yard. For example, some livery yards may offer staff care during the week, with the equine owner taking responsibility at the weekends. Whilst others may offer staff care in the mornings with the equine owner responsible for the evening care. Some livery yards may include exercising services. This type of livery is ideal for owners whose work schedule makes it difficult for them to attend to their equine twice a day, 7 days a week.

**Full livery:** A stable, field, bedding, hay and feeding services are all provided. Livery yard staff are onsite and responsible for all care including mucking out, turning the equine out of the stables, and bringing their equine in back into the stables daily. Some yards offering a full livery service may also include exercising services. This type of livery is ideal for equine owners who are unable to provide the daily time commitment to care for their equines.

**School/breaking livery:** A livery, grass or stabled with livery yard staff responsible for all the equines daily care. These types of livery yards also include schooling or training services, usually for 5-6 days of the week.

**Working livery:** Livery yards operating as a riding school sometimes offer a working livery. The horse is kept at livery, grass, DIY stabled, part, or full livery but a reduced rate is charged in exchange for the equine owner allowing the livery yard to use their equine in services such as trekking and riding lessons.

**Examples of Livery in Scotland (British Horse Society, 2022)**



## Key animal welfare concerns associated with livery services

The standard of livery services varies considerably. Many providers of livery services operate to high standards and strive to provide a high level of service to clients. However, this is not always the case and, due to the lack of targeted regulation and accountability, complaints and concerns relating to poor service, sub-standard equine care and poor facilities are not uncommon. Some of the equine welfare concerns associated with livery services include—

- **Sub-standard accommodation:** Horses need access to adequate and appropriate accommodation, including sufficient space, shelter, ventilation, and lighting. Without proper accommodation, horses can suffer from stress, injury, and illness.
- **Poor quality feed or inadequate feeding:** Horses require a balanced and nutritious diet that meets their individual needs. Inadequate or inappropriate feeding can lead to malnutrition, obesity, colic, and other health problems.
- **Lack of exercise:** Horses need regular exercise to maintain their physical and mental health. Lack of exercise can result in boredom, obesity, and behavioural problems.
- **Poor healthcare:** Horses require regular veterinary and farrier care to prevent and treat illness and injury. Failure to provide appropriate healthcare can result in unnecessary suffering and potentially life-threatening conditions.
- **Lack of socialization:** Horses are, in the main, social animals and require contact with other horses to maintain their mental and emotional well-being. Isolation or inadequate socialization can lead to stress, anxiety, and behavioural problems.

Between 2018 and 2022 the World Horse Welfare and the British Horse Society collated data on reported livery based welfare concerns. The GB-wide data collected is summarised in the table below.

	2022	2021	2020	2019	2018
Total number of welfare concerns received	1013	1383	1478	1343	1698
Total number of livery based concerns addressed by BHS or WHW	73	118	122	100	101
Lack of care and mistreatment	39	64	60	41	45
Lack of food and water	6	12	7	8	7
Underweight	16	19	16	22	21
Overweight	3	5	5	4	2
Yard facilities and safety	5	12	17	12	8
Yard conduct	0	3	5	1	2
Hoof complaints	4	3	7	7	6
Other	3	4	4	6	9

**Table 1. Reported GB equine welfare concerns (British Horse Society and World Horse Welfare, 2022)**

Licensing rules regarding livery services will, if implemented, set out clear animal welfare standards that licence holders would need to comply with. Whilst not an exhaustive list we believe that some of the key benefits of statutory licensing include—

- **Improved living conditions:** Service providers would need to ensure that their facilities meet minimum standards for accommodation, including adequate space, ventilation, and lighting, as well as appropriate shelter and turnout areas. This would help ensure that horses are kept in a safe and comfortable environment that meets their physical and psychological needs.
- **Better quality of care:** Livery services that are licensed would be required to provide appropriate levels of nutrition, veterinary care, and farriery services to their horses in accordance with the arrangements in place with clients using their services. This would help ensure that horses receive the care they need to maintain their health and well-being, reducing the risk of illness, injury, and chronic conditions.

- **Enhanced exercise and socialization opportunities:** Where appropriate, livery businesses would be required to provide appropriate opportunities for exercise and socialization, including access to turnout areas and facilities for riding, training, and other activities. This would help ensure that horses have opportunities to express natural behaviours, reduce boredom and stress, and maintain their physical fitness and mental well-being.
- **Improved safety:** Livery premises that are licensed would be required to ensure that their facilities meet certain standards in relation to safe fencing, secure gates, and well-maintained equipment. This would help reduce the risk of injury to horses and people and ensure that any accidents or emergencies are recorded, reported and managed appropriately.
- **Greater accountability and transparency:** Livery premises that are licensed would be subject to regular inspections and would be required to keep detailed records of the horses kept at their facilities and details of the owners. This would provide a greater level of accountability and transparency, making it easier to identify and address welfare concerns and ensure that horses receive appropriate care.

In summary, statutory licensing of livery services in Scotland would help ensure that horses are kept in safe and appropriate conditions, receive the care they need to maintain their health and well-being, and have opportunities to express natural behaviours and socialize with other horses. This would help promote the welfare of horses and provide assurance to owners that their animals are being cared for appropriately.

Licensing of livery services in Scotland could also help address situations where an owner stops caring for their horse and can no longer be contacted. Examples of how licensing could help in such circumstances include—

- **Inspections:** Licensed livery businesses could be subject to periodic inspections by an inspector of the licensing authority at reasonable times. During these inspections, the conditions in which horses are kept would be assessed, and any concerns about a particular equine could be raised with follow-up action as necessary.
- **Record keeping:** Livery service providers would be required to keep detailed records of the horses they keep, including the details of the owners, the dates of arrival and departure, and any medical or veterinary treatment provided. This would make it easier to track down owners who have stopped caring for their animals and to provide information to the relevant authorities where necessary.
- **Collaboration:** Licensed livery could collaborate with other organisations, such as horse welfare charities, to help ensure the welfare of abandoned horses is protected. This could include providing temporary accommodation for horses in distress, liaising with

veterinary practices to provide care for animals in need, and supporting owners who are struggling to care for their animals.

- **Accountability:** Livery services already have certain responsibilities under the 2006 Act. Licensed livery services could be required to take certain steps in the event that the owner stops caring for the animal and cannot be contacted. This could include contacting the relevant authorities, such as the Scottish SPCA, to report concerns and seek advice.

### **Requirements of future licensing scheme**

Whilst not an exhaustive list, it is proposed that a future statutory licensing scheme for livery providers would—

- Require any person wishing to operate or already offering livery services in the course of a business to be licensed by the licensing authority (this would be the local authority). Livery premises would require to be inspected by the licensing authority before any licence was issued. The inspection would be undertaken to assist in the preparation of a report regarding the suitability of an applicant, relevant premises, relevant records, the condition of any animals observed and any other relevant matters.
- Allow inspectors appointed by the licensing authority to inspect licensed premises or to enter premises suspected of operating without a licence.
- Require any licence holder to comply with the conditions of any licence granted by the licensing authority. As is already the case for animal related activities subject to licensing in Scotland, the conditions that would need to be complied with would be set out in legislation. The licensing authority would have the power to add additional conditions of licence, but only where it considers it necessary to ensure the welfare of animals.
- Require the licensing authority to be satisfied that the licence conditions are likely to be met and that grant of a licence is otherwise appropriate before issuing a licence. This would involve considering the applicant's conduct, whether the applicant is a fit and proper person and other relevant circumstances. This is already a requirement for licensable activities under the existing licensing framework.
- Allow the licensing authority to grant licences for a period of one to three years' duration. It is anticipated that licence holders who consistently demonstrate professionalism, high levels of compliance with licence conditions and a solid understanding of animal welfare and care could be granted a licence of three years' duration.

- Allow the licensing authority to charge a fee for the consideration of a licence application and grant of licence.
- Allow the licensing authority to vary, suspend or revoke a licence as appropriate due to the actions or conduct of a licence holder.
- Require the licensing authority to publish online a register of licence holders. This is to allow the public to quickly check whether a provider of the livery yard is properly licensed.
- Provide an appeals mechanism for applicants or licence holders aggrieved by a decision by the licensing authority.

### **Consultation questions**

**Q1.** Do you support the proposal to introduce statutory licensing for operators of livery yards?

Yes / No / Not sure

Please provide reasons for your answer.

**Q2.** If you do not support the introduction of statutory licensing, what controls, if any, would you otherwise recommend?

**Q3.** Should licensing apply to all livery services, regardless of type or scale?

Yes / No / Not sure

Please explain your answer.

**Q4.** Are there any further controls or measures, beyond those set out above, that you would like to see introduced as part of a licensing scheme for operators of livery yards?

**Q5.** Do you know of any challenges or negative consequences that may arise from the introduction of statutory licensing for livery yards? If yes, what are they and how best could these be addressed?

**Q6.** Are you aware of any examples of how any of the proposals above may impact, either positively or negatively, on those with protected characteristics?

These are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Yes / No / Don't know

If yes, please explain your answer.

## PART 5

### Licensing canine fertility businesses

#### Background

In Scotland currently, there is no overarching regulatory framework covering the operation of canine fertility businesses. Additionally, no recognised qualifications are required to undertake certain non-invasive fertility treatments. In effect, this means that anyone can open a canine fertility business and offer a range of services without any training, qualifications or regulatory oversight.

Canine fertility businesses vary in terms of their scale and complexity. They can be mobile, home-based, or operate from fixed business premises. What they have in common however is the assisted breeding procedures and services offered, which may include:

- artificial insemination,
- ovulation testing (progesterone blood testing and/or vaginal cytology),
- ultrasound pregnancy scanning,
- semen collection, analysis, storage and/or shipping.

Some businesses offer additional services, such as whelping support, puppy rearing, microchipping, DNA testing, vaccinations, amongst others.

The canine fertility sector is relatively new and has grown rapidly since 2020 when a Veterinary Record investigation reported that there were in the region of 37 such businesses. Today, there are around 339 canine fertility businesses across much of the United Kingdom<sup>1</sup>. While the majority are in England, they are spread across the UK, with the Scottish SPCA reporting a steady growth in such businesses in Scotland in recent years.

Some canine fertility businesses are operated by veterinary surgeons or employ registered veterinary surgeons and registered veterinary nurses. However, many do not have any veterinary involvement. There is evidence to show that some unscrupulous businesses that do recruit the services of veterinary surgeons employ vets that are not normally resident in the UK but their association is used to describe the business as a 'veterinary clinic' offering 'veterinary services'.

The surge in pandemic puppy buying and lack of clear, regulatory oversight appears to have driven the growth in canine fertility businesses. Increased enforcement action around puppy imports has also likely contributed. Whilst it is recognised that some businesses operate ethically and responsibly and within the law to provide a specialist service, much of the sector gives cause for concern. This, along with the fact that many of these businesses focus

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<sup>1</sup> [Naturewatch Foundation Report October 2022](#)

their services on particularly sought after breeds, is believed to have led to the growing involvement of organised crime groups who have links to the unlicensed breeding and sale of high-value breeds of dogs.

Below we present some of the key issues and concerns with canine fertility businesses and why we believe there is an urgent need for the sector to be regulated through statutory licensing.

### **Unethical breeding**

The canine fertility sector has a strong association with facilitating the breeding of breeds and types of dogs that typically suffer from poor health and welfare, particularly brachycephalic breeds, i.e. breeds with a compressed skull formation that results in a flat-faced appearance. A key concern of the Scottish Government and animal welfare organisations is that a large portion of the sector exists to help people breed from dogs that would naturally struggle to mate or whelp due to their anatomy, physiology and/or pre-existing health conditions, which raises significant welfare concerns. This unethical approach to breeding continues to be driven by the desire of many buyers to own specific breeds with extreme physical conformations, without any understanding of the impact on the dog's welfare and quality of life.

In addition, there is evidence to show that some operators are using assisted breeding procedures to not only overcome dogs' inability to reproduce, but to help clients produce increasingly extreme 'versions' of dog breeds. In doing so they drive demand among uninformed prospective buyers who have no understanding of the welfare impacts. Recent extreme trends include 'fluffy' French bulldogs (Frenchies), 'fluffy' pugs, 'big rope' Frenchies, 'big rope' English bulldogs, 'pocket' bullies, and 'micro' bullies, amongst others. In these cases, breeding procedures are being used irresponsibly to facilitate the most extreme examples of selective breeding for aesthetics. The Scottish Government considers such practices unethical and unacceptable. Further, new licensing laws applicable to dog breeders introduced in 2021 prohibit the keeping of a dog for breeding by licence holders if it can reasonably be expected, on the basis of its genotype, conformation, behaviour or state of health, that breeding from it could have a detrimental effect on its health or welfare or the health or welfare of its offspring.

Dogs with conformation and physical features that are highly exaggerated suffer significant health and welfare challenges, often throughout their lives. Perhaps most concerning of all is that some of these dogs are being kept or sold on as future breeding animals, which compounds the issues and raises concerns about how far some people are prepared to go for financial gain, to the detriment of animal welfare.

### **Lack of veterinary involvement**

A number of services being offered by canine fertility businesses are considered acts of veterinary surgery. Under the Veterinary Surgeons Act 1966, only a registered veterinary surgeon may practice veterinary surgery.

There are some exceptions to this to enable other trained/qualified professionals to perform certain acts.

Taking a blood sample, making a diagnosis, and performing artificial insemination on a dog are considered acts of veterinary surgery by the Royal College of Veterinary Surgeons (RCVS). Registered veterinary nurses may in certain circumstances draw blood from an animal, but only under the direction of a registered vet.

The taking of intravenous blood samples is considered an act of veterinary surgery for good reason. Incorrect technique and procedure when taking blood samples can have serious consequences for the animal concerned, including introducing infection, which can in turn lead to sepsis (blood poisoning), thrombosis at the site of sampling, which in some situations can later dislodge and lead to stroke or cardiac arrest or necrosis of tissue; permanent obstruction of the vein making future sampling or intravenous injection at that site impossible; or unnecessary pain and distress caused by poor technique. It should be noted that any layperson taking blood samples is failing to ensure the welfare of the dog from which blood is drawn, as those taking the samples are untrained and unqualified to do so. This may constitute an offence under the Animal Health and Welfare (Scotland) Act 2006.

Evidence shows that there is a growing number of canine fertility businesses offering services that are in fact being done illegally as they are not being performed by a veterinary surgeon. These services include taking frequently repeated blood samples and testing (to determine when a bitch is most fertile) and cherry eye treatment (cherry eye is essentially a prolapsed gland in a dog's third eyelid and which often requires surgery to fix it). There is evidence to suggest that some canine fertility businesses are employing vets who may not be resident in the UK in order to offer certain procedures, but these procedures are in fact being undertaken by laypersons, not the vet.

Canine fertility businesses and personnel that are not registered with the RCVS are not accountable to a particular regulator as the RCVS only oversees the activities and conduct of registered veterinary surgeons. This said, these businesses and their staff are subject to some existing laws pertaining to the protection of animal welfare, the prescribing and use of medicines, dog breeding and sales and consumer protection. The current framework of enforcement however is complex and administered by multiple bodies.

### **Illegal or irresponsible use of medicines**

There is evidence that some canine fertility businesses are involved in the illegal supply and use of categories of veterinary and unlicensed medicines. Of particular concern is the use of prescription-only medicines-veterinary (POM-V), such as oxytocin, to interfere with or accelerate canine reproduction, and the misuse of antibiotics. Veterinary medicines classified as POM-V are heavily controlled and may only be prescribed by a registered veterinary surgeon. Misuse poses serious risks to animal and human health



and raises worrying questions about where unqualified persons are getting their illegal supplies.

Previous enforcement action taken by the Scottish SPCA related to canine fertility businesses has uncovered evidence of the use of medicinal products that are either illegal for use in dogs or that were being administered illegally. Medicinal products found included PG600— a hormone fertility treatment authorised for use in pigs, and which is suspected of being administered to breeding dogs to maximise litter production. Often these products are found with foreign labelling. Other veterinary products that have been found include Receptal, a product authorised for use in the UK as a fertility treatment for cattle, rabbits and fish. PG600 and Receptal are not authorised for use in dogs, so their safety and side-effects are unknown.

It is particularly concerning that these veterinary products are likely being administered to some of the high-value breeds of dog that naturally struggle to conceive and give birth, and which more often than not require a caesarean section. Such use of veterinary products is unethical and demonstrates complete disregard for animal welfare.

It should be noted that the existing statutory licensing framework for dog breeding activities prohibits the mating of, or administration of any breeding procedure to, any bitch if she has had two litters previously delivered by caesarean section, or one litter by caesarean section if the need for that procedure was due to the conformation of the bitch or her offspring. This provision, however, only applies to holders of a dog breeding licence, which is required by any person breeding 3 or more litters of puppies in any 12-month period. That said, any person continuing to breed from a bitch that clearly struggles to conceive and give birth naturally and that requires a caesarean section each time she has a litter of pups may be committing an offence under section 19 (unnecessary suffering) of the Animal Health & Welfare (Scotland) Act 2006.

## **Criminality**

The Scottish SPCA's Special Investigations Unit has expressed concern about the growth in unregulated canine fertility businesses and, in particular, the involvement of organised crime groups. As alluded to in the background section, such facilities can act as a front for organised crime in that those involved establish what appears to be a legitimate business and use it to essentially launder money made from criminal activity. Evidence also points to individuals or groups in this sector having links to other forms of animal welfare related criminality such as performing illegal cosmetic mutilations including ear cropping and tail docking. Some canine fertility businesses also have links to, or are directly involved in, the hugely exploitative illegal puppy trade. Unlicensed, low-welfare breeders tend to maximize productivity of breeding bitches and produce high numbers of litters in the shortest amount of time, with no regard for animal welfare.

## **Consumer protection concerns**

The Scottish Government and key animal welfare organisations are concerned that members of the public may be misled into using canine fertility services that are in fact non-accredited and unqualified. There is concern that some businesses currently employ a vet in name only (even living in another country) to offer 'veterinary' services, when the procedures are in fact often undertaken by unqualified laypersons. This level of ambiguity creates significant risk in terms of consumer protection and animal welfare.

## **Naturewatch Foundation – Veterinary Professionals Survey**

Between June and August 2022, the Naturewatch Foundation surveyed and interviewed veterinary professionals in the UK to seek their views on canine fertility businesses. The findings were published in October 2022. You can access the Naturewatch report here: [Naturewatch Foundation Report](#).

Some key findings from this survey include the following:

- 98% of veterinary professionals are concerned about canine fertility businesses,
- most veterinary professionals think that commonly advertised canine fertility procedures should only be performed by veterinary surgeons and, in some cases, veterinary nurses,
- 94% of veterinary professionals think that dogs used for breeding should have an annual 'fitness to breed' assessment with a vet,
- veterinary professionals are concerned about canine fertility businesses promoting and facilitating unethical breeding practices, particularly in respect to brachycephalic breeds and the use of assisted breeding procedures and reliance on caesarean sections,
- less than a quarter of veterinary professionals support the introduction of exemption orders (under the Veterinary Surgeons Act 1966) as a method of regulating the procedures lay persons can undertake,
- veterinary surgeons are seeing in their own practices the negative impact of laypersons at canine fertility businesses undertaking procedures, mis-diagnosing certain conditions or providing inappropriate or wrong advice.

In October 2022, the British Veterinary Association published an article highlighting the concerns of the veterinary profession about the growth in unregulated canine fertility businesses. You can access this article here: [BVA Article](#). The BVA's article accords with and supports the findings of Naturewatch.

## **Requirements of a future licensing scheme**

Whilst not an exhaustive list, it is proposed that a future statutory licensing scheme would—

- Require any person wishing to operate or already operating a canine fertility business to be licensed by the licensing authority (this would be the relevant local authority). All premises associated with a licence application would require to be inspected by the licensing authority before any licence was issued. The inspection would be undertaken to assist in the preparation of a report regarding the applicant, relevant premises, relevant records, the condition of any animals observed and any other relevant matters..
- Make it an offence to operate a canine fertility business without a licence.
- Require the licence holder to comply with the conditions of a licence granted by the licensing authority. As is already the case for animal related activities subject to licensing in Scotland, the conditions that would need to be complied with would be set out in legislation. In the case of canine fertility businesses it could be, for example, that licences stipulate—
  - o that certain services or procedures are prohibited,
  - o the minimum professional qualifications required depending on the services being offered by the business,
  - o that only veterinary surgeons eligible to practice in the UK are employed in cases where a business wishes to offer veterinary services (as defined under the Veterinary Surgeons Act 1966), Where a vet is employed the relevant details would need to be provided to the licensing authority,
  - o record keeping and reporting requirements.
- Licences could be revoked in the event that the licence holder fails to comply with veterinary medicines legislation.
- Licence conditions could specify that semen should only be collected from and used on animals that would be capable of mating naturally and giving birth without assistance and without being likely to produce offspring with harmful conformations or genetic defects. Screening for known genetic defects of the breed concerned could also be required. Veterinary certification of health and genetic suitability of dogs used for semen collection and bitches used for breeding could be required.
- Give the licensing authority powers to add additional conditions of licence, but only where it considers it necessary to safeguard the welfare of animals.
- Requiring the licensing authority to be satisfied that the licence conditions are likely to be met and that grant of a licence is otherwise appropriate before issuing a licence. This would involve considering the applicant's conduct, whether the applicant is a fit and proper person and other relevant circumstances.

- Allow the licensing authority to charge a fee for the consideration of a licence application and grant of licence.
- Allow the licensing authority to inspect licensed businesses periodically to ensure compliance with the conditions of a licence. The legislative framework under which canine fertility businesses could be licensed allows for the licensing authority to appoint a registered veterinarian to undertake inspections either with or without an appointed licensing authority officer.
- Allow the licensing authority to vary, suspend or revoke a licence as appropriate due to the actions or conduct of a licence holder.
- Require the licensing authority to publish online a register of licensed canine fertility businesses. This is to allow the public to quickly check whether a particular business is officially licensed.
- Provide an appeals mechanism for applicants or licence holders aggrieved by a decision by the licensing authority.

### **Consultation questions**

**Q1.** Do you agree that businesses offering canine fertility services should be made subject to a statutory licensing scheme?

Yes / No / Not sure.

Please provide the reasons for your answer.

**Q2.** If you do not support the introduction of statutory licensing, what controls, if any, would you otherwise recommend?

**Q3.** If you do support the introduction of statutory licensing, which services should be regarded as "canine fertility services" and therefore require a licence?

**Q4.** Do you support the proposal that any veterinary surgeon named as being associated with a canine fertility business needs to be present during any inspection undertaken, or arranged by, the licensing authority when the authority so requests?

**Q5.** Do you support the proposal that as part of the licence application process, canine fertility businesses would be required to submit evidence of the health screen testing undertaken for all dogs used by the business, including testing to assess a dog's temperament?

**Q6.** Should screening also include veterinary certification of health and genetic suitability of all dogs/semen and bitches used for breeding whether or not owned by the business?

**Q7.** Do you support the proposal that as part of the licence application process, canine fertility businesses would be required to provide information on any stud dogs owned by or intended for use by the business (for example ownership details, microchip number, where kept)?

**Q8.** The current licensing framework to which we propose to add canine fertility businesses, allows for licences to be granted for a period of 1 to 3 years, depending on assessed risk. Do you agree with the proposal that canine fertility businesses are instead required to renew their licence annually, due to the higher animal welfare risks associated with such businesses?

**Q9.** Are there any further controls or measures that you would like to see introduced as part of a licensing scheme for canine fertility business?

**Q10.** Are you aware of any examples of how any of the proposals above may impact, either positively or negatively, on those with protected characteristics?

These are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Yes / No / Don't know

If yes, please explain your answer.

## **PART 6**

### **Greyhound Racing**

#### **Background**

In Scotland there are currently only two greyhound tracks— the official Greyhound Board of Great Britain (GBGB) track at Shawfield in Rutherglen, Glasgow and Thornton, an independent ‘flapper’ track near Glenrothes in Fife. The Scottish Government understands that the Shawfield track been closed since March 2020. Whether this track reopens remains to be seen. The Thornton track is still open and hosting greyhound racing.

Greyhound racing in Scotland is essentially an unregulated activity. The Welfare of Racing Greyhounds Regulations 2010 (“the 2010 Regulations”) apply in England. They require greyhound tracks to be licensed and impose various licence conditions on the operators of greyhound tracks. Licence conditions cover the standard of kennel facilities at a track, record keeping and traceability. They also require a veterinary surgeon to be present at the track before and during racing and to inspect all dogs that are intended to run.

Under the 2010 Regulations greyhound tracks can be licensed by the local authorities or by a UKAS accredited body. As a UKAS accredited body, the GBGB (<https://www.gbgb.org.uk/>) has assumed responsibility for the licensing of greyhound tracks in England that operate to the standards required under the 2010 Regulations and that meet the higher standards set under the GBGB’s Rules of Racing: [Rules of Racing | Greyhound Board of Great Britain \(gbgb.org.uk\)](https://www.gbgb.org.uk/rules-of-racing). Independent tracks that do not meet the standards set by the GBGB are licensed by the local authority.

While the Shawfield venue did operate to the Rules of Racing standards required by the GBGB, the track at Thornton does not. This means that apart from the general cruelty and welfare protections offered by the Animal Health and Welfare (Scotland) Act 2006 there is little in the way of oversight of active greyhound racing in Scotland. The Scottish Government considers this to be unacceptable and that greyhound tracks in Scotland should be made subject to statutory licensing to ensure that premises can be inspected and the welfare of racing and retired greyhounds protected. The rationale for introducing licensing, and what a future licensing scheme may require, is discussed in the section below.

The Scottish Government acknowledges the recent calls from a number of key animal welfare organisations and campaign groups for a complete ban on greyhound racing in Scotland. It is the view of the Scottish Government, however, that an outright ban on the racing of greyhounds is not, at this time, necessary.

In 2016 a review of the 2010 Regulations by the UK Government found that the introduction of statutory licensing in England had been effective in addressing many of the concerns associated with greyhound welfare at the

track that existed prior to licensing. That review did conclude, however, that the industry needed to do more to improve conditions at trainers' kennels as well as being more transparent. In response the GBGB agreed to publish annual independently verified injury, euthanasia, and retirement statistics from GBGB tracks. GBGB also agreed to extend their UKAS accreditation to allow for enforcement of the standards in the 2010 Regulations at GBGB trainers' kennels.

The introduction of the 2010 Regulations in England did, in some part, deliver significant improvements in respect to greyhound welfare and transparency, particularly for GBGB regulated tracks. However, concerns clearly remain and the introduction of a robust and modern licensing scheme in Scotland for greyhound racing will seek to deliver the safeguards and accountability required, particularly for greyhound tracks operating outwith GBGB's regulatory control.

### **The case for licensing**

As has already been stated, there is currently only one greyhound track in Scotland where racing still takes place. As this track is not regulated by the GBGB, it is not subject to any regulatory control and therefore the number of injuries and deaths at this track is not published. There is also no requirement for veterinary presence during racing to assess the fitness of a dog to run and to check its welfare post-race. Furthermore, there are concerns that checks are not being undertaken in Scotland to ensure that performance enhancing substances are not administered prior to racing.

Any racing of animals where prize money and gambling is involved has the potential for risks of exploitation, injury, and compromised animal welfare. These risks increase when there is no regulatory oversight or enforcement.

Animal Welfare organisations and campaign groups have also raised concerns about the racing of greyhounds in extreme weather, over-racing of individual dogs and the number of puppies that are unaccounted for between birth and racing registrations.

Greyhound racing can pose significant risk to the dogs involved. Running at speed around oval tracks can result in serious injury to dogs, and regrettably in some cases the injuries can be severe enough to necessitate euthanasia of the dog. Areas of congestion in particular significantly increase risks of high-speed collisions and subsequent injury. The table below show GBGB recorded numbers of greyhound injuries and fatalities over the period 2018 – 2021 for the whole of GB (does not include death/injury data from non-GBGB regulated tracks).

	2021	2020	2019	2018
Total number of runs	359,083	318,346	410,607	426,139
Total number of injuries (including minor injuries)	4422	3575	4970	4963
Injuries as a % of total dog runs	1.23%	1.12%	1.21%	1.16%
Total fatalities at track	120	200	207	242
Fatalities as a % of total dog runs	0.03%	0.06%	0.05%	0.06%

*Note: injury data refers to individual injuries, not the number of dogs injured. Racing was also suspended for some 2 months in Spring 2020 due to Covid restrictions.*

While we recognise that the GBGB continues to take steps to improve the welfare of racing greyhounds and reduce the number of fatalities and injuries that arise, these figures are very concerning. The lack of published data from unlicensed tracks makes it impossible to draw comparisons however.

In conclusion, the Scottish Government considers that there is a strong case for the introduction of a statutory licensing scheme for greyhound racing in Scotland. The introduction of such a scheme would improve greyhound welfare require transparency around the recording and reporting of key data, and ensure that there is accountability when greyhound welfare is compromised.

### **Requirements of a future licensing scheme**

While not an exhaustive list, it is proposed that a future licensing scheme covering greyhound racing would—

- Require the operator of a greyhound track to be licensed by the licensing authority (this would likely be the relevant local authority).
- Allow inspectors appointed by the licensing authority to inspect licensed premises or to enter premises suspected of operating without a licence.
- Require any licence holder to comply with the conditions of any licence granted by the licensing authority. As is already the case for animal related activities subject to licensing in Scotland, the conditions that would need to be complied with would be set out in legislation. The licensing authority would have powers to add additional conditions of licence, but only where it considers it necessary to ensure the welfare of animals. Licence conditions could include:



- Requiring licence holders to ensure the presence of a veterinary surgeon during racing to allow racing greyhounds to be health checked by the vet before and after racing.
- Requiring the provision of a suitably equipped examination room to be used by veterinarians for the inspection, testing and emergency treatment of racing dogs.
- Requiring licence holders to ensure the provision of adequate kenneling at the licensed premises that protects racing dogs from temperature extremes and weather.
- Requiring licence holders to record and publish key data linked to fatalities and injuries attributed to racing.
- Require the licensing authority to be satisfied that the licence conditions are likely to be met and that grant of a licence is otherwise appropriate before issuing a licence. This would involve considering the applicant's conduct, whether the applicant is a fit and proper person and other relevant circumstances. This is already a requirement for licensable activities under the existing licensing framework.
- Require licence holders to refuse entry to greyhound owners/trainers that have failed to transport dogs in a manner that ensures their safety, or, where it is clear that the dogs are not fit to race, refuse to permit any such dog to race.
- Require licence holders to put in place protocols to deter the administration of performance enhancing substances and to undertake random testing of racing dogs for such substances.
- Allow the licensing authority to charge a fee for the consideration of a licence application and grant of licence.
- Allow the licensing authority to vary, suspend or revoke a licence as appropriate due to the actions or conduct of a licence holder.
- Require the licensing authority to publish online a register of licence holders. This is to allow the public to quickly check whether an operator of a track is properly licensed.
- Provide an appeals mechanism for applicants or licence holders aggrieved by a decision by the licensing authority.

### **Consultation questions**

**Q1.** Do you agree that operators of greyhound racing tracks should be made subject to a statutory licensing scheme?

Yes / No / Not sure

Please explain the reason for your answer.

**Q2.** If you do not support the introduction of statutory licensing, what controls, if any, would you otherwise recommend?

**Q3.** Do you support the proposal to require veterinary presence when greyhounds are racing to allow pre and post-race health checks of dogs and ensure prompt veterinary care of any injured dog?

**Q4.** The current licensing framework to which we propose to add canine greyhound racing allows for licences to be granted for a period of 1 to 3 years duration, depending on assessed risk. Do you agree with the proposal that greyhound tracks are instead required to renew their licence annually, due to the higher animal welfare risks?

**Q5.** Do you know of any challenges or negative consequences that may arise from the introduction of statutory licensing for greyhound racing? If yes, how best could these be addressed?

**Q6.** Are you aware of any examples of how any of the proposals above may impact, either positively or negatively, on those with protected characteristics?

These are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Yes / No / Don't know

If yes, please explain your answer.

## **PART 7**

### **Animal Boarding (including day care)**

#### **Background**

In Scotland, the boarding of dogs and cats is regulated by the Animal Boarding Establishments Act 1963 (“the 1963 Act”). The 1963 Act is enforced by the local authorities. Any person who carries on a business, at any premises, of providing accommodation for other people’s cats or dogs must currently be licensed under the 1963 Act by the relevant local authority. Carrying on such a business without a licence is an offence.

The 1963 Act also—

- makes provision for a fee to be charged by the local authority;
- prohibits the local authority from granting a licence to certain disqualified persons;
- makes provision for appeals by the licence holder against a decision of a local authority;
- allows for inspections of premises by authorised inspectors;
- allows a court to order the cancellation of a person’s licence and/or disqualify that person from carrying on the licensable activity upon conviction for an offence under the 1963 Act or other statutes listed in that Act;
- allows the local authority to specify licence conditions provided that they necessary or expedient for securing objectives listed in the 1963 Act and
- makes provision for licences with a term of no more than one year.

Whilst the 1963 Act delivers some degree of statutory control over animal boarding activities and accountability where animal welfare is compromised, it is dated and inflexible legislation. The Scottish Government therefore proposes to revoke the 1963 Act and introduce new licensing requirements for animal boarding that will be delivered through the same framework as used in the [Animal Welfare \(Licensing of Activities Involving Animals\) \(Scotland\) Regulations 2021](#).

#### **The case for updating animal boarding licensing requirements**

Key inadequacies of the 1963 Act relate, in particular, to the way in which licences can be administered and enforced by the licensing authority. For example, under current controls—

- licences can be granted for a period up to of one year, with no flexibility to grant licences of longer duration to consistently compliant licence holders operating to high standards of animal welfare. Under the 2021 licensing framework the licensing authority has the flexibility of granting licences of 1 to 3 years duration. This not only reduces the administrative burden on the licensing authority but can act as an

incentive for licence holders to operate to higher standards due to the cost savings.

- there are no provisions allowing the licensing authority to revoke, vary, suspend, or amend any licence granted. In addition, licences can only be cancelled by a Court and only in circumstances where the person concerned has been found guilty of an offence under the 1963 Act or other enactments specified in section 3 of that Act. Under the 2021 licensing framework the licensing authority would gain flexibility to vary any licence granted with, or without, the consent of the licence holder and be able to suspend or revoke licences depending on the circumstances. The 2021 licensing framework does of course provide for an appeals mechanism for persons aggrieved by a decision made by the licensing authority.
- no mandatory licence conditions are specified in the 1963 Act, leaving scope for a wide variation in licence conditions across local authorities. It is acknowledged, however, that the model licence conditions and guidance published in 2011 by the Royal Environmental Health Institute of Scotland has enabled consistency in approach to the setting of licence conditions and enforcement thereunder. The Scottish Government is of the view that the 2021 licensing framework provides the most robust and appropriate mechanism for the licensing of animal boarding activities, where detailed and specific conditions of licence can be clearly set out, thereby ensuring a consistent and equitable approach, easily understood by both the licensing authority and licence holder.

Over and above the primary deficiencies of the 1963 Act set out above there are a number of additional benefits to regulating animal boarding activities under the 2021 licensing framework—

- The 2021 framework requires local authorities to arrange for the inspection of any premises linked to a licence application and the inspector must provide to the authority a written report which must be taken into consideration prior to the granting of a licence.
- The 2021 framework requires the licensing authority to take into account the likelihood of an applicant being able to meet the requirements of licensing, based on an assessment of their application and the inspector's report, before issuing a licence. As the conditions of holding an animal boarding licence will be set out in detail in legislation, it will be easier for licensing authorities to make such an assessment and to do so equitably.
- The 2021 licensing framework includes wider offence provisions, including in regard to the provision of false or misleading information by an applicant or licence holder.

- The 2021 licensing framework places a duty on the licensing authority to publish a register on its website of all persons/businesses granted a licence and to make this register publicly available. This is to allow any member of the public to quickly determine if a person offering a particular service is officially licensed. The licensing authority has a statutory duty to keep any such register updated, as necessary.
- The 2021 licensing framework already regulates a number of commercial / non-commercial animal activities in Scotland. The local authorities, with one exception, have responsibility for enforcing the requirements of this framework. Given that local authorities are familiar with the requirements of this framework, and the fact that it was drafted in such a way that other activities can readily be added to it, it makes sense for animal boarding to be regulated using this framework moving forward.

### **Requirements of future licensing scheme**

Whilst not an exhaustive list, it is proposed that future controls on animal boarding activities if brought under the 2021 licensing framework would—

- Require any person offering or providing accommodation for other people's cats and dogs in the course of a business including day care, to be licensed by the licensing authority (this would be the relevant local authority).
- Require applicants for a licence to be inspected by an inspector authorised by the licensing authority before any licence was issued. The inspection would be undertaken to assist in the preparation of a report regarding the applicant, relevant premises, relevant records, the condition of any animals observed and any other relevant matters.
- Allow inspectors appointed by the licensing authority to inspect licensed premises or to enter premises suspected of operating without a licence.
- Require any licence holder to comply with the conditions of any licence granted by the licensing authority. As is already the case for animal related activities subject to licensing in Scotland, the conditions that would need to be complied with would be set out in legislation. The licensing authority would have powers to add additional conditions of licence, but only where it considers it necessary to ensure the welfare of animals.
- Require the licensing authority to be satisfied that the licence conditions are likely to be met and that grant of a licence is otherwise appropriate before issuing a licence. This would involve considering the applicant's conduct, whether the applicant is a fit and proper person and other relevant circumstances. This is already a requirement for licensable activities under the 2021 licensing framework.

- Allow the licensing authority to grant licences for a period of one to three years duration. It is anticipated that licence holders who consistently demonstrate professionalism, high levels of compliance with licence conditions and a solid understanding of animal welfare and care could be granted a licence of up to 3 years duration.
- Allow the licensing authority to charge a fee for the consideration of a licence application and grant of licence.
- Allow the licensing authority to vary, suspend or revoke a licence as appropriate due to the actions or conduct of a licence holder in order to protect animal welfare or for other relevant reasons.
- Require the licensing authority to publish online a register of licence holders. This is to allow the public to quickly check whether a provider of animal boarding services is properly licensed.
- Provide an appeals mechanism for applicants or licence holders aggrieved by a decision by the licensing authority.

### **Consultation questions**

**Q1.** Do you support our proposal to revoke the 1963 Act and bring animal boarding under the scope of the 2021 licensing framework?

Yes / No / Not sure

Please explain the reason for your answer.

**Q2.** Are there specific conditions or measures that you would like to see included in any future licensing scheme for animal boarding?

**Q3.** Do you know of any challenges or negative consequences that may arise from revoking the 1963 Act and licensing instead under the 2021 licensing framework? If yes, what are they and how best could these be addressed?

**Q4.** Are you aware of any examples of how any of the proposals above may impact, either positively or negatively, on those with protected characteristics?

These are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Yes / No / Don't know

If yes, please explain your answer.

## **PART 8**

### **Licensing of riding establishments and wider equine activities**

In Scotland, the keeping of a riding establishment requires a licence under the Riding Establishments Act 1964 ("the 1964 Act"). The 1964 Act defines the keeping of a riding establishment as the carrying on of a business of keeping horses to be let out on hire for riding and/or a business of providing riding instruction in return for payment. The provisions of the 1964 Act are enforced by the local authorities.

The current requirements of the 1964 Act (as supplemented and amended by the Riding Establishments Act 1970) include the following:

- The 1964 Act requires that any person who keeps a riding establishment must be licensed by the local authority. A licence cannot be issued under the 1964 Act unless the local authority has obtained and considered a report by a veterinary surgeon, or veterinary practitioner authorised to carry out inspections. A licence granted runs for up to one year and an inspection is required prior to the issue of new licence.
- The 1964 Act sets out a number of matters in relation to which the local authority must have regard when determining whether to grant a licence. These considerations relate to the accommodation of horses, their diet and exercise, the suitability and qualifications of the applicant, equine care and disease control plans.
- The 1964 Act sets out five licence conditions that automatically apply upon grant of a licence. These include conditions relating to return to work of horses that have been found on inspection to require veterinary attention, the age of supervisors, personal injury insurance and record keeping in relation to young horses.

Whilst the 1964 Act delivers some degree of statutory control over riding establishments and delivers accountability where equine welfare is compromised, it is dated and inflexible legislation. The Scottish Government therefore proposes to revoke the 1964 Act and introduce new licensing requirements for riding establishments in Scotland that will be delivered through the same framework as the Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021. Extending statutory licensing beyond riding establishments to a number of currently unregulated equine activities in order to safeguard the welfare of equines is also being considered. The rationale for these proposed changes is presented below.

## The case for updating the 1964 Act

Key inadequacies of the 1964 Act relate, in particular, to the way in which licences can be administered and enforced by the licensing authority. For example, under current controls—

- licences can only be granted for a period of up to 12 months, with no flexibility to grant licences of longer duration to consistently compliant licence holders operating to high standards of animal welfare. Under the 2021 licensing framework the licensing authority has the flexibility of granting licences of 1 to 3 years duration. This not only reduces the administrative burden on the licensing authority but can act as an incentive to licence holders to operate to higher standards due to the cost savings.
- there is no provision in the 1964 Act to allow the licensing authority to revoke, vary, suspend, or amend any licence granted. In addition, licences can only be cancelled by a Court and only in circumstances where the person concerned has been found guilty of an offence under the 1964 Act or the other enactments specified in section 4(3) of the 1964 Act. Under the 2021 licensing framework the licensing authority would gain flexibility to vary any licence granted with, or without, the consent of the licence holder and be able to suspend or revoke licences depending on the circumstances. The 2021 licensing framework does of course provide for an appeals mechanism for persons aggrieved by a decision made by the licensing authority.
- the mandatory licence conditions are basic and do not in themselves make comprehensive provision. Licensing authorities are not required to impose particular licence conditions in relation to the matters listed in section 1(4), leaving scope for lack of consistency in regulation and enforcement. The Scottish Government's view is that the 2021 licensing framework provides the most robust and appropriate mechanism for the licensing of riding establishments, where detailed and specific conditions of licence can be clearly set out, thereby ensuring a consistent and equitable approach, easily understood by both the licensing authority and licence holder.

## Potential benefits of moving to a modern licensing system for riding establishments

- **Increased clarity and consistency:** A modern licensing system would provide a clear and consistent framework for riding establishments on what is expected of them in terms of animal welfare, health and safety, facilities and other important factors. This would make it easier for establishments to understand their responsibilities and would help ensure that all establishments are held to the same standards.



- **Scope to cover other equine activities:** Presently, the 1964 Act is limited in terms of its scope in that it only covers horses kept for the purpose of hiring them out for riding purposes or, in return for payment, using horses for providing instruction in riding. Introduction of a modern licensing system would allow other equine riding or equine interactive activities to be licensed in order to protect the welfare of the equines used in such activities, as well as introducing health and safety protection for those undertaking the activity. Due to a lack of regulatory control, many equines are currently used commercially with only limited regulation in place to ensure their welfare (e.g. the provisions in the Animal Health and Welfare (Scotland) Act 2006). Equines are used for 'hire and reward' beyond that of just riding, and the omission of these other activities in legislation has led to a huge growth in 'under the radar' equine hire across Scotland. Appropriate oversight and accountability for those offering such services will help to ensure animal welfare is adequately safeguarded.
  
- **Improved equine welfare:** A modern licensing system would set and require higher standards of animal welfare than the existing system and would help ensure that horses in riding establishments or used elsewhere in other activities are kept in safe and appropriate conditions, receive appropriate care and nutrition, and have opportunities to express natural behaviors. Specifically, some key equine benefits and protections include—
  - **Improved safety:** Riding schools would be required to ensure that their facilities meet health and safety standards, including safe fencing, secure gates, and well-maintained equipment. In addition, they would need to ensure that their horses are well-trained and suitable for riders of different levels of experience. This would help reduce the risk of accidents and injuries to both horses and riders.
  
  - **Better quality of care:** Riding schools would be required to provide appropriate levels of nutrition, veterinary care, and farrier services to their horses. This would help ensure that horses receive the care they need to maintain their health and well-being, reducing the risk of illness, injury, and chronic conditions.
  
  - **Enhanced exercise and socialization opportunities:** Riding schools would be required to provide appropriate opportunities for exercise and socialization, including access to turnout areas and facilities for riding, training, and other activities. This would help ensure that horses have opportunities to express natural behaviours, reduce boredom and stress, and maintain their physical fitness and mental well-being.

- **Increased training and qualifications for staff:** Riding schools would be required to ensure that their staff have appropriate training and qualifications to work with horses and riders. This would help ensure that horses and riders receive the best possible care and instruction, and that staff are able to identify and address any welfare concerns that may arise.
- **Greater accountability and transparency:** Riding schools would be subject to regular inspections and would be required to keep detailed records of their horses and their care. This would provide a greater level of accountability and transparency, making it easier to identify and address welfare concerns and ensure that horses are receiving appropriate care.
- **Enhanced accountability and transparency:** A modern licensing system would likely include regular inspections and reviews of riding establishments, as well as requirements for detailed record-keeping and reporting. This would provide greater accountability and transparency, making it easier to identify and address welfare concerns and ensuring that establishments are operating in a responsible and ethical manner.
- **Increased public trust:** By introducing a modern licensing system, riding establishments would have opportunity to demonstrate their commitment to animal welfare and responsible business practices, which could help increase public trust and confidence in the equine sector.

Overall, a modern licensing framework for equine riding establishments in Scotland would help promote the welfare of horses by ensuring that they are kept in safe and appropriate conditions, receive the care they need to maintain their health and well-being, and have opportunities to express natural behaviours and socialize with other horses. In addition, it would provide assurance to riders that they are receiving safe and high-quality instruction, and that the welfare of the horses is being prioritised.

### **Identified/common equine welfare concerns associated with riding establishments**

It is recognised that the majority of people operating riding establishments do so because they are passionate about riding and care deeply for the equines in their care. Like any sector, however, complaints and concerns do arise. The most common complaints that arise in respect to riding establishments include—

- poor horse management practices, including inadequate nutrition, lack of access to fresh water, lack of veterinary care, lack of adequate exercise or turnout time, and overcrowding,
- unsuitable horse and rider pairing, such as riders given horses that are too advanced or too difficult for their level of experience, or horses ridden by individuals who are too heavy or too tall for the horse,
- overworking horses, such as using horses for long periods of time without adequate rest or recovery time or using horses in multiple lessons or activities per day without proper conditioning or preparation,
- inadequate equine health and safety protocols, including lack of disease control measures, lack of proper biosecurity protocols, or lack of proper quarantine procedures,
- inadequate training or supervision, including lack of supervision or instruction during riding sessions, lack of proper training or qualification for staff members, and lack of clear safety protocols or emergency procedures,
- unsafe facilities or equipment, such as poorly maintained riding arenas, unstable or unsafe fencing, and poorly fitted or unsafe tack and equipment,
- lack of communication or transparency, including failure to communicate with clients about changes in schedule, horse health concerns, or any accidents or incidents that occur on the premises.

Many of these issues can lead to both welfare concerns and client complaints. For example, overworking horses could lead to injury or illness, which are clearly equine welfare concerns, but it could also lead to dissatisfied clients who feel that their horse is not receiving adequate care or attention. Ensuring adequate training and that a qualified individual is present for any specific activities, will ensure a positive outcome for both equines and clients alike.

### **How would moving to a modern licensing framework address equine welfare and client/user concerns?**

Statutory licensing has the potential to help address the issues set out above and improve equine welfare in riding establishments as—

- it would set clear standards for equine welfare, with benefits also arising for riders. This would make it easier for riding establishments to understand their responsibilities and would help ensure that all establishments are held to the same standards. Clear standards would

also make it easier for authorised inspectors to assess compliance and for clients to understand what to expect from a licensed riding establishment.

- it would involve inspections of riding establishments to ensure that they meet the standards set out in the licensing requirements. Inspections could help identify potential welfare issues and ensure that they are addressed promptly.
- it would require riding establishments to keep detailed records and to report any accidents or incidents to the relevant authorities. This would increase transparency and accountability, making it easier and quicker to identify and address concerns.
- it would require operators of riding establishments to employ qualified staff members and/or provide appropriate training and supervision. This would promote professionalism in the equine industry and would help ensure that horses are handled and ridden by knowledgeable and skilled individuals.
- it would establish consequences for riding establishments that do not meet the licensing requirements. This could include fines, suspension or revocation of the licence, or other penalties. These consequences would create a strong incentive for riding establishments to prioritise equine welfare and rider safety.

Overall, statutory licensing has the potential to improve equine welfare in riding establishments by establishing clear standards, promoting transparency and ensuring full accountability. By ensuring that all riding establishments meet high standards for animal welfare and rider safety, statutory licensing would help ensure that horses in Scotland are treated with care and respect.

### **Extending statutory licensing to other equine activities**

Current licensing legislation in Scotland covering equine riding establishments, fails to capture other equine riding activities or so-called equine interactions such as donkey hire, donkey riding, pony parties etc. This raises a number of animal welfare and safety concerns due to the lack of targeted regulation, oversight and accountability.

For example, in the case of donkey hire and donkey riding, concerns include the suitability of the animals for the work being asked of them, the potential for overworking or overheating, and the quality of overall care provided to the animals while working and resting. Similarly, pony parties and other events that involve interaction with horses and ponies with young and uneducated members of the public. This could place animals in a potentially stressful or

unsuitable environment and there are concerns over the level of supervision and control provided by handlers at such events.

Some specific examples of where equine welfare may be compromised include:

- **Overworking or overloading of animals:** Horses, ponies, and donkeys used for pony parties and donkey rides may be worked beyond their physical limits, particularly if they are used for long hours or multiple events in a day. This can lead to exhaustion, dehydration, and other health problems.
- **Unsuitable conditions:** Animals may be kept in unsuitable or inadequate conditions, such as small enclosures or areas with poor footing. They may also be exposed to extreme weather conditions, which can impact their health and welfare.
- **Lack of adequate care:** Animals may not receive adequate care, including proper nutrition, hydration, and medical attention. This can lead to a range of health problems, such as lameness, colic, and other conditions.
- **Lack of training and supervision:** Animals used for pony parties and donkey rides may not be properly trained or supervised, or they may simply not be suitable due to their temperament for such work, which can pose risks to both animals and participants.

Common client complaints linked to other equine riding/interactive activities include:

- **Poor or compromised animal welfare:** Concerns about the welfare of animals used for these activities are often raised by members of the public, particularly if they observe animals that appear to be unwell or are being mistreated.
- **Safety issues:** Participants may raise concerns about safety, particularly if they have had negative experiences with animals that are not properly trained or supervised.
- **Unprofessional conduct:** Complaints about the conduct of operators or handlers, particularly if they are perceived to be unprofessional or rude.
- **Misleading advertising:** Some complaints may be related to misleading advertising or misrepresentation of the activities on offer,

particularly if participants feel that they were not adequately informed about what they would be doing or what to expect.

Extending licensing to these and similar activities could help address these concerns by establishing clear statutory standards and requirements for animal care and welfare and by ensuring that operators of these types of activities are held accountable for meeting those standards. Licensing could also help to promote transparency and wider accountability, making it easier for concerned individuals to identify and report any issues that they observe. Operating under the 2021 licensing framework, the licensing authority would have a clear and robust enforcement framework to act on any concerns raised.

Moving to a modern licensing framework to licence riding establishments and other equine activities in Scotland would have a range of benefits for equine welfare, as well as rider/public safety, and industry accountability. Licensing would help establish clear and consistent standards for riding establishments and providers of other equine activities, while also demonstrating the equine sector's commitment to responsible equine care and business practices.

### **Consultation questions**

**Q1.** Do you support the proposal to revoke the 1964 Act and bring riding establishments under the scope of 2021 licensing framework instead?

Yes / No / Not sure

Please explain the reasons for your answer.

**Q2.** Do you support the proposal to extend statutory licensing to other riding/equine activities such as those discussed above (donkey hire, pony parties etc)?

Yes / No / Not sure

Please explain the reason for your answer.

**Q3.** If riding establishments and other equine activities were in future regulated under the 2021 licensing framework, what conditions of licence would you support or like to see included?

**Q4.** The 2021 licensing framework, to which we propose to add riding establishments, allows for licences to be granted for a period of 1 to 3 years duration, depending on assessed risk. Do you agree that local authorities should be able to licence riding establishments that operate to consistently demonstrable high standards for periods of more than 1 year?

Yes / No / Not sure

Please explain the reasons for your answer.

**Q5.** Do you think there should be any exemptions from the licensing system for certain types of equine activities or businesses, and if so, which ones and why?

**Q6.** Do you know of any challenges or negative consequences that may arise from revoking the 1964 Act and licensing instead under the 2021 licensing framework? If yes, what are they and how best could these be addressed?

**Q7.** What other measures do you think could be taken to improve equine welfare in Scotland, and how could they be integrated into a modern licensing system for equine activities?

**Q8.** Are you aware of any examples of how any of the proposals above may impact, either positively or negatively, on those with protected characteristics?

These are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Yes / No / Don't know

If yes, please explain your answer.

## PART 9

### Respondent Information Form

**Please Note** this form **must** be completed and returned with your response.

To find out how we handle your personal data, please see our privacy policy:  
<https://www.gov.scot/privacy/>

Are you responding as an individual or an organisation?

Individual     Organisation

Full name or organisation's name

Phone number

Address

Postcode

Email Address

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name  
 Publish response only (without name)  
 Do not publish response

#### Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes     No





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