

Dangerous Wild Animals
The Dangerous Wild Animals
Act 1976



Do I need to apply for a licence with Calderdale Council?

The Dangerous Wild Animals Act 1976 aims to ensure that where private individuals keep dangerous wild animals, they do so in circumstances which create no risk to the public and which safeguard the welfare of the animals.

Any person that wishes to keep any Dangerous Wild Animals in Calderdale must obtain a Dangerous Wild Animals Licence Calderdale Council.

The Act does not apply to any dangerous wild animal kept in:

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

A person is held to be the keeper of the animal if they have it in their possession. They remain the 'keeper' and therefore are responsible for the animal, even if it escapes or it is being transported etc.

The applicant

Any applicant for a DWA licence must:

- be at least 18 years old;
- own and process, or propose to own and possess, all of the animals that are to be included on the licence, unless there are circumstances which Calderdale Council consider exceptional;
- not have been disqualified under the Dangerous Wild Animals Act 1976 from keeping any dangerous wild animal.

Considerations for applicants

Before you apply for a Dangerous Wild Animals Licence you must consider the following:

- keeping any animal of the type listed in the attached schedule will require a great deal of commitment in order to ensure its well being. You should be certain that you are prepared to take on this commitment and have carried out the necessary research to ensure you are fully aware of the care and facilities which the type of animal you are going to keep requires;
- some animals of the types listed in Schedule can grow quite large and need adequate space for exercise. You should consider whether you have the space and adequate facilities to house the animal correctly. If you do not currently have adequate space or facilities, it may be that a substantial investment is needed to provide them and it may require planning permission;
- a condition of a Dangerous Wild Animal licence is that adequate insurance cover is provided. Please take this into account in determining whether or not you can afford to keep an animal listed;
- consider whether you are able to afford to pay for vets bills; the animal you may be proposing to keep might require treatment from a specialist veterinary practitioner. You could find this will cost more than simply going to your local veterinary practitioner;
- consider if you should discuss the issue of having an animal which requires a Dangerous Wild Animals Licence at your premises with your immediate neighbors (where applicable). Some applications may involve also making an application for planning permission, the processing of which could involve taking into account their comments and concerns;
- you may need to source a supplier for the type of food required to satisfy the dietary requirements for the animal you intend to keep;
- some animals will produce waste products which are difficult to dispose of e.g. big cat excreta. You will need to make arrangements for this. We suggest that you contact Environment Health to discuss (telephone 01422 392325);
- you will need to make adequate arrangements to ensure that all feed kept on site is stored in suitable vermin proof containers and that all waste food is removed regularly so as not to attract vermin. You may wish to seek advice from an appropriate pest control contractor in relation to adequate means of vermin control/proofing.

The application process

To apply for a Dangerous Wild Animals licence, applicants must complete and submit an application form with the relevant fee.

Calderdale Council will arrange for an authorised veterinary surgeon/practitioner to undertake an inspection of the premises and produce a report, which the Council is legally obliged to consider when determining the application.

The fee for this service is additional to the standard licence fee.

Calderdale Council will not grant a licence unless satisfied that:

- it would not be contrary to the public interest on the grounds of safety, nuisance or otherwise;
- the applicant is a suitable person to hold a licence and is adequately insured;
- animals will be held in secure accommodation to prevent them from escaping;
- accommodation for animals is suitable with regards to the construction, size, temperature lighting, ventilation, drainage and cleanliness, and which is suitable for the number of animals proposed to be held in the accommodation;
- animals are provided with adequate food, drink and bedding materials and will be visited at suitable intervals;
- appropriate steps will be taken for the protection of any animal concerned in case of fire or other emergency;
- appropriate steps will be taken to prevent and control the spread of infectious diseases;
- While any animal concerned is at the premises where it will normally be held, its accommodation is such that it can take adequate exercise.

How long does a licence last?

A licence is valid for 2 years and according to the wishes of the applicant, a licence comes into force on either the day on which it is granted or on the 1st January the following year. In either case a licence will expire on the 31st December of year in which the licence was granted.

Licences must be renewed before their expiry if the licence holder is to continue to keep the animal(s) named on the licence. Licence holders will receive a written reminder from Calderdale Council prior to the expiry of their licence.

In the event of death of anyone to whom a licence has been granted, the licence shall continue in force for a period of 28 days as if it had been granted to the personal representatives of the deceased. After a period of 28 days the licence expires, unless application is made for a new licence within that time, in which case it continues, until the new application is determined.

What conditions will be attached to a licence?

The Dangerous Wild Animals Act 1976 provides standard conditions that must be specified on a licence.

As part of the licence conditions, you are required to ensure that you have adequate Public Liability Insurance which provides cover for the animal(s) which you have on site.

You must ensure that any policy you take out provides sufficient cover against any damage which may be caused by the animal should it escape. The level of insurance will depend on many factors which may include the species and number of animals you wish to keep.

Calderdale Council may at any time vary the licence by specifying any new conditions of the licence or varying or revoking any condition of it (exceptions apply to those conditions specified by section 1(6) of the DWA Act 1976).

Rights of entry

Authorised officers are entitled to enter premises either licensed under the Act or specified in an application for a licence, at all reasonable times, producing if required their authority, and the authorised officers may inspect these premises and any animal in them.

Powers of seizure

In addition to powers of inspection, the Dangerous Wild Animals Act 1976 also gives the Council powers to seize any animal being kept on premises which are unlicensed or failing to comply with a condition of their licence.

Offences and penalties

The following offences and penalties apply:

- any person found guilty of keeping an animal covered by the Dangerous Wild Animals Act 1976 without a licence shall be subject to a fine not exceeding level 5 (currently £5,000);
- any person found guilty of failing to comply with any licence condition shall be subject to a fine not exceeding level 5 (currently £5000);
- any person found guilty of obstructing or delaying an Inspector or Authorised Veterinary Practitioner or Veterinary Surgeon shall be subject to a fine not exceeding level 5 (currently £5000).
- Where a person is convicted of any offence under the Dangerous Wild Animals Act 1976, or of any offence under;
 - The Protection of Animals Acts 1911;
 - The Performing Animals (Regulation) Act 1925;
 - The Pet Animals Act 1951;
 - The Animals (Cruel Poisons) Act 1962;
 - The Animal Boarding Establishments Act 1963;
 - The Riding Establishments Acts 1964 and 1970;
 - Breeding of Dogs Act 1973;
 - Animal Welfare Act 2006, Sections 4,5,6(1)(2), 7 to 9 and 11;

the court by which he is convicted may cancel any licence held by him under the Dangerous Wild Animals Act 1976, and may, whether or not he is the holder of such a licence, disqualify him from keeping any dangerous wild animal for such period as the court thinks fit. The cancellation or disqualification may be suspended by the Court in the event of an appeal.

How long will it take to process my application?

If we have not contacted you to make arrangements to authorise a veterinary surgeon to inspect your premises within 14 days of your application, please contact us to check that your application was correctly made and received.

Applicants are advised the application process can be fairly lengthy due to the necessity for a veterinary inspection. The Council will endeavour to issue a Licence within a period of 10 weeks from receipt of application, however if we have been unable to determine your application within this time a licence will not be automatically granted due to animal welfare implications.

For renewals, please be reassured that if we have received your application form and fee before the expiry date of your existing licence, we will treat your premises as if they are in possession of a valid licence whilst the application is being processed. Applicants, who are late requesting renewal, thereby allowing their licence to lapse, are advised to contact us immediately.

How to apply

Please complete and submit a Dangerous Wild Animals Licence application form with the application fee.

Contact details

Application forms should be sent to The Licensing Unit, Calderdale Council, Town Hall, Halifax, HX1 1UJ

Tel: 01422 393002

Email: licensing@calderdale.gov.uk

Right of appeal

Any person aggrieved by a refusal to be granted a licence or by any conditions to which a licence is subject or by the variation or revocation of any condition of the licence, may appeal to the Magistrates Courts who may give such directions regarding the licence or its conditions as it thinks proper.

A court which has ordered the cancellation of a person's licence, or his disqualification, in pursuance of the last foregoing subsection may, if it thinks fit, suspend the operation of the order pending an appeal.