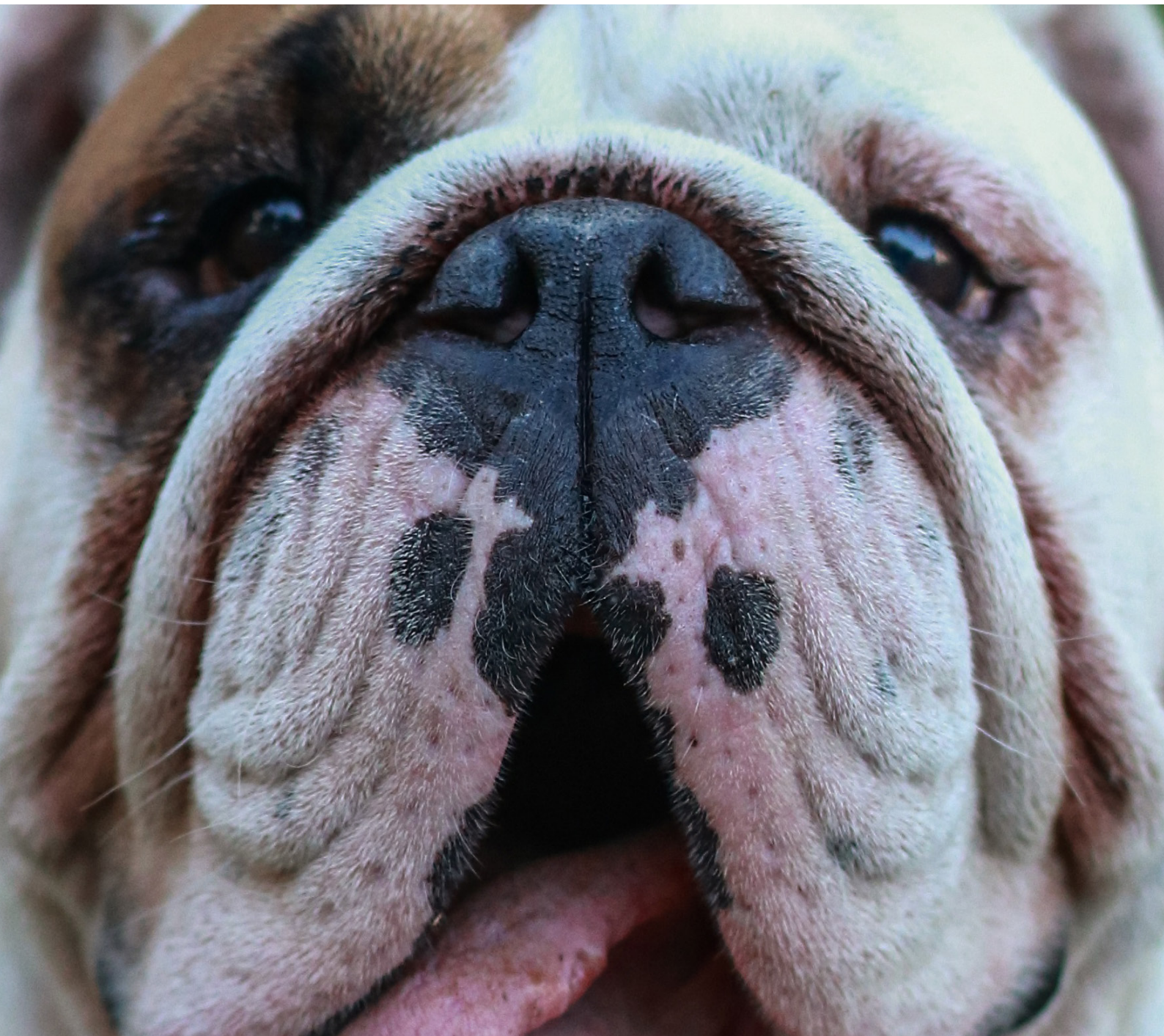


# Protecting dogs from genetic and conformational suffering

Are we using the legal rules effectively?

May 2026



# Protecting dogs from genetic and conformational suffering: Are we using the legal rules effectively?

An evaluation of how local authorities in England and Scotland assess dog breeders' compliance with schedule 6, paragraph 6(5) and schedule 6, paragraph 8(5) of the Animal Welfare (Licensing of Activities Involving Animals) Regulations ("LAIAR")

**May 2026**

© 2026 Naturewatch Foundation, Legal Advisory Group on Extreme Conformation in Dogs (LAGECDogs) and UK Centre for Animal Law (A-LAW)



# Contents

<b>Executive summary</b> .....	<b>2</b>	<b>How many findings of non-compliance have there been with these licence conditions and how have local authorities responded?</b> .....	<b>20</b>
Key findings .....	2		
Key issues identified .....	3		
Recommendations .....	3		
Aims .....	3		
<b>Introduction</b> .....	<b>4</b>	<b>What were the grounds for any findings of non-compliance with these licence conditions?</b> .....	<b>22</b>
<b>Methodology</b> .....	<b>7</b>	Genotype / genetic makeup of parents .....	22
Limitations .....	7	Phenotype / conformation of parents .....	22
		General state of health .....	22
<b>Number of licensed dog breeders in England and Scotland</b> .....	<b>8</b>	History of c-sections .....	22
		Temperament of parents .....	23
<b>How do local authorities in England and Scotland assess compliance with these licence conditions?</b> .....	<b>9</b>	Failure to carry out appropriate health tests .....	23
Rely on veterinary advice or veterinary assessment during inspections .....	9	Other or unspecified inherited conditions affecting parent dogs .....	23
Rely on veterinary records provided by the dog breeder and/or the dog breeder's vet .....	10	Other or unspecified inherited conditions affecting puppies .....	23
Refer to or follow statutory guidance and/or legislation .....	10	Other grounds .....	23
Rely on licensing officer training, knowledge and/or their visual inspection .....	11	Issues not relevant to schedule 6, paragraph 6(5) .....	23
Look for evidence of health tests .....	13	<b>Discussion</b> .....	<b>24</b>
Ask about, or assess, coefficient of inbreeding (CoI) values .....	13	Scale of non-compliance and local authorities' response to non-compliance .....	24
Ask about, assess and/or refer to information relating to dogs' behaviour or temperament .....	14	Use of veterinarians .....	25
Assess breeders' records about dogs, e.g. reproduction history, parentage etc .....	14	Use of statutory guidance .....	26
Assess breeders' policies .....	14	Knowledge and expertise of inspectors .....	29
Refer to Royal Kennel Club as a source of information .....	15	Reliance on Royal Kennel Club guidance .....	30
Refer to other external information source/s .....	16	Reliance on health testing .....	32
Assess breeders' knowledge and experience .....	16	Limited attention paid to dogs' behaviour and temperament .....	32
Defer decisions to breeder .....	16	Scope of the legislation .....	33
Outsource inspections to another authority .....	16	<b>Recommendations</b> .....	<b>34</b>
Other approaches .....	17	Both nations .....	34
Unclear approach or no obvious way of assessing compliance with the condition .....	17	For England .....	35
Number of strategies utilised .....	17	For Scotland .....	35
Some examples of better practice .....	17	<b>Conclusion</b> .....	<b>36</b>
Excluding dogs from the licence .....	18	<b>Annex A: FOI questions</b> .....	<b>38</b>
		<b>Annex B: Full results of findings of non-compliance</b> .....	<b>40</b>

# Executive summary

Dog breeders in England and Scotland who operate above a specified threshold must be licensed by their local authority and comply with licence conditions set out in each nation's respective version of the Animal Welfare (Licensing of Activities Involving Animals) Regulations ("LAIAR").

Among these licence conditions are provisions intended to prevent harmful breeding decisions. In England, schedule 6, paragraph 6(5) LAIAR requires that no dog may be kept for breeding where it can reasonably be expected that breeding from that dog would have a detrimental effect on the health or welfare of the dog or their offspring, taking into account factors such as their genotype,<sup>1</sup> phenotype<sup>2</sup> and general state of health. Scotland introduced an equivalent provision via schedule 6, paragraph 8(5) of its 2021 LAIAR Regulations, which additionally takes behaviour into consideration.

These licence conditions are designed to safeguard the welfare of adult dogs and future puppies by preventing the breeding of animals whose genetic makeup, physical characteristics (e.g. very short muzzles, very short legs or extreme skin folds), behaviour or general health status may result in harm. However, concerns have been raised within the animal welfare sector about whether these conditions are being fully utilised by local authorities (the regulator for licensed dog breeding) and whether they are being applied consistently in practice.

This report examines how local authorities in England and Scotland<sup>3</sup> are assessing compliance

1 The genetic constitution of an individual organism. (Oxford English Dictionary)

2 The set of observable characteristics of an individual resulting from the interaction of its genotype with the environment. (Oxford English Dictionary)

3 No equivalent condition exists in dog breeding

with these conditions and responding to potential breaches. It is based on responses to Freedom of Information (FOI) requests submitted in August 2025 to 326 local authorities across both nations.

## Key findings

The FOI responses indicate that there were approximately 2,390 licensed dog breeders across England and Scotland in the second half of 2025 (2,217 in England and 173 in Scotland). Local authorities reported using a range of approaches when assessing compliance with the conditions:

- Around 60% indicated they rely on veterinary advice during inspections, typically through the involvement of a veterinarian who accompanies a licensing officer during inspections.
- Other reported approaches include:
  - reviewing veterinary records held by the applicant / operator,
  - examining breeders' records,
  - looking for evidence of health testing,
  - consulting external information sources, such as the Royal Kennel Club,
  - drawing on the experience and assessment of licensing officers.
- Some authorities also reported assessing breeders' knowledge, reviewing policies and procedures, and/or examining dogs' temperaments through their own interactions with dogs or by assessing other available information.
- Some local authorities described relatively comprehensive assessments that drew on multiple approaches, while others gave only broad descriptions of how they evaluate compliance.
- A proportion of responses did not identify any clear method of assessing compliance.

---

legislation in Wales or Northern Ireland at the time of writing.

The data also indicates that recorded findings of non-compliance are relatively rare, but it is encouraging to see that some councils in England have taken action where breaches have been found. The data showed that:

- In England, local authorities reported 31 instances of non-compliance with schedule 6, paragraph 6(5) between October 2018 and August 2025. These cases resulted in 17 licence refusals, six variations, two suspensions, two prosecutions and two convictions, with no reported licence revocations.
- In Scotland, no instances of non-compliance with the equivalent schedule 6, paragraph 8(5) were reported between September 2021 and August 2025.

Cross-referencing responses across the different FOI questions suggests that the actual number of instances of non-compliance may be higher than the figures recorded suggest. In several instances, local authorities described situations where dogs were considered unsuitable for breeding but did not record these as instances of non-compliance. In other cases, breaches recorded under the relevant condition appeared to relate to other licence conditions.

Where grounds for non-compliance were provided, these most commonly related to inherited or genetic conditions, conformation-related health issues, failure to conduct appropriate health testing, or concerns about dogs' general health or temperament.

## Key issues identified

The findings highlight several challenges in the current system:

- There appears to be significant variation in how local authorities interpret and apply these conditions, suggesting that clearer guidance and practical support for inspectors is needed to ensure they are applied consistently and fairly across both nations.
- The low number of recorded instances of

non-compliance (and the lack of any recorded non-compliance in Scotland) raises questions about whether the provisions are being fully utilised and understood.

- In some cases, local authorities reported simply excluding individual dogs of concern from a licence rather than treating the issue as non-compliance, potentially limiting the ability to monitor and address welfare issues.

## Recommendations

Our findings suggest there is a need for:

- Clearer statutory guidance directed at both licensing authorities and breeders about these licence conditions.
- Greater emphasis on inspectors making an holistic assessment of compliance and drawing on multiple sources of information and approaches, rather than relying on one or two approaches.
- Improved training and support for licensing officers about the animal welfare aims and application of these licence conditions.
- Clearer guidance about the appointment, involvement and role of veterinarians in inspections.
- Further research in this area, including into 1. how local authorities respond to suspected non-compliance with these conditions, 2. how local authorities appoint, utilise and work with vets during inspections, 3. local authorities' use and interpretation of health testing results, and 4. the exact meaning and scope of each provision and possibilities for more substantive reform.

## Aims

This report aims to support ongoing policy discussions and contribute to efforts by the UK's governments, local authorities, dog breeders, veterinary sector and the wider animal welfare sector to improve the health and welfare of dogs kept for breeding and their future offspring.

# Introduction

Dog breeders in England and Scotland who operate at or above a certain threshold are inspected and licensed by local authorities, and must adhere to and demonstrate compliance with relevant licence conditions set out in each nation's respective version of the Animal Welfare (Licensing of Activities Involving Animals) Regulations (commonly referred to as "LAIAR").

Schedule 6, paragraph 6(5) of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 states that: "No dog may be kept for breeding if it can reasonably be expected, on the basis of its genotype, phenotype 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."

Schedule 6, paragraph 8(5) of the Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021 states that: "No dog may be kept for breeding 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."

Each of these licence conditions exists to prevent harmful breeding decisions that could impact the health and welfare of adult dogs and/or their potential offspring. Breeding from adult dogs with genetic predisposition to disorders such as hip/elbow dysplasia or Myxomatous Mitral Valve Disease (MMVD), or with extreme physical features (such as short muzzles, protruding eyes or very wrinkled skin), poses a significant risk that any offspring will suffer from poor innate health.<sup>4</sup> Furthermore, breeding from dogs who are themselves in poor health will compromise their health and welfare, as well as that

of their puppies. Dogs who are fearful or aggressive may raise offspring with similar temperaments who suffer poor welfare as a result of being unsuitable for their likely role as human companions.

Dogs with harmful physical features remain popular, despite the large body of evidence showing that extreme conformation poses significant risks to dog welfare. The number of dogs affected is potentially vast. VetCompass data from 2019 suggests 25% of UK dogs suffer from at least one of three extreme conformational traits, namely brachycephaly (flat-faced, shortened muzzles), excessively shortened legs (i.e. out of proportion with the dog's body) and shortened tails / no tails.<sup>5</sup> Dogs Trust data from 2024 further suggests over one in five UK dogs are recorded as belonging to a flat-faced breed-type.<sup>6</sup>

There is concern within the animal welfare sector that the abovementioned licence conditions are not being utilised to their full extent by local authorities, or being appropriately complied with by all licensed operators. This report examines how local authorities in England and Scotland have been utilising these conditions since their introduction, how they assess compliance and, if relied upon as part of enforcement action, the grounds upon which an applicant or operator has been found to be non-compliant. The data that informs this report was obtained via freedom of information (FOI) requests.

5 O'Neill, D.G., McMillan, K.M., Church, D.B. and Brodbelt, D.C. (2023) 'Dog breeds and conformations in the UK in 2019: VetCompass canine demography and some consequent welfare implications', PLoS One, 18(7), e0288081, available: <http://dx.doi.org/10.1371/journal.pone.0288081>

6 McMillan, K.M., Harrison, X.A., Wong, D.C., Upjohn, M.M., Christley, R.M. and Casey, R.A. (2024) 'Estimation of the size, density, and demographic distribution of the UK pet dog population in 2019', Scientific Reports, 14(1), 31746, available: <http://dx.doi.org/10.1038/s41598-024-82358-y>

4 Proschowsky HF, Arendt ML, Bonnett BN, et al. 'A new future for dog breeding.' Animal Welfare. 2025;34:e1. doi:10.1017/awf.2024.66

**There is concern within the animal welfare sector that these licence conditions are not being utilised to their full extent by local authorities, or being appropriately complied with by all licensed operators.**

It is intended that these findings will help inform efforts to improve awareness and understanding of the above licence conditions, the welfare harms they seek to prevent, and support constructive engagement with local authorities, dog breeders and policy-makers about how to better prevent harmful breeding and promote good dog welfare.

This report can also support the UK Government's efforts to deliver its *Animal Welfare Strategy for England*,<sup>7</sup> which was published in December 2025. The Strategy acknowledges there are "growing concerns about dogs bred for fashionable aesthetic qualities, which allow known health and welfare issues to persist";<sup>8</sup> and commits to launching a consultation on dog breeding, which includes proposals to improve the health and welfare standards licensed dog breeders must meet. It also commits to work with the animal welfare sector to improve compliance with the licensing regime and to work with local authorities to ensure "enforcement is consistent and effective."<sup>9</sup>

This report is also being released at a time when local government in England is undergoing significant reorganisation, with two-tier systems set to be replaced by single-tier unitary authorities. Animal welfare services have historically been a low priority for local authorities and are often chronically underfunded. Indeed, no specific funding is available to local authorities in connection with animal activities licensing and councils must instead ensure cost recovery in the delivery of these services through fees charged to operators. While reorganisation may offer potential longer-term benefits, such as greater consistency and the consolidation of animal welfare expertise across fewer authorities, it also poses shorter-term risks. The disruption associated with such significant structural change may lead to animal welfare being de-prioritised even further. Reports such as this underline the importance of safe-

guarding and strengthening animal welfare service delivery throughout this transitional period.

Finally, this report can support policymakers in Wales and Northern Ireland by offering insights from England and Scotland, helping inform any future decisions they may have to introduce similar provisions into those nations' breeding regulations.

It should be noted that this report focuses on the current law, but does not consider substantive reform proposals, which may yet be needed.

This report first explains our methodology, next outlines the results from freedom of information requests submitted to local authorities, then provides discussion of the results, before providing recommendations and concluding remarks.

## Acknowledgements

We would like to thank all of the local authorities in England and Scotland that responded to our request for information. This report was written and prepared by Natalie Harney<sup>10</sup> and Helena Howe<sup>11</sup> on behalf of Naturewatch Foundation, the Legal Advisory Group on Extreme Conformation in Dogs (LAGECDogs)<sup>12</sup> and the UK Centre for Animal Law (A-LAW).<sup>13</sup> We are grateful to members of LAGECDogs<sup>14</sup> for their review of the final report.

10 At the time of publication, Natalie Harney is Companion Animal Campaign Manager at Naturewatch Foundation, a member of the Legal Advisory Group on Extreme Conformation in Dogs (LAGECDogs), and a volunteer and trustee for the UK Centre for Animal Law.

11 At the time of publication, Dr Helena Howe is Senior Lecturer in Law at the University of Exeter and Chair of the Legal Advisory Group on Extreme Conformation in Dogs (LAGECDogs), which is affiliated with the UK Centre for Animal Law.

12 <https://www.alaw.org.uk/companion-animals/extreme-dog-conformation/>.

13 <https://www.alaw.org.uk/>.

14 Professor Dan O'Neill, Dr Rowena Packer, Vanessa Barnes, Mike Radford OBE, Hannah Molloy, Dr Fiona Cooke and Kay Chand.

7 <https://www.gov.uk/government/publications/animal-welfare-strategy-for-england/animal-welfare-strategy-for-england>

8 Ibid.

9 Ibid.

# Methodology

We submitted freedom of information (FOI) requests to 326 local authorities in England and Scotland in August 2025. A copy of the questions relevant to this report is provided in annex A.

We had a response rate of 97% to questions 1 and 2, whilst questions 3 and 4 received a 95% response rate. Any late or outstanding responses received after 1 December 2025 were not considered.

For question 1, we collated quantitative data received from local authorities about the number of dog breeders they currently license.

For question 2, we collated 315 local authority descriptions of how they assess compliance with schedule 6, paragraph 6(5) / schedule 6, paragraph 8(5). We jointly carried out a rapid thematic review of the responses to identify common themes and patterns. We then independently coded each answer into categories, and recorded the frequency of each category numerically. Analysis was compared to identify any discrepancies in the coding and between overall results for each category. Having standardised our categories and approach, a second round of coding took place. Results were then synthesised. Where results differed, but not significantly, a median total has been used, which is acknowledged in footnotes. Where results differed significantly, this has been acknowledged in the report text.

For question 3, we collated quantitative data from local authorities about any instances of non-compliance with the relevant licence condition since they were brought into force (covering October 2018 - August 2025 in England, and September 2021 - August 2025 in Scotland), as well as the action taken by the local authority in response to any findings of non-compliance. The question was split into parts a-d. Question 3a asked for data on instances of

non-compliance; 3b asked for data on any resulting refusals, variations, suspensions or revocations of a licence; 3c asked about any prosecutions; and, 3d about any convictions. We present these findings as they were reported by the local authorities. However, we also cross-referenced the answers to this question with those provided by the relevant council to questions 2 and 4, to produce a more nuanced picture of this data.

For question 4 we analysed 28 descriptions of findings of non-compliance with schedule 6, paragraph 6(5), which were recorded by 23 local authorities in England. No Scottish local authorities reported any findings of non-compliance with their equivalent condition in schedule 6, paragraph 8(5). A rapid thematic review was carried out on each narrative description to identify common themes. Descriptions were then coded into categories and the frequency of each category was counted.

## Limitations

Question 2 was framed broadly and invited free-text responses in each council's own words. It is therefore likely that some councils take a more comprehensive approach than the one described in their written answers. The wide-ranging nature of the qualitative data also made coding challenging in some cases, particularly where responses used unusual phrasing that did not align clearly with any category or where the meaning was ambiguous. This led in some cases to differing interpretations by the authors and therefore differing results.

For the City of London Corporation, which is used by a number of local authorities in the London and surrounding area to carry out animal licensing inspections, we did also consider their licensing policy information in addition to the answer they provided to question 2. A dog breeding pre-inspection

document produced by City of London Corporation clearly states a veterinary officer conducts the initial inspection following a new application and, although they had not mentioned this in their FOI response to question 2, their answer to question 2 was recorded in our findings as including the use of a veterinarian.

Some local authorities contract their licensing services to another local authority. In these cases, we recorded the response from the authority delivering the service as the response for the authority that contracted the service out. For example, the City of London Corporation provides this service for approximately 21 other local authorities in England, and therefore its approach is reflected for all of those authorities.

Ten local authorities had not responded to any part of the FOI request by our cut-off date for considering data of 1 December 2025.<sup>15</sup> A number of councils did not respond to some of the questions or refused part of the request on cost grounds. Where refusals were made on cost grounds, the request was refined where possible to bring it within cost limits. This was typically by reducing the period of time covered by the request. An internal review was requested where refusals were made on other grounds. This considerably extended the timeframe for compiling the data.

Eleven local authorities did not provide a response to question 2 by 1 December 2025. One local authority refused to answer the question on the grounds that it did not constitute a valid request for information under the Freedom of Information Act 2000.

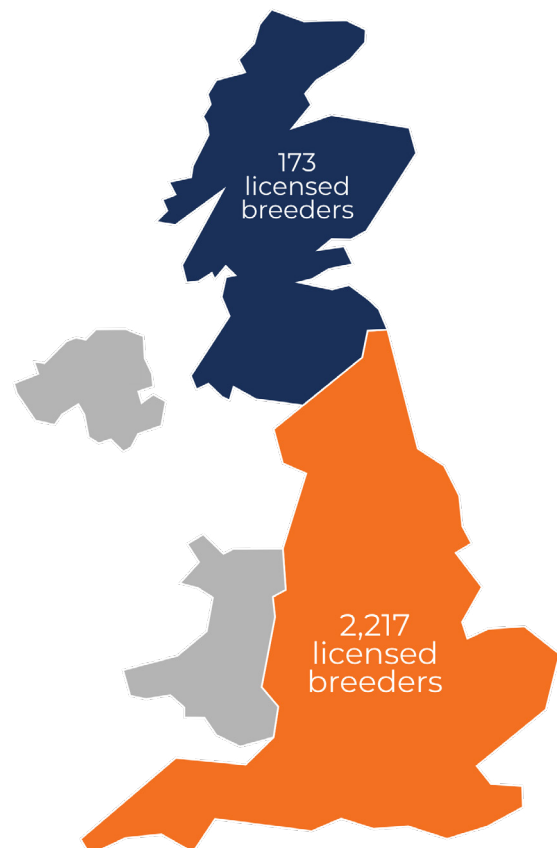
In connection with question 3, 17 local authorities did not provide a response by 1 December 2025. Four local authorities provided a partial response, and three local authorities refused to provide infor-

mation on cost grounds.

In connection with question 4, 15 local authorities did not provide a response by 1 December 2025. Four local authorities refused on cost grounds or on the basis the data requested was not available in a usable format. One local authority indicated the data was not held.

## Number of licensed dog breeders in England & Scotland

There were in the region of 2,390 licensed dog breeders in England and Scotland in the second half of 2025. There were 2,217 in England and 173 in Scotland. 44 local authorities indicated they did not license any dog breeders at the time of responding (38 in England and six in Scotland).



<sup>15</sup> Braintree District Council; Darlington Borough Council; Derby City Council; Forest of Dean District Council; Harrow Council; Hartlepool Borough Council; London Borough of Hounslow; North Warwickshire Borough Council; Wiltshire Council; Aberdeen City Council.

# How do local authorities in England and Scotland assess compliance with these licence conditions?

We asked local authorities, "How do you assess compliance with schedule 6, paragraph 6(5) / schedule paragraph 8(5)?" The responses suggest considerable variation in how local authorities approach assessing compliance with these licence conditions in England and Scotland. The range and prevalence of strategies highlighted by local authorities are outlined below.

## Rely on veterinary advice or veterinary assessment during inspections

Across both England and Scotland, approximately 60% (194) of local authorities indicated they rely in full or in part on the advice and opinion of a veterinarian who accompanies them during inspections.

### England

Pursuant to reg 4(5) of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, a veterinarian must accompany licensing inspectors to inspect the premises of each new dog breeding applicant in England, unless the licensing inspector is a vet themselves. In England, 64% (187 out of 294) of responses indicated that compliance with schedule 6, paragraph 6(5) did involve assessment by an accompanying veterinarian.

An indication of reliance on the opinion of the accompanying veterinarian was the most frequent answer provided by local authorities in England. In light of the statutory requirement for a vet to be present for all initial inspections in England, it is surprising that veterinary opinion was not referenced in more responses. However, it is possible that the

number is higher, if those respondents that stated only that they follow the statutory guidance (see below) mean implicitly that they employ the services of a veterinarian, too. This lack of clarity is a challenge of the methodology and could be explored in further research.

Nevertheless, around 3% (11 out of 294) responses appeared to indicate that a vet would only be consulted if needed. For example, Spelthorne Borough Council's response was, "[w]e ask the breeder for the health records and if we have any concerns, we would get a vet to consult/ visit."

Whilst 34% (100) acknowledged taking a vet with them on the initial inspection only (as required by the legislation), 3% (nine) local authorities explicitly stated that their inspectors were accompanied by a vet on every inspection.

Approximately 11% (32) of responses indicate that they defer assessment of compliance with schedule 6, paragraph 6(5) entirely to the accompanying veterinarian. For example, Blackburn with Darwen Council state, "[i]nitial assessment of breeding stock subject to Council's vet inspection report, any subsequent concerns referred back to vet for guidance." Cornwall Council state, "[i]nspections require a vet on the initial visit and our inspectors would defer to the vet's advice in relation to the genotype or phenotype/state of health."

### Scotland

There is no requirement for a veterinarian to accompany inspectors in Scotland under the Animal

Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021. However, 22% (seven out of 32) Scottish councils indicated that they do involve a vet in inspections. For instance, Fife Council indicated a vet accompanies licensing officers for every inspection. Two other councils suggested that they would send either a vet or an inspector, or both. 13% (four) indicated that they would employ a vet to assess compliance with this licence condition only if they were concerned.

### **Rely on veterinary records provided by the dog breeder and/or the dog breeder's vet**

In England, approximately 20% (65 out of 294) responses indicate local authorities refer to veterinary records kept by the breeder or, in a small number of cases, request consent to obtain records directly from the breeder's veterinarian. A small number of responses indicated they look specifically for any

history of conformation-correcting surgery and/or c-sections within dogs' medical histories.

A number of responses indicated that the breeder's vet had a role to play when additional breeding animals were obtained by the licence holder and after the initial inspection. Kirklees Council, for example, stated that, "before any new bitch is added to an existing licence, the applicant's veterinarian must carry out a health check and submit a report to the Local Authority for review."

In Scotland, the number of councils claiming to refer to the veterinary records of the breeder or directly referring to the breeder's vet was lower, at approximately 9% (three out of 32).

### **Refer to or follow statutory guidance and/or legislation**

Approximately 16% (51) of responses across Eng-

## **Most common approaches to assessing compliance in England**

### **Rely on the advice of an accompanying veterinarian**

64% of English councils said they utilise the expertise of the vet present at inspections

64%

### **Look for evidence of health tests**

34% of councils take account of health testing carried out by the breeder

34%

### **Other approaches**

30% of councils used a range of other approaches, such as interim inspections

30%

### **Utilise veterinary records kept at the premises**

20% of councils take account of veterinary records held by the breeder

20%

### **Refer to the statutory guidance**

16% of councils said they make use of the statutory guidance issued by Defra

16%

land and Scotland indicate they refer to or follow the statutory guidance. Both the Department for Environment, Food & Rural Affairs (Defra)<sup>16</sup> and the Scottish Government<sup>17</sup> publish statutory guidance to accompany the respective versions of LAIAR in England and Scotland.

### England

In England, approximately 16% (47 out of 294) of local authorities made reference to statutory guidance as a factor in their decision-making. 4% (13) councils indicated that they rely solely on statutory guidance. 5% (15) stated that they consulted the legislation, but four of those made no mention of anything else beyond the legislation.

### Scotland

In Scotland, approximately 13% (four out of 32) councils indicated they followed the statutory guidance. No councils in Scotland made reference to reliance on the legislation.

## **Rely on licensing officer training, knowledge and/or their visual inspection**

### England

Our methodology led to differing results for this theme. For author one, approximately 5% (16 out of 294) responses indicated they rely on the training, knowledge or experience of the officer to assess compliance during inspections. For author two, the number was notably higher at 14% (41 out of 294). The lower figure represents responses that explicitly declared reliance on the knowledge, training or expertise of licensing officers, whereas the higher

figure reflects responses where the presence of the licensing officer was mentioned as one of the factors in assessing compliance, irrespective of whether their particular skill or expertise was acknowledged.

Under reg 4(2)(a) LAIAR, inspectors should be “suitably qualified” to inspect premises where licensable animal activities take place. The general animal activities licensing statutory guidance<sup>18</sup> for England stipulates that inspectors should either have a level 3 qualification recognised by OFQUAL, which should include a practical element, or a formal veterinary qualification recognised by the RCVS (along with an RCVS CPD record).

Approximately 11% (33)<sup>19</sup> responses indicate they rely on visual inspections of the dogs by the licensing officer to help assess compliance.

### Scotland

We also have two differing sets of results for Scotland, for the same reasons given above. For author one, 13% (four) of Scottish local authorities indicate they rely on the training, knowledge or experience of the officer. For author two, 38% (12) identified the inspector as key in assessing compliance. There are no formal training or qualification requirements for local authority inspectors in Scotland under the legislation or guidance. 16% (five) councils indicated visual inspection of the dogs by the licensing officer is used to help assess compliance.

North Ayrshire Council indicated limited capacity to assess compliance with the licence condition, noting that, “Environmental Health inspect every application; however, we use the following note in respect of the above condition. Environmental Health Officers are not qualified to assess the breeding animals in terms of genotype, conformity, tempera-

<sup>16</sup> <https://www.gov.uk/government/publications/animal-activities-licensing-guidance-for-local-authorities/dog-breeding-licensing-statutory-guidance-for-local-authorities>

<sup>17</sup> <https://www.gov.scot/publications/animal-welfare-licensing-activities-involving-animals-scotland-regulations-2021-guidance-dog-breeders/pages/1/>

<sup>18</sup> <https://www.gov.uk/government/publications/animal-activities-licensing-guidance-for-local-authorities/animal-activity-licensing-process-statutory-guidance-for-local-authorities>

<sup>19</sup> This is a median total. The co-authors had respective results of 30 and 36.

**Only one Scottish council indicated they look for evidence of health testing, even though health tests are expressly included in the statutory guidance as one of the factors inspectors should consider.**



ment and state of health." No mention was made of an accompanying veterinarian or other professional capable of assessing the licence condition as an alternative.

### Look for evidence of health tests

The responses indicated that evidence of health tests carried out by the breeder is taken into account by a significant proportion of local authorities, with approximately 31% (102) councils overall indicating that they consider these.

#### *England*

In England, approximately 34% (101 of 294) responses indicate they look for evidence of health tests carried out by the breeder. Approximately 3% (10) responses indicate they look for evidence of DNA testing specifically.

In England, health testing is only explicitly required for applicants/operators seeking to obtain a higher star-rated licence through meeting the higher standards. Defra's statutory guidance makes clear that to meet the mandatory higher standards for schedule 6, paragraph 6, "Licence holders must test all breeding stock for hereditary disease using the accepted and scientifically validated health screening schemes relevant to their breed or type. They must carefully evaluate all test results and follow any breeding advice issued under each scheme prior to breeding."<sup>20</sup>

Some local authorities made clear that they asked for health tests only as required by the statutory guidance. It may be that other local authorities also meant that such tests were used in the context of the higher standards, but were not explicit about this. The methodology means we cannot differentiate between factors used to assess compliance of

minimum and higher standards. Yet, there was some indication from the responses that local authorities look for evidence of health testing irrespective of whether the operator is seeking to obtain a licence at the higher standards or not. For instance, London Borough of Waltham Forest stated, "[w]e insist that all dogs are health screened for that breeds [sic] known issues..." Preston City Council explained that, "[w]e ensure breeder as a minimum, has carried out the good practice tests for the breed", and North West Leicestershire District Council stated, "[b]reeders are advised by our Vets to have all bitches tested and have that information available."

Ten local authorities mentioned health testing as a key, or primary, factor when assessing compliance with schedule 6, paragraph 6(5). For example, Maldon District Council explained their approach simply as, "[r]equire them to provide evidence of health testing that is required for that breed of dog, if this cannot be provided a fit to breed certificate from a vet." Whilst Dover District Council said, "[l]icence holders must demonstrate that they have carried out the recommended DNA tests and screening."

#### *Scotland*

In Scotland, 3% (one out of 32) councils mentioned health testing (Angus Council). It is noteworthy that the proportion is substantially lower than in England because, unlike in England, health tests are expressly included in the guidance<sup>21</sup> as one of the factors that inspectors should consider for all breeders to establish whether they have taken "all reasonable steps"<sup>22</sup> to ensure the health of their dogs who are kept for breeding.

### Ask about, or assess, coefficient of inbreeding (CoI) values

Approximately 5% (14) responses from English local authorities indicate they consider the coefficient

<sup>20</sup> <https://www.gov.uk/government/publications/animal-activities-licensing-guidance-for-local-authorities/dog-breeding-licensing-statutory-guidance-for-local-authorities#part-b--specific-conditions-breeding-dogs-schedule-6-of-the-regulations>

<sup>21</sup> <https://www.gov.scot/publications/animal-welfare-licensing-activities-involving-animals-scotland-regulations-2021-guidance-dog-breeders/pages/7/>

<sup>22</sup> Ibid.

of inbreeding (Col) value for dogs on the premises. A small number of responses referenced the Royal Kennel Club's Col calculator tool.<sup>23</sup> No councils in Scotland made reference to Col.

Col values are a measure of the degree of inbreeding between related dogs. In England, it is an optional higher standard only to comply with the following part of the guidance, "[n]o bitch must be intentionally mated when the Coefficient of Inbreeding (Col) of the puppies would exceed the breed average or 12.5% (if no breed average exists as measured from a minimum 5 generation pedigree)."<sup>24</sup> There is no reference to Col in the Scottish guidance or legislation.

### Ask about, assess or refer to information about behaviour or temperament

In England, approximately 4% (13)<sup>25</sup> responses indicate they either assess or request information about dogs' temperaments. A small number of responses, including Hull City Council and Ipswich Borough Council, specifically indicate they spend time interacting with the dogs during inspections to assess temperament.

Surprisingly, just one council in Scotland (North Lanarkshire Council) referenced behaviour in its response, despite behaviour being referred to specifically in the wording of the Scottish licence condition, unlike in England, where this factor features only in the accompanying guidance.

### Assess breeders' records about dogs, e.g. reproduction history, parentage

23 [https://www.royalkennelclub.com/search/inbreeding-co-efficient/?\\_gl=1\\*14ihdt3\\*\\_gcl\\_au\\*MTQw-MDQ0NjE0LjE3NzA0OTY5NDg](https://www.royalkennelclub.com/search/inbreeding-co-efficient/?_gl=1*14ihdt3*_gcl_au*MTQw-MDQ0NjE0LjE3NzA0OTY5NDg).

24 <https://www.gov.uk/government/publications/animal-activities-licensing-guidance-for-local-authorities/dog-breeding-licensing-statutory-guidance-for-local-authorities#part-b--specific-conditions-breeding-dogs-schedule-6-of-the-regulations>

25 This is a median total. The co-authors had a result of 16 and 10.

Approximately 16% (48)<sup>26</sup> responses from councils in England indicate they look at the records kept by breeders to help assess compliance with schedule 6, paragraph 6(5). One council (3%) in Scotland indicated this.

In both England and Scotland, operators must comply with additional licence conditions to keep specific records about dogs kept for breeding and puppies sold.<sup>27</sup> This includes recording the details of matings of all adult dogs and any veterinary treatment adult dogs kept for breeding have received, as well as the number of matings, age, number of litters and number of c-sections had by female dogs kept for breeding. These should be available to inspectors to view on request.

### Assess breeders' policies

Approximately 3% (eight) responses indicate officers in England look at breeders' policies and procedures to assess compliance with schedule 6, paragraph 6(5). There was no mention of these policies in the responses from Scotland.

In England, licensed operators are required to have written procedures covering the following, in accordance with the general conditions that apply to all licensed animal activities under schedule 2 of LAIAR:

- Staff training
- Staff health and safety
- Cleaning and disinfection
- Feeding
- Transportation
- Prevention and control of disease
- Monitoring and ensuring animal health and welfare

26 This is a median total. The co-authors had a result of 52 and 43.

27 See sch 6, para 6(7)-(10) Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 and sch 6, para 8(7)-(10) Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021

- Death or escape of an animal
- Care of animals in the event of an emergency or licence suspension/revocation

Operators of a licensed dog breeding business should also have a documented socialisation and habituation programme for puppies under schedule 6, paragraph 4(1).

Similar requirements relating to policies and procedures are set out in Scotland's legislation.

Operators in both nations are also required to have in place a preventative healthcare plan that has been agreed with a veterinarian, which is required under schedule 6 of each version of LAIAR. However, these were referred to by only three (<1%) local authorities, all of which are in England.

North Devon Council notably highlighted it looks specifically at puppy socialisation procedures and

staff training procedures to ensure operators are taking account of dogs' temperament and staff members' ability to identify dogs who are not suitable for breeding.

### Refer to Royal Kennel Club as a source of information

In England, approximately 14% (41) responses from councils made reference to the Kennel Club (now Royal Kennel Club) as a source of information, whilst in Scotland this was 9% (three). This includes referring to the Royal Kennel Club for information about breed-related health risks, registration information, and specific tools, such as its Col Calculator<sup>28</sup> and Health Standard<sup>29</sup> resource, which

28 <https://www.royalkennelclub.com/search/in-breeding-co-efficient/>

29 <https://www.royalkennelclub.com/about-us/about-the-rkc/what-we-do/the-royal-kennel-club-rules-regulations-and-codes/the-royal-kennel-club-health->

## Most common approaches to assessing compliance in Scotland

### Rely on the advice of an accompanying veterinarian

22% of Scottish councils said they utilise the expertise of the vet present at inspections

22%

### Refer to statutory guidance

13% of councils utilise the statutory guidance issued by the Scottish Government

13%

### Utilise veterinary records kept at the premises

9% of councils take account of veterinary records held by the breeder

9%

### Other approaches

44% of councils adopted other approaches, such as considering information on the application form

44%

### No obvious approach to assessing compliance

34% of councils had no clear or obvious approach to assessing compliance

34%

contains a list of available health tests for different pedigree breeds. It is notable that the figure is not comparatively higher for Scotland given that Royal Kennel Club Breed Watch information is explicitly referenced in the Scottish guidance, but not in the equivalent statutory guidance for England.

### **Refer to other external information source/s**

Approximately 3% (eight) responses from English local authorities refer to other sources of information, some of which are non-specific (e.g. general but unspecified sources of information about pedigree breeds), whilst others were more clearly identified, including guidance issued by the British Veterinary Association and the Canine and Feline Sector Group, 'CFSG Guidance on Dog Conformation' (2020). No Scottish local authorities made reference to other sources of information.

### **Assess breeders' knowledge and experience**

Approximately 6% (18)<sup>30</sup> councils in England indicate they take steps to assess the knowledge and experience of the breeder, including in relation to the specific breed/s or type/s of dog they are breeding. Schedule 2, paragraph 4 LAIAR requires operators in England to, "have sufficient numbers of people who are competent for the purpose... available to provide a level of care that ensures that the welfare needs of all the animals are met". Additionally, licence holders and staff, "must have competence to identify the normal behaviour of the species for which they are caring and to recognise signs of, and take appropriate measures to mitigate or prevent, pain, suffering, injury, disease or abnormal behaviour."

The statutory guidance requires staff to have an appropriate qualification, such as a relevant level 2 OFQUAL qualification, or relevant experience. Op-

tional higher standards require the business to have a full-time staff member with a level 3 OFQUAL qualification and to appoint a qualified behaviour expert. Epping Forest District Council was one of the comparatively few local authorities to make it clear that they assess breeder knowledge stating, "[b]reeders must have the appropriate ability, knowledge and professional competence to ensure that the welfare needs of all the animals are met"

Similar licence conditions apply in Scotland. However, the guidance is less specific, requiring staff to hold a relevant qualification and/or relevant experience. Only 3% (one) councils in Scotland (South Ayrshire Council) indicated they take steps to assess any aspect of the breeder's knowledge.

### **Defer decisions to breeder**

Approximately 5% (15) responses from English local authorities indicate they place the onus for demonstrating compliance and making decisions about the dogs they use for breeding on the breeder, whilst 3% (one) councils in Scotland indicated this.

Cannock Chase District Council's response indicates that the authority advises, "the licensee in all instances to consult with a vet before breeding", whilst Reading Borough Council indicates that breeders are advised to seek their own veterinary advice if any concerns are raised (although they also indicate the inspector conducts a physical inspection of the dogs and assessment of health records).

Deference to the breeder was highlighted in some responses, such as in circumstances where the breeder changes dogs after inspection. For example, Chesterfield Borough Council stated, "...if dogs are changed we have to rely on the experience of the dog breeder to assess this."

### **Outsource inspections to another authority**

Approximately 8% (23) English councils and 3% (one) Scottish councils indicated they are not in-

---

standard/

30 This is a median total. The co-authors had a result of 13 and 22.

volved in assessing compliance, as the function is delivered on their behalf by another authority. Most of these include London Borough councils that contract City of London Corporation to carry out animal licensing inspections. For such councils, we have counted the City of London's response within the results.

## Other approaches

Approximately 30% (86) responses from English local authorities indicate they use other strategies to assess compliance with the conditions. The figure for Scotland was 44% (14). These individual strategies were not prevalent enough, however, to warrant their own separate category.

These additional strategies include discussions with the breeder, obtaining additional veterinary support as needed, considering information provided on the application form, conducting interim or unannounced inspections, and considering any complaint history made about the premises. A small number indicated they assess the information provided to purchasers. In England, the statutory guidance for dog breeding requires operators to provide purchasers with "written guidance on any relevant conformation issues, including how to manage them"<sup>31</sup> This applies to all operators, and not just those adhering to higher standards.

## Unclear approach or no obvious way of assessing compliance with the condition

Approximately 9% (26) responses from English local authorities did not specify any clear approaches to assessing compliance with schedule 6, paragraph 6(5). For Scotland, the figure was 34% (11). Some of these include "N/A" responses by local authorities that have no history of licensing dog breeding

premises, although a couple gave "N/A" or no response to this question despite currently licensing dog breeders, which is of concern. Meanwhile, approximately 19% (six) Scottish councils provided a "N/A" response to question 2.

The remaining responses were generally broad or lacked sufficient detail, making it difficult to understand how the conditions in question are assessed in practice. A small number of responses simply said something along the lines of "we inspect"

## Number of strategies utilised

Based on the responses to question 2, local authorities in England appear to be more likely to employ one (14%), two (27%) or three (26%) strategies to help assess compliance with schedule 6, paragraph 6(5), although a small number of councils (7%) indicated they employ six or more strategies, with two (<1%) relying on as many as nine different approaches or sources of information.

In Scotland, nine councils (28%) indicated they employ two different strategies for assessing compliance with schedule 6, paragraph 8(5), seven (22%) indicated one approach, six (18%) indicated three approaches and two (6%) indicated they use four strategies.

## Some examples of better practice

A number of local authorities in England indicated a particularly thoughtful and holistic approach to assessing compliance with schedule 6, paragraph 6(5). For example, Chichester District Council illustrated they take a multi-factor approach to ensuring compliance with this provision, including referring to statutory guidance, taking a vet on initial inspection of the premises who physically examines the dogs, using vet records and health test data held by the breeder, along with Royal Kennel Club information, including reviewing coefficient of inbreeding (CoI) values.

North Devon Council detailed a similarly thorough process, including all the factors identified by Chich-

31 <https://www.gov.uk/government/publications/animal-activities-licensing-guidance-for-local-authorities/dog-breeding-licensing-statutory-guidance-for-local-authorities#part-b--specific-conditions-breed-dogs-schedule-6-of-the-regulations>

ester District Council, plus the involvement of a vet on many licence renewal visits, explicit assessment of the temperament of the animals and evaluation of information regarding any history of c-sections or operations to rectify exaggerated conformation. In addition to the initial inspection carried out alongside the local authority vet, and checking of health records and any genetic testing or health screening, Plymouth City Council explicitly state that they require a healthcare plan for each dog signed by the breeder's own vet, for both applications and renewals, to verify dogs' suitability for breeding.

Some local authorities also indicated a clear awareness of the need to raise potential problems of extreme conformation specifically with breeders as part of the compliance assessment, alongside genetic disorders and state of health. Chichester District Council, for example, specifically noted that, "[m]ore in-depth conversation via vet is discussed if breed is a 'flat faced' breed - ie - pug / bulldog etc." Likewise, North Devon Council indicated that they examine the ability of the breeder to recognise conformation issues, plus the policies in place to train any staff to do the same.

Willingness to take robust action in response to failures of compliance with the condition is also important and some local authorities took a very clear stance on this, which is encouraging. In their answer to question 2, Epping Forest District Council, for example, stated, "[s]hould any condition on the licence be breached, we will look to vary, suspend or revoke the licence. For immediate welfare issues, a section 10 improvement notice will also be served."

### **Excluding dogs from the licence**

4% (13) local authorities in England specifically indicated that if they had concerns about the suitability of a dog/s for breeding, they would be excluded from the licence. Councils were not specifically asked about this in the event of a finding of non-compliance, and this may be an area for additional research.

However, amongst those councils that did volunteer





this information, it would appear non-compliance with schedule 6, paragraph 6(5) is not regarded as sufficient grounds on which to refuse a licence. The Borough Council of King's Lynn and West Norfolk, which licenses 62 dog breeders, but had no reported instances of non-compliance, stated, "[i]f a problem is identified with a dog at the initial inspection they will not be added to the licence." Ashfield District Council stated that, "[i]t would normally be a case of not putting that bitch on the licence rather than looking to refuse or prosecute them."

In England, operators can be licensed where minor failings with licence conditions are found. However, the statutory guidance is clear that these minor failings must not compromise animal welfare.<sup>32</sup> Whilst these councils are taking steps to ensure affected dogs are not used for breeding, it is unclear how this is monitored in practice and suggests low awareness of, or a failure to fully understand, the welfare objectives of this particular licence condition.

**In England, operators can be licensed where minor failings with licence conditions are found. However, the statutory guidance is clear that these minor failings must not compromise animal welfare.**

<sup>32</sup> <https://www.gov.uk/government/publications/animal-activities-licensing-guidance-for-local-authorities/animal-activity-licensing-process-statutory-guidance-for-local-authorities#granting-or-renewing-a-licence-assess-welfare-standards>

# How many findings of non-compliance have there been with these licence conditions and how have local authorities responded?

Question 3 asked local authorities about recorded findings of non-compliance with schedule 6, paragraph 6(5) in England, or schedule 6, paragraph 8(5) in Scotland, since each version of LAIAR came into effect up until August 2025. It asked about recorded instances of non-compliance and then about details of the local authority's response to that non-compliance, specifically whether the local authority took action to refuse a new licence, or vary, suspend or revoke an existing one. Local authorities were also asked if any breaches of these licence conditions led to prosecution, conviction and, if so, any resulting penalties.

The question was broken down into parts 3 a-d and is available in Annex A. The full breakdown of the results between 2018 and 2025 is available in Annex B.

In sum, responses to question 3 indicate 31 recorded instances of non-compliance with schedule 6, paragraph 6(5) in England between October 2018 and August 2025. In the same period, there were 17 reported refusals of a licence, six variations, two suspensions, zero revocations, two prosecutions and two convictions. There were eight responses where the action taken as a result of the non-compliance was unclear, as no refusal, variation or other action was specified.

There were no recorded instances of non-compliance with schedule 6, paragraph 8(5) in Scotland between September 2021 and August 2025.

However, a fuller picture emerges from cross-referencing answers to question 3 with those from 2 and 4 (the latter is discussed below, which asked local authorities about grounds for any non-compliance). This suggests that non-compliance may be higher than the figures above suggest, as local authorities may not always treat keeping a dog who is unsuit-

## England (October 2018 - August 2025)

Instances of non-compliance with sch 6, paragraph 6(5)	31
Refusal of licence as a result	17
Variation of licence as a result	6
Suspension of licence as a result	2
Revocation of licence as a result	0
Prosecution as a result	2
Conviction as a result	2

## Scotland (September 2021 - August 2025)

Instances of non-compliance with sch 6, paragraph 8(5)	0
Refusal of licence as a result	0
Variation of licence as a result	0
Suspension of licence as a result	0
Revocation of licence as a result	0
Prosecution as a result	0
Conviction as a result	0

able for breeding under schedule 6, paragraph 6(5) as an instance of non-compliance, or may not record it as such.

For example, North Somerset Council described four instances of breeders with dogs who should not be bred from in their response to question 2, yet they recorded zero instances of non-compliance in response to question 3. Herefordshire Council provided only a partial response to the freedom of information request and gave no reply to question 3, but used their answer to question 4 to describe three instances of non-compliance. This included at least one instance of non-compliance by a licence holder and another by an applicant.

Conversely, in three other cases, the reasons given for non-compliance in response to question 4 were in fact unrelated to schedule 6, paragraph 6(5), despite having been recorded as such under question 3. This suggests that some instances of non-compliance may have been mis-categorised, and that the overall figure for non-compliance with this specific provision could in fact be lower than the total indicated by the responses to question 3 alone.

The data that informs this section should therefore be treated with some caution.



# What were the grounds for any findings of non-compliance with these licence conditions?

We asked local authorities to explain the grounds for any findings of non-compliance with schedule 6, paragraph 6(5) in England and schedule 6, paragraph 8(5) in Scotland. As the Methodology section above explains, we analysed these by way of reference to the categories detailed in the legislation and the accompanying guidance, namely genotype, phenotype/conformation, state of health, behaviour, etc.

## Genotype / genetic makeup of parents

There were three recorded instances of problematic genetic conditions possessed by one of the parents, not including failures to test for known genetic disorders (discussed separately below). One case noted by Lichfield District Council involved a genetic eye condition. Rochdale Borough Council and Slough Council were less detailed in their responses, with the former noting an unspecified genetic condition and the latter a genetic condition affecting one bitch.

## Phenotype / conformation of parents

Five descriptions of non-compliance referenced conformation-related issues. One description simply stated “poor conformation” and did not elaborate further. However, four descriptions provided more specific information. For instance, one incident described by Epping Forest District Council noted a dog who had a history of cherry eye and entropion surgeries. Gloucester City Council also described one incident of a dog with a history of conformation-correcting surgery, whilst Torridge District Council described an incident involving an unlicensed breeder who was found to be breeding dogs with entropion. This incident proceeded

to prosecution. Epping Forest District Council also described a separate incident involving concerns about four dogs, two of whom had luxating patella. One description notes that a dog was deemed unsuitable for breeding based on veterinary opinion that the dog was too small.

## General state of health

Three descriptions appeared to relate to dogs’ general state of health. For instance, one description stated, “dogs were found to be in unsuitable condition for breeding” but did not elaborate further. One description by Derbyshire Dales District Council indicated that a female dog was found with “very bad dental / teeth, causing the dog pain.” It is unclear whether this is related to an inherited condition or general neglect of the dog’s dental health. However, the description notes a licence was not granted until the dog had received treatment. The final description in this category records that dogs were affected by an unspecified skin condition, which went on to be treated.

## History of c-sections

The abovementioned incident described by Epping Forest District Council, which involved four dogs, notes that one dog had had one caesarean section. It is unclear to what extent this influenced the finding of non-compliance in relation to this dog, as it is additionally noted that she also had an umbilical hernia.

Under schedule 6, paragraph 6(3)(d) of LAIAR in England, it is a licence condition that a female dog must not be further mated if she has had two caesarean sections. However, under the statutory guid-

ance for dog breeding, it is a required higher standard that a female dog must not be further mated if she has had one caesarean and it may be in this case that the applicant/operator was aiming for a higher star rating.

### Temperament of parents

Two descriptions of non-compliance referenced temperament. One description notes dogs were nervous and appeared to be poorly socialised.

### Failure to carry out appropriate health tests

Health testing is required to meet the higher standard in England. Eight descriptions of non-compliance reference failures to carry out health tests. Two incidents make reference to specific tests for BOAS and hip dysplasia. One incident states that although male dogs had been health tested for hips, elbows and eyes, the female dogs had not received adequate testing.

### Other or unspecified inherited conditions affecting parent dogs

Five descriptions reference other or unspecified conditions. The abovementioned Epping Forest District Council incident involving four dogs notes that three were found to have umbilical hernias. A further incident described by Wakefield Metropolitan District Council also notes issues with umbilical hernias. One incident described by Herefordshire Council records a dog being found to have a heavy hymen and therefore deemed unsuitable for breeding by the veterinarian.

### Other or unspecified inherited conditions affecting puppies

Two incidents reference inherited conditions affecting puppies. One incident described by Central Bedfordshire Council found puppies "had developed conditions from the breeding dogs" but did not elaborate on specific diagnoses. An incident recorded by East Lindsey District Council describes

a licence being refused due to a puppy inheriting kidney disease.

### Other grounds

Remaining incidents appear to involve other issues not already covered, including a failure to provide a purchaser with information about conformation-related risks, a failure to get a veterinary health check plus approval for breeding from the council, and one incident describes the licence condition but does not specify the grounds for non-compliance.

### Issues not relevant to schedule 6, paragraph 6(5)

Three incidents describe grounds that do not appear relevant to schedule 6, paragraph 6(5). For instance, two incidents describe female dogs giving birth to more than one litter in a 12-month period, which constitutes a breach of the licence condition under schedule 6, paragraph 6(3).

Another describes "[t]oo many dogs living in an unsuitable premises and more whelping boxes than [sic] safe as per infection control regs", which again would constitute breaches of other licence conditions within LAIAR but does not relate specifically to schedule 6, paragraph 6(5).

**Gloucester City Council described one incident of a dog with a history of conformation-correcting surgery, whilst Torridge District Council described an incident involving an unlicensed breeder who was found to be breeding dogs with entropion. This incident proceeded to prosecution.**

# Discussion

## Scale of non-compliance and local authorities' response to non-compliance

A key feature of the findings is the low numbers of recorded non-compliance overall, especially in Scotland. It appears remarkable that there has not been one instance of non-compliance with schedule 6, paragraph 8(5) in Scotland since LAIAR came into effect in September 2021.

This is particularly surprising given that the minimum standards in Scotland for an operator align with the mandatory higher standards in England, and the Scottish guidance additionally offers more comprehensive direction about which types of dog are deemed to be of greater concern for the purposes of schedule 6, paragraph 8(5).

In England, although some local authorities did indicate findings of non-compliance with the equivalent schedule 6, paragraph 6(5), the number of instances of non-compliance is comparatively low considering the number of licensed breeders/operators overall (2,217). Moreover, there appears to be a lack of clarity about what constitutes non-compliance with schedule 6, paragraph 6(5) and when non-compliance should be recorded.

The finding that dogs who do not meet the licence condition may simply be left off the licence, without this being recorded or seemingly without any additional action being taken to educate the operator, monitor their establishment, or ensure the welfare of the individual dog/s, is concerning, and suggests a lack of understanding about the intent and important role of schedule 6, paragraph 6(5) in safeguarding the health and welfare of dogs and their potential offspring.

Nevertheless, it is encouraging that some local authorities in England have taken action in response to findings of non-compliance, including in certain cases suspending, refusing, or varying licences. Schedule 6, paragraph 6(5) is one of the dog breeding licence conditions that protects dogs and their offspring from pain, suffering, injury, and disease. This reflects one of the five core welfare needs that all keepers of animals, including dogs, are required to meet under section 9 of the Animal Welfare Act 2006. It is therefore appropriate that local authorities respond to breaches of this condition by refusing or revoking a licence unless, or until, the operator is able to demonstrate compliance, given its central role in promoting animal welfare.

It is also notable that failure to comply with schedule 6, paragraph 6(5) has, in two instances, formed part of the grounds for prosecution. While achieving compliance is, in most cases, preferable to pursuing criminal sanctions, this nonetheless demonstrates that councils are able to make effective use of this licence condition where a stronger enforcement response is justified on animal welfare grounds.

In England, further research on how local authorities respond to potential instances of non-compliance, including when they use their powers to refuse, suspend or vary a licence, would be useful in order to understand why these powers are being rarely exercised. It would be particularly helpful to assess the extent of the practice of leaving dogs who fail to comply with schedule 6, paragraph 6(5) off the licence and why local authorities are choosing this action over the alternatives.

In Scotland, further research may be useful on why no instances of non-compliance with schedule 6, paragraph 8(5) have been recorded, and whether

the licence condition is being used effectively and understood both by operators and licensing officers.

### **Use of veterinarians**

It is notable that not all local authorities in England said they made use of an accompanying veterinarian when assessing compliance, even on the first visit to a premises, which is required under reg 4(1) LAIAR. This suggests a lack of understanding by some local authorities of the statutory requirement in England to involve a veterinarian on the initial inspection. This in turn indicates a need to make this obligation more explicit in the statutory guidance

and to ensure the availability of suitable veterinarians in the region.

It is also notable that there was variation in how local authorities in England appear to utilise the expertise of the accompanying veterinarian, with some indicating they defer entirely to them in their assessment of compliance with schedule 6, paragraph 6(5) and others indicating they appoint a vet to accompany them at every inspection, including renewals, thereby going above and beyond the requirements of LAIAR.

This variation may reflect the limited guidance avail-



able about appointing and using accompanying veterinarians.<sup>33</sup> For instance, there is no guidance on ensuring that specifically a small animal veterinarian is appointed, nor on ensuring that the veterinarian is demonstrably independent from the applicant / operator. Additionally, there is only limited guidance<sup>34</sup> for the veterinarian themselves, which is provided by the British Veterinary Association rather than Defra, outlining their primary role or key areas of focus during inspections. The scope of the veterinarian's role should be made clearer through improved guidance.

A useful comparator is the activity of hiring out horses, which is also regulated under LAIAR in England. Reg 4(4) requires local authorities to appoint a 'listed' veterinarian to accompany them at inspections for both the grant and renewal of a licence to hire out horses. Reg 8 stipulates that premises where this activity takes place must also be inspected annually by a listed veterinarian.

The Royal College of Veterinarians (RCVS) maintains a list of riding establishment inspectors for this purpose.<sup>35</sup> The RCVS also has a comprehensive information page on its website<sup>36</sup> for, and about, riding establishment inspectors, which states that a Riding Establishments Subcommittee (RESC) within the RCVS oversees the inspectorate, provides training to new and existing inspectors, produces guidance for inspectors and conducts annual audits of inspections. This is a much more comprehensive approach to veterinary involvement in the inspections and oversight of this particular activity

33 <https://www.gov.uk/government/publications/animal-activities-licensing-guidance-for-local-authorities/dog-breeding-licensing-statutory-guidance-for-local-authorities#appoint-of-a-vet-for-inspection>

34 <https://www.bva.co.uk/media/4148/guidance-animal-welfare-licensing-of-activities-involving-animals-england-regs-2018.pdf>

35 <https://www.rcvs.org.uk/riding-establishments-inspectorate-list>

36 <https://www.rcvs.org.uk/veterinary-professionals/conduct-and-guidance/rcvs-riding-establishment-inspections>

and it would be valuable to examine this framework more closely to identify any lessons that could be applied to the involvement of vets in other licensed animal activities, including dog breeding.

In Scotland, there is no statutory requirement for a veterinarian to accompany licensing officers, either on the initial or subsequent inspections. It is therefore encouraging to see some local councils in Scotland voluntarily involving a vet. However, we think this should ultimately be mandatory.

Veterinarians are uniquely qualified to assess the overall health and welfare of dogs on the premises. Their expertise enables them to identify clinical and behavioural indicators of poorer welfare that may not be apparent to non-clinical personnel. Crucially, they can focus solely on animal health and welfare considerations, without the competing responsibility of assessing broader compliance and standards at the premises. Mandatory veterinary involvement would strengthen the robustness and consistency of inspections in Scotland. As with England, guidance about appointing a vet and the scope of their role would be needed.

## Use of statutory guidance

The guidance for dog breeding in England<sup>37</sup> states the following<sup>38</sup> in connection with the licence condition contained in schedule 6, paragraph 6(5):

*Licence holders must take all reasonable steps to check that the dogs:*

- *have good physical health*
- *have good genetic health*
- *have a good temperament*
- *can see*
- *breathe normally*
- *are physically fit*

37 <https://www.gov.uk/government/publications/animal-activities-licensing-guidance-for-local-authorities/dog-breeding-licensing-statutory-guidance-for-local-authorities>

38 As of 31 May 2025.

- *can exercise freely*

*Licence holders must be aware of any health risks that may be specific to that type or breed. Where appropriate, veterinary advice on the suitability of an animal for breeding must be sought.*

*Dogs that have required surgery to rectify an exaggerated conformation that has caused adverse welfare, or requires lifelong medication, must not be bred from.*

*Bitches that have had 2 litters delivered by caesarean section must not be bred from.*

*The prospective purchaser must be provided with written guidance on any relevant conformation issues, including how to manage them in the relevant literature handed over with each sale.*

*Temperament can be an inherited trait and must be taken into consideration when selecting breeding stock. Licence holders must not breed from stock which shows fear or aggression.*

Relevant required higher standards state:

*A bitch must not be bred from if they have had one caesarean.*

*Licence holders must test all breeding stock for hereditary disease using the accepted and scientifically validated health screening schemes relevant to their breed or type. They must carefully evaluate all test results and follow any breeding advice issued under each scheme prior to breeding.*

*No mating must take place if the test results indicate that it is likely to produce health or welfare problems in the offspring or affect negatively the relevant breeding strategy (or both).*

Relevant optional higher standards state:

*No bitch must be intentionally mated when the Coefficient of Inbreeding (Col) of the puppies would exceed the breed average or 12.5% (if no breed average exists as measured from a minimum 5 generation pedigree).*

Under the guidance, the onus is clearly placed on the applicant / operator to demonstrate compliance with schedule 6, paragraph 6(5), but it provides an indication of what the licensing authority should be looking for on inspection. This includes:

- Assessing the steps the breeder has taken to ensure dogs can function in the ways outlined above, and whether these are "reasonable" and represent "all" of the steps that could have reasonably been taken.
- Assessing breeder knowledge of relevant health risks and the need to avoid breeding from dogs showing fear and/or aggression.
- Assessing mating and breeding histories for dogs and checking for any history of c-sections and/or conformation-correcting surgery.
- Assessing information provided to purchasers.
- Where relevant (e.g. if aiming for higher standards) checking and evaluating health test results and coefficient of inbreeding (Col) values.

It is worth noting that the guidance is titled "statutory guidance for local authorities", but it is in fact guidance for both local authorities and applicants / operators, as it expressly provides guidance to licence holders about how they should comply with licence conditions, including the additional requirements they should demonstrate if they intend to meet the required and optional higher standards needed for a higher star-rating. The guidance should be renamed to make it clear it is also for applicants / operators as there is a risk they may assume the guidance is not directed at them and, as a result, may fail to give it appropriate consideration.

The first section of the guidance above has the potential to be interpreted subjectively, particularly the phrase "all reasonable steps." In the interests of

clarity, it would be useful to provide examples of the kinds of steps licence holders would be expected to take as a minimum, such as seeking veterinary and/or behavioural advice, monitoring/observing dogs over a period of time before they're used for breeding and so on. Value-laden phrases such as "good temperament" should ideally be replaced with more objective and clearer language.

We also have concerns that the language used to describe animals in the guidance does not reflect their sentience and intrinsic value. Referring to dogs as "stock" is inconsistent with contemporary societal and ethical values, and reduces them to units of production. The guidance should be updated with terminology that better reflects dogs' status as sentient beings.

The corresponding Scottish guidance for dog breeding<sup>39</sup> states<sup>40</sup> in connection with schedule 6, paragraph 8(5):

*Licence holders should take all reasonable steps to ensure that dogs to be used for breeding are of good physical and genetic health, of acceptable temperament and fit for function (e.g. be able to see, breathe normally, and be physically fit and able to exercise freely). Appropriate health screening of breeding dogs, for example in accordance with Kennel Club recommendations, should be in place and be relevant to the breed.*

*The Kennel Club operate a scheme called "Breed Watch", which serves as an 'early warning system' to identify points of concern for individual breeds. Breed Watch provides information about specific health concerns to anyone involved in the world of dogs. The Breed Watch guidance can be found here, at the kennel club website.*

*All the breeds of dog recognised by the Kennel Club are placed into either category 1, 2 or 3. Breeds in category 3 are deemed to be of highest potential concern. The Kennel Club has highlighted a number of breeds as category 3 breeds on Breed Watch, as these breeds have been considered to be more susceptible to developing specific health conditions associated with exaggerated conformation: in particular problems that involve the eyes, skin, dentition, movement and respiratory function (breathing).*

*If you are a breeder breeding, or are seeking to breed, a category 3 breed then you will need to demonstrate to the licensing authority that you have sufficient knowledge and experience of the breed concerned. The licensing authority will also seek to confirm that you implement robust selection and health screening procedures and that these are sufficient to minimise the risk of extreme conformations in any offspring produced.*

Currently, the category 3 listed breeds are:

- Bloodhound
- Bulldog
- Dogue de Bordeaux
- German Shepherd Dog
- Mastiff
- Neapolitan Mastiff
- Pekingese
- Pug
- St. Bernard

*Outside of Kennel Club recognised breeds, breeding of so called "Teacup" dogs is likely to amount to a breach of the above licence condition. The fact that an applicant is specifically seeking to breed such dogs may lead to the conclusion that the application should be refused on the basis that the above licence condition is unlikely to be met.*

*The Kennel Club oppose the breeding of such dogs as the pups produced have an increased*

39 <https://www.gov.scot/publications/animal-welfare-licensing-activities-involving-animals-scotland-regulations-2021-guidance-dog-breeders/pages/1/>  
40 As of 15 December 2021.

*risk of suffering serious health problems as they are generally bred from the runts of litters to produce a dog that is as small as possible. Breeders who genuinely care for the welfare and health of the dogs they breed would be very unlikely to engage in such breeding practices and any application received from a breeder wishing to breed such dogs is unlikely to be approved for the reasons given above.*

*Licence holders must be aware of any health risks that may be specific to the breed of dog they wish to breed. Where appropriate veterinary advice on the suitability of an animal for breeding must be sought. Licence holders must not breed from animals that show fear or aggression.*

*Dogs that have required surgery to rectify a conformation that has caused adverse welfare, or requires lifelong medication, must not be bred from.*

*Prospective purchasers of a puppy from a category 3 breed should ideally be provided with written guidance on any relevant conformation issues for the breed and how to manage them in the relevant literature handed over with each sale.*

Again, the responsibility for ensuring compliance is clearly placed on the breeder and the guidance is explicitly directed at operators rather than licensing officers. As above, we think it would be beneficial if the guidance were directed at both applicants / operators and licensing authorities to ensure both parties pay regard to it.

Although not overtly addressed to inspectors, the guidance nonetheless signals factors licensing officers should consider when assessing compliance. This includes attention to specific higher-risk breeds or types, the breeder's knowledge of relevant health risks, and the importance of avoiding the breeding of dogs who display fear and/or aggression. It also highlights the need to consider whether veterinary advice has been sought, any history of conforma-

tion-correcting surgery or long-term medical conditions, and the information provided to prospective purchasers.

Unlike the English guidance, it references external sources of information, specifically the Royal Kennel Club and its Breed Watch scheme. The Scottish guidance is clear that inspectors must assess whether the operator has sufficient experience of 'category 3' breeds on the Breed Watch list to be granted a licence to breed and whether the operator is employing "robust" selection procedures that will "minimise the risk" of extreme conformation in any offspring. However, other than relying on health tests or the opinion of any accompanying vet, there is little indication of how this assessment should be undertaken, or how it works in practice. The Scottish guidance also uses the phrase "all reasonable steps" and our commentary above applies that greater clarity about what this means is needed.

The references made to statutory guidance in approximately one in six responses indicate the usefulness of this resource to officers. However, it is unclear why more responses from both England and Scotland did not make reference to it. This may warrant further investigation to establish levels of awareness of the guidance, officers' understanding of the guidance related to the licence conditions in question, and ways the guidance could be improved to help officers practically assess compliance with these specific licence conditions.

## **Knowledge and expertise of inspectors**

The emphasis in some responses on inspectors' knowledge and expertise underscores the vital role they play. However, this prompts questions about the depth and consistency of officers' understanding of the harms the conditions in question are designed to prevent, as well as the practical measures required to achieve and assess compliance.

These concerns are particularly pronounced in relation to Scotland, where there are no formal qualification requirements for inspectors of dog breeding premises. Similar issues arise in England, where

some local authorities indicated that they defer assessment of schedule 6, paragraph 6(5) to veterinarians at the first inspection but were not clear about how they approach renewal inspections, when a vet would not typically be present.

The varying approaches to assessing compliance indicated in question 2 overall, and the low findings of non-compliance, suggest that officers may benefit from more guidance and training to help them assess compliance with the respective conditions in a practical and consistent way. In England, licensing officers are required to be suitably qualified. They must hold either an OFQUAL Level 3 qualification that covers the application of the licensing conditions for all licensable activities and includes a practical element, or an RCVS-recognised veterinary qualification. There are several providers offering OFQUAL Level 3 animal licensing qualifications in England.

While we have not undertaken an assessment of the content of these courses, it is notable that one provider does not appear to include a practical element, contrary to the requirements set out in England's statutory guidance.<sup>41</sup> Officer knowledge and training is an area that warrants further examination, with a view to supporting course providers in England to ensure that training adequately equips officers to assess compliance with schedule 6, paragraph 6(5), including in any practical components related to dog breeding. Mandatory qualification requirements should also be considered in Scotland.

### **Reliance on Royal Kennel Club guidance**

For a notable proportion of local authorities in England, the Royal Kennel Club was highlighted as a useful source of information and support. This is relatively unsurprising given the role of the Royal Kennel Club in managing pedigree dog breeding and

---

41 <https://www.gov.uk/government/publications/animal-activities-licensing-guidance-for-local-authorities/animal-activity-licensing-process-statutory-guidance-for-local-authorities#appoint-an-inspector>





the array of tools and guidance they make available to breeders. It is more surprising that so few local authorities in Scotland referenced the Royal Kennel Club as a source of information when assessing schedule 6, paragraph 8(5), despite the explicit and extensive reference to Royal Kennel Club standards in the Scottish guidance. As noted above, that guidance directs local authority inspectors to consider Royal Kennel Club recommendations for breed health tests, to use the Royal Kennel Club Breed Watch system to identify high risk breeds, and to employ a presumption that breeding “teacup” dogs will not meet the welfare conditions for a licence.

Whilst further clarity is needed on how breeders and inspectors can use these guidelines, there is still much that is useful. To the extent that health testing can reduce harm to offspring, these tests should be encouraged and the Royal Kennel Club is a useful source of information. Breed Watch is helpful in providing breeders and licensing inspectors with a clear list of breeds that require the highest degree of vigilance when used for breeding, and a presumption that breeding from the “runts” of litters will not meet welfare standards is to be welcomed. Local authorities in Scotland should be encouraged to employ this Royal Kennel Club guidance, with further research conducted to explore how this could be made more useful for inspectors.

In England, particular consideration should be given to introducing a list of breeds in respect of which breeders should show that they have exercised suitably robust selection procedures, with the possibility of introducing a presumption that breeding certain types of dog, or dogs with certain specified harmful characteristics, will not meet the welfare standards required for a licence.

At the same time, further work should be undertaken to assess whether the Breed Watch list is sufficiently broad, or whether it should be extended to cover other breeds (or also crossbreeds) that too require more robust assessment. Discussion is also needed about whether the Royal Kennel Club (at least on its own) is the most appropriate external source of guidance to support interpretation of a

legal provision aimed at protecting dogs from the welfare harms associated with extreme conformation. Given their role in maintaining pedigree dog breed standards and representing the interests of dog breeders, it may be preferable that they are utilised as one of a number of sources of information to inform more objective and impartial statutory guidance to the legislation. This could include materials from other respected sources, such as the Dog Breeding Reform Group or the Canine and Feline Sector Group.

In 2024, the Animal Welfare Committee recommended the creation of a central hub of information, which “should consolidate existing evidence-based (or ‘robust’) information sources provided by governments and individual organisations, to provide key information, best practice guidelines and learning resources / training to dog breeders and puppy purchasers on all the aspects of dog breeding.”<sup>42</sup> This recognition of the need for clearer, more comprehensive public information about dog breeding is a positive development, and the findings of this report further underscore its importance.

### Reliance on health testing

It is notable that reliance on health tests appears to differ markedly between England and Scotland, with local authorities in England reporting a far greater consideration of health tests in assessing compliance than those in Scotland. This is surprising because the use of health testing is explicitly required for compliance with the Scottish licence condition, but is only required in England by those seeking to achieve a licence at the higher standard.

It may be that local authorities in England are treating health testing as part of the “all reasonable steps” requirement that all operators must take to ensure the dogs are in good physical and genetic health in accordance with the guidance, rather than

42 <https://www.gov.uk/government/publications/opinion-on-specialised-dog-reproductive-practices/opinion-on-the-welfare-implications-of-specialised-canine-reproductive-practices#recommendations>.

only those applying for the higher standards. Health test results may appear to be a more objective method of assessment than their own visual inspection and therefore an attractive tool for inspectors to rely on. However, reliance on health tests raises questions about whether the tests are being used to supplement detailed physical checks or supplant them, and whether the tests on their own provide a reliable indicator of the risk of offspring inheriting harmful traits from the parents.

For health testing or screening to be useful also requires knowledge on the part of the breeder, inspector and any accompanying vet to interpret and evaluate the results. An emphasis on health testing may suggest that inspections are focusing on the ‘genotype’ aspect of the provision, rather than ‘phenotype’ or conformation where fewer tests are available (although the Royal Kennel Club and University of Cambridge Respiratory Function Grading Scheme<sup>43</sup> is one such test). Physical assessment of the individual dog has been shown to be particularly important in assessing the risks associated with phenotype or conformation, resulting in the development of screening tools for breeders (which may also be reviewed or used by inspectors), such as the APGAW Innate Health Assessment<sup>44</sup> and the forthcoming Royal Kennel Club’s Nose to Tail veterinary assessment.<sup>45</sup> The use and interpretation of health tests and other screening tools by inspectors may be a useful topic for further investigation.

### Limited attention paid to dogs’ behaviour and temperament

It is concerning that so few councils made any reference to assessing dogs’ behaviour and temperament during licensing inspections. Both mental and physical wellbeing are crucial to the welfare of

43 <https://www.royalkennelclub.com/media/3583/respiratory-function-grading-scheme.pdf>

44 <https://www.innatehealthassessment.org/>

45 <https://www.royalkennelclub.com/about-us/resources/media-centre/2026/february/royal-kennel-club-reveals-2026-roadmap-to-a-new-future-for-dog-breeding/>

dogs kept for breeding and to their ability to cope throughout the breeding process. Stress experienced by female dogs during and after pregnancy can have a detrimental impact on puppies and their early development.

Temperament and behaviour are shaped by a combination of genetics and environment. This makes it essential that parent dogs are carefully selected for suitable temperament and are kept in conditions that promote their welfare. The limited attention given to behaviour and temperament in responses from local authorities in England may reflect the omission of "behaviour" from the wording of schedule 6, paragraph 6(5), which should be addressed. It is also notable that only one council in Scotland paid regard to behaviour, despite this being included as a consideration within schedule 6, paragraph 8(5). This suggests additional support and guidance are needed to ensure officers consider and assess available information about dogs' temperament.

## Scope of the legislation

It is noteworthy that local authorities took differing approaches to the dogs to which schedule 6, paragraph 6(5) or schedule 6, paragraph 8(5) applies. As a recent Naturewatch Foundation report<sup>46</sup> has identified, there is a lack of clarity over the extent to which the licensing framework and its conditions apply to male dogs. Whilst they clearly apply to breeding bitches, and to stud dogs kept permanently by the operator, they are unlikely to apply to stud dogs used by a breeder/operator, but not kept by them permanently.

Some local authorities in England (e.g. Cheshire West and Chester Borough Council) were clear that they only assessed breeding bitches. Others, however, (e.g. Plymouth City Council) stated that they assess compliance with schedule 6, paragraph 6(5) in respect of all breeding dogs. Some explicitly mentioned stud dogs as forming part of their assessment and, whilst some of these indicate only

stud dogs kept by the operator will be included, others did not make this limitation explicit.

Bolton Borough Council, for example, explain that stud dogs are not included in licences (unless they live with the breeder) and that it would therefore be for the breeder to do their due diligence on any male dog hired for stud dog services. Folkestone and Hythe District Council also state that, "[t]he vet will check each breeding bitch and if studs are kept [sic] these too. Many breeders hire stud services." However, City of York explained that they ask to see records of stud dogs, which suggests at least some scrutiny of any male dogs hired from elsewhere.

In Scotland, any difference in approach was less marked, with none of the local authorities explicitly stating that they only assessed bitches. Any direct mention of the category of animals being assessed was usually along the lines of "all dogs kept for breeding" (e.g. East Dunbarton Council), which could cover dogs and bitches, or only the latter. Only one local authority (East Ayrshire Council) directly noted that they assess all stud dogs and bitches by inspection and via health records.

For the benefit of their welfare, and the welfare of their offspring, male dogs kept for breeding should be clearly covered by the licensing regime and be subject to schedule 6, paragraph 6(5) / schedule 6, paragraph 8(5). Where an operator keeps bitches and stud dogs, the guidance should make clear that stud dogs should be subject to assessment under these provisions. However, we recommend the scope of the licensing regime be extended to cover the commercial keeping and hiring of male dogs for breeding, regardless of whether bitches are kept.

More generally, further analysis of the exact meaning and scope of each provision is needed. The inclusion of phrases such as "can reasonably be expected" and "could have" in each condition suggests a precautionary approach<sup>47</sup> is appropriate.

<sup>46</sup> [https://naturewatch.org/wp-content/uploads/2025/02/Stud-dog-report\\_compressed.pdf](https://naturewatch.org/wp-content/uploads/2025/02/Stud-dog-report_compressed.pdf)

<sup>47</sup> <https://www.alaw.org.uk/wp-content/uploads/2025/04/To-breed-or-not-to-breed-that-is-the-question.pdf>

# Recommendations

## Both nations

Officers in both nations should be supported with clearer practical statutory guidance about how to assess compliance with schedule 6, paragraph 6(5) / schedule 6, paragraph 8(5), including clarification about the meaning of “all reasonable steps”, ideally with some practical examples relating to genotype, phenotype, state of health and behaviour.

Officers in England and Scotland should be encouraged through the statutory guidance to make a holistic assessment of compliance with each provision by drawing on multiple approaches and sources of information. This could include utilising the various sources/approaches identified in this report, including:

- Veterinary opinion, both of the accompanying vet (where applicable) and/or existing veterinary records kept by the applicant / operator.
- Utilising the statutory guidance.
- Conducting their own visual assessment of, and interaction with, dogs at the premises.
- Reviewing evidence of relevant screening, such as health testing and/or DNA testing.
- Considering available information about dogs’ temperaments, such as behavioural assessments or reports.
- Assessing the applicant / operators’ policies.
- Reviewing records relating to dogs kept for breeding.
- Assessing the applicant / operator’s knowledge and experience in ensuring dogs are suitable candidates for breeding, such as through asking questions and reviewing any qualifications / CPD certificates undertaken.
- Referring to and using reliable external sources of evidence-based information and tools.

Officers in both nations should be provided with ad-

ditional training and guidance as to the appropriate actions to be taken following a finding of non-compliance with schedule 6, paragraph 6(5), paragraph 8(5), to ensure the welfare objectives of these provisions are met.

The obligations created by schedule 6, paragraph 6(5) and schedule 6, paragraph 8(5) should apply to all dog breeders, regardless of whether or not they are licensed, and this should include keepers of male dogs hired for stud services. Defra has committed to consulting on introducing a registration system in England, which would potentially apply to all dog breeders.<sup>48</sup> This should be underpinned by a proportionate set of animal welfare registration conditions, one of which could mirror schedule 6, paragraph 6(5).

The statutory guidance should be overtly directed at both licensing officers and licence holders, given its relevance to both groups.

Consideration should be given to establishing an impartial central information hub of evidence-based information for breeders and puppy buyers about aspects of dog breeding, as recommended by the Animal Welfare Committee in March 2024.

Additional research could be undertaken into:

- The sourcing and utilisation of accompanying veterinarians, including whether any useful lessons can be learnt from the approach taken in relation to veterinary involvement in the inspection of riding establishments.
- Officers’ use and evaluation of health testing and their results.

<sup>48</sup> <https://www.gov.uk/government/publications/animal-welfare-strategy-for-england/animal-welfare-strategy-for-england#pets-and-companion-animals>



Photo credit GlobalMedia - stock.adobe.com

- Actions taken by local authorities when non-compliance is detected, including the prevalence of excluding dogs from a licence as opposed to other actions.
- Officers' understanding of the provisions, with a view to developing or refining supporting resources or training and adding greater clarity to the statutory guidance, where needed.
- The exact meaning and scope of each provision and possibilities for more substantive reform.

### For England

Local authorities should ensure that a veterinarian attends all initial inspections of an operator's premises, as required by the legislation.

The licence condition should be amended to expressly include behaviour, which is currently only referenced in the accompanying guidance. 'Phenotype' should also be substituted for 'conformation'.

The wording in the guidance should be altered to recognise the status of dogs as sentient beings. References to "stock" should be replaced with the word "dogs" or "animals".

Consideration should be given to the inclusion in the statutory guidance of the Royal Kennel Club Breed

Watch list or an equivalent evidence-based list of dog breeds/types most at risk from poor welfare associated with extreme conformation. Additionally or alternatively, a list of physical traits associated with welfare harms could be provided.<sup>49</sup>

### For Scotland

A requirement for a veterinary surgeon to accompany the inspector, at least on an initial visit to the premises, should be introduced.

Minimum qualification requirements for officers and accompanying veterinary inspection should be introduced.

---

49 Features such as a lower craniofacial ratio (short muzzle) and nostril stenosis (narrow nostrils) are associated with disorders such as brachycephalic obstructive airways syndrome (see R. Packer and D. O'Neill (eds), *Health and Welfare of Brachycephalic (Flat-Faced) Companion Animals: A Complete Guide for Veterinary and Animal Professionals* (Taylor & Francis Group 2021). This may affect a number of breeds not currently in the highest category of the Breed Watch list, such as the Cavalier King Charles Spaniel and the Shih Tzu (see Tomlinson F, Liu N-C, Sargan DR, Ladlow JF (2026) A cross-sectional study into the prevalence and conformational risk factors of BOAS across fourteen brachycephalic dog breeds. *PLoS One* 21(2): e0340604. <https://doi.org/10.1371/journal.pone.0340604>).

# Conclusion

As the UK government made clear in its recent *Animal Welfare Strategy for England*, “[e]ffective compliance and enforcement of regulations are necessary to achieve good welfare.”<sup>50</sup> This report has examined local authority approaches to enforcement of the provision in the Animal Welfare (Licensing of Activities Involving Animals) Regulations for England and Scotland aimed at reducing the number of dogs suffering from poor welfare as a result of their genetic make up, physical features, state of health or behaviour.


The key findings include:

- Lack of a uniform approach to assessing compliance, raising associated concerns regarding the role of accompanying veterinarians, training of inspectors, clarity of the statutory guidance, use of health testing and of sources of external information, such as that provided by the Royal Kennel Club.
- Some, but relatively few, recorded instances of non-compliance in England (given the number of licensed dog breeders) with no recorded instances of non-compliance in Scotland.
- Lack of a clear and transparent response to findings of non-compliance, including a concerning practice of simply removing any dog that fails to meet the requirements from the licence.

Whilst these findings relate specifically to schedule 6, paragraph 6(5) in England and schedule 6, paragraph 8(5) in Scotland, the differences in approach to the use of veterinary personnel, the varying approaches to assessing compliance, and the lack of clarity within statutory guidance has relevance for other licence conditions within, and other activities licensable under, the Regulations. It is hoped that the findings and recommendations from this report will help to support policy-makers, local authority inspectors and breeders to improve compliance and better protect the welfare of dogs and their future offspring.

---

<sup>50</sup> <https://www.gov.uk/government/publications/animal-welfare-strategy-for-england/animal-welfare-strategy-for-england#key-messages>



**The differences in approach to the use of veterinary personnel, the varying approaches to assessing compliance, and the lack of clarity within statutory guidance has relevance for other licence conditions within, and other activities licensable under, the Regulations.**

# Annex A: FOI questions

## Copy of questions submitted to local authorities in England in August 2025:

1. How many dog breeders are currently licensed by your council?
2. How do you assess compliance with the dog breeding licence condition set out in sch 6, paragraph 6(5) of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 ("LAIAR"), which states, "No dog may be kept for breeding if it can reasonably be expected, on the basis of its genotype, phenotype 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"?
3. Please advise:
  - a. How many instances of non-compliance with sch 6, paragraph 6(5) of LAIAR has your council recorded since October 2018?
  - b. How many dog breeding licences have been i. refused, ii. varied, iii. suspended, or iv. revoked by your council due to non-compliance with sch 6, paragraph 6(5) of LAIAR since October 2018?
  - c. How many operators have been i. prosecuted for and ii. convicted of an offence contrary to reg 20(1)(a) LAIAR by your council for breaching the dog breeding licence condition contained in sch 6, paragraph 6(5) LAIAR?
  - d. If applicable, what penalties were imposed on any convicted operators referred to in your response to 3(c)?

(Please provide a breakdown for the above information by year using the example table below.)

Year	Number of recorded instances of non-compliance with sch 6 paragraph 6(5).	Number of licences refused due to non-compliance with sch 6 paragraph 6(5).	Number of licences varied due to non-compliance with sch 6 paragraph 6(5).	Number of licences suspended due to non-compliance with sch 6 paragraph 6(5).	Number of licences revoked due to non-compliance with sch 6 paragraph 6(5).	Number of prosecutions for breaching sch 6 paragraph 6(5).	Number of convictions for breaching sch 6 paragraph 6(5).	Penalties imposed on operators convicted for breaching sch 6 paragraph 6(5).
2018								
2019								
2020								
2021								
2022								
2023								
2024								
2025 (to date)								

4. With reference to your answer to question 3(a) above, if any instances of non-compliance were recorded, please indicate the grounds upon which the operator was found to be in breach of sch 6, paragraph 6(5) LAIAR?

## Copy of questions submitted to local authorities in Scotland in August 2025:

1. How many dog breeders are currently licensed by your council?
2. How do you assess compliance with the dog breeding licence condition set out in sch 6, paragraph 8(5) of the Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021 ("LAIAR"), which states, "No dog may be kept for breeding 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"?
3. Please advise:
  - a. How many instances of non-compliance with sch 6, paragraph 8(5) of LAIAR has your council recorded since September 2021?
  - b. How many dog breeding licences have been i. refused, ii. varied, iii. suspended or iv. revoked by your council due to non-compliance with sch 6, paragraph 8(5) of LAIAR since September 2021?
  - c. How many operators have been i. prosecuted for and ii. convicted of an offence contrary to reg 23(1)(a) LAIAR by your council for breaching the dog breeding licence condition contained in sch 6, paragraph 8(5) LAIAR?
  - d. If applicable, what penalties were imposed on any convicted operators referred to in your response to 3(c)?

(Please provide a breakdown for the above information by year using the example table below.)

Year	Number of recorded instances of non-compliance with sch 6 paragraph 8(5).	Number of licences refused due to non-compliance with sch 6 paragraph 8(5).	Number of licences varied due to non-compliance with sch 6 paragraph 8(5).	Number of licences suspended due to non-compliance with sch 6 paragraph 8(5).	Number of licences revoked due to non-compliance with sch 6 paragraph 8(5).	Number of prosecutions for breaching sch 6 paragraph 8(5).	Number of convictions for breaching sch 6 paragraph 8(5).	Penalties imposed on operators convicted for breaching sch 6 paragraph 8(5).
2021								
2022								
2023								
2024								
2025 (to date)								

4. With reference to your answer to question 3(a) above, if any instances of non-compliance were recorded, please indicate the grounds upon which the operator was found to be in breach of sch 6, paragraph 8(5) LAIAR?

## Annex B: Full results of findings of non-compliance (question 3)

### England

Number of instances of non-compliance with sch 6, paragraph 6(5)	
2018	1
2019	0
2020	0
2021	3
2022	3
2023	4
2024	14
2025 (to August)	6
Total	31

Number of refusals due to non-compliance with sch 6, paragraph 6(5)	
2018	0
2019	1
2020	0
2021	3
2022	5
2023	2
2024	4
2025 (to August)	2
Total	17

Number of variations due to non-compliance with sch 6, paragraph 6(5)	
2018	0
2019	0
2020	0
2021	1
2022	1
2023	1
2024	1
2025 (to August)	2
Total	6

### Scotland

Number of instances of non-compliance with sch 6, paragraph 8(5)	
2018	
2019	
2020	
2021	0
2022	0
2023	0
2024	0
2025 (to August)	0
Total	0

Number of refusals due to non-compliance with sch 6, paragraph 8(5)	
2018	
2019	
2020	
2021	0
2022	0
2023	0
2024	0
2025 (to August)	0
Total	0

Number of variations due to non-compliance with sch 6, paragraph 8(5)	
2018	
2019	
2020	
2021	0
2022	0
2023	0
2024	0
2025 (to August)	0
Total	0

## England

Number of suspensions due to non-compliance with sch 6, paragraph 6(5)	
2018	0
2019	0
2020	0
2021	0
2022	0
2023	1
2024	1
2025 (to August)	0
Total	2

Number of revocations due to non-compliance with sch 6, paragraph 6(5)	
2018	0
2019	0
2020	0
2021	0
2022	0
2023	0
2024	0
2025 (to August)	0
Total	0

Number of prosecutions and convictions due to non-compliance with sch 6, paragraph 6(5)	
2018	0
2019	0
2020	0
2021	0
2022	1
2023	0
2024	1
2025 (to August)	0
Total	2

## Scotland

Number of suspensions due to non-compliance with sch 6, paragraph 8(5)	
2018	
2019	
2020	
2021	0
2022	0
2023	0
2024	0
2025 (to August)	0
Total	0

Number of revocations due to non-compliance with sch 6, paragraph 8(5)	
2018	
2019	
2020	
2021	0
2022	0
2023	0
2024	0
2025 (to August)	0
Total	0

Number of prosecutions and convictions due to non-compliance with sch 6, paragraph 8(5)	
2018	
2019	
2020	
2021	0
2022	0
2023	0
2024	0
2025 (to August)	0
Total	0



Photo credit everydoghasastory - stock.adobe.com

**Naturewatch Foundation** is a UK-based animal welfare charity dedicated to ending cruelty and improving the lives of animals through campaigning, education and advocacy. For over 30 years, the charity has led initiatives to tackle illegal and unethical practices, including puppy farming and wildlife crime.

Visit [naturewatch.org](https://naturewatch.org)

Registered charity no. 1039679.



**The Legal Advisory Group on Extreme Conformation in Dogs (LAGECDogs)** is a multi-disciplinary sub-group within A-LAW that applies its legal, scientific and welfare expertise to create a more effective legal and policy regime in the UK to protect domesticated dogs from conformation-related suffering.

Visit [alaw.org.uk/companion-animals/extreme-dog-conformation](https://alaw.org.uk/companion-animals/extreme-dog-conformation)



**The UK Centre for Animal Law (A-LAW)** is a charity that brings together lawyers and others who are interested in animal protection law to share experience and to harness that expertise for the benefit of animals. The charity's vision is a world where animal interests are fully protected by law.

Visit [alaw.org.uk](https://alaw.org.uk)

Registered charity no. 1113462.

