



Irish Zoo Licence Guidance notes

GN02 | The Zoo Licencing Process

Introduction

- 1.1 Statutory Instrument No. 440 of 2003 European Communities (Licensing and Inspection of Zoos) Regulations 2003 ('the Regulations') requires the inspection and licensing of all zoos in Ireland. The Regulations aim to ensure that, where animals are kept in enclosures, they are provided with their physical and behavioural requirements to ensure they experience a good quality of life and to give effect to the provisions of Council Directive 1999/22/EC which include delivery of conservation and education measures.
- 1.2 This guidance deals with measures that fall to the licencing authority in their role as the zoo licensing authority. It should be read in conjunction with the Regulations. It should not be taken as an authoritative statement of the legal effect of the Regulations.
- 1.3 The provisions of the Animal Health and Welfare Act 2013 S.I. No. 15 of 2013 also apply to animals in zoos.
- 1.4 Section 3(1) of the Regulations states that 'a person shall not operate a zoo unless the person has been granted a licence or an exemption under the Regulations'. A person who contravenes Section 3 paragraph (1) is guilty of an offence.
- 1.5 The Regulations also applies to zoos which are not open on seven or more days in a twelve month period, but have a licence in force, such as those that are temporarily closed while they comply with a direction issued under s18 of the Regulations. The Regulations also apply to zoos that have closed permanently while they make arrangements for the future care or disposal of their animals – see paragraphs 13.1-13.9 below on section 24.

Mandatory zoo licence conditions

- 2.1 Section 4(2) of the Regulations stipulates the mandatory conditions that are applied to all zoo licences, these are sometimes referred to as 'the standard conditions'.
- 2.2 All zoos must be able to demonstrate that they meet the mandatory conditions as set out in Section 4(2).
- 2.3 The mandatory conditions state that a zoo must:
 - (a) 'participate in at least one of the following: research from which conservation benefits accrue to the species, and/or training in relevant conservation skills, and/or the exchange of information relating to species conservation and/or, where appropriate, captive breeding, repopulation or reintroduction of species into the wild;'
 - (b) 'promote public education and awareness in relation to the conservation of biodiversity,

particularly by providing information about the species exhibited and their natural habitats;'

(c) 'accommodating the animals under conditions that aim to satisfy the biological and conservation requirements of the individual species, including, among other things, by providing species specific enrichment of the enclosures;'

(d) maintaining a high standard of animal husbandry in the zoo, including a developed programme of preventive and curative veterinary care and nutrition;'

(e) 'preventing the escape of animals from the zoo in order to avoid possible ecological threats to indigenous species;'

(f) 'preventing intrusion of outside pests and vermin into the zoo;'

(g) 'keeping up-to-date records of the zoo's collection appropriate to the species recorded.'

2.4 The Regulations gives the licencing authority discretion to attach any additional condition deemed necessary or desirable for the proper conduct of the zoo during the period of the licence, see section 7.1 of these guidance notes.

How to obtain a licence for a new zoo

- 3.1 Before starting up a new zoo, the applicant must give the licencing authority, preferably two months' written notice (giving the particulars required by section 4(2) and 4(3) before applying to the authority for a licence). Section 4(3f) outlines the requirement for applicants of a zoo licence to include in their notice to the local authority a statement of how they propose to implement the section 4(2) conservation measures at the zoo.
- 3.2 An inspection of the zoo is also required before the licence can be granted or refused to establish whether or not licencing conditions can be met.
- 3.3 The licencing authority is advised to check with their planning department or any other sources that might be available to them for potential new zoos in their area. They are also advised to liaise with the operator of the new zoo to ensure proper provision is being made for the animals, including for their welfare, and that the prospective new zoo is fully aware of what legislative requirements will apply.

Grant or refusal of a licence

- 4.1 The licencing authority is required, by section 4(4), to consider an inspector's report in reaching a decision on a new licence application. The report should contain information on the likelihood of the zoo being able to comply with the proposed licence conditions (including those implementing the requirements of the conservation measures outlined in section 4(2)). A copy of the report should be sent to the applicant within one month of receipt for comment. Licencing authorities should give consideration to asking the applicant to comment within a set period of time, usually 28 days.
- 4.2 Section 4(5) allows the licencing authority to refuse to grant a licence provided a written statement of the reasons for refusal is provided to the operator.
- 4.3 Such reason to refuse to grant a licence for a zoo if, after inspecting the collection, could include the zoo's failure to demonstrate satisfactorily how it would be able to meet conditions to take forward conservation measures set out in section 4(2) of the Regulations.
- 4.4 The licencing authority may refuse to grant a licence if they are not satisfied that the standards of

accommodation, staffing or management are adequate for the proper care and well-being of the animals as a whole or for any of them, or otherwise for the proper conduct of the zoo. The Minister would not normally expect a licence to be refused in a situation where adequate standards were not met but where there were reasonable prospects that improvements would take place. In practice this is a situation where the licencing authority will wish to consider imposing a condition or conditions (in accordance with the powers granted to them by section 5 of the Regulations).

- 4.5 Local authorities may refuse a licence application if anyone associated with the zoo has a conviction under the European Communities (Licensing and Inspection of Zoos) Regulations 2003 or any animal related legislation which may bring into doubt the appropriateness of the individual making the application. In exercising this discretion, the licencing authority will need to consider the seriousness of the offence committed.
- 4.6 If the licencing authority is not satisfied that planning permission has been granted for a zoo, the licence should be either refused or granted with its operation suspended until the local planning authority confirm that permission has been, or is deemed to be, granted.
- 4.7 The licencing authority is expected to issue the grounds of refusal promptly to ensure that any unnecessary expense that might arise from undue delay is not incurred. The right of appeal against licence refusal is covered in Part 5 section 28.
- 4.8 When a licence is granted, the licence including the conditions attached to it (or a copy) must be displayed at each public entrance to the zoo in a way that the public can see the licence and associated conditions.
- 4.9 Licencing authorities are not required to provide copies of zoo licences or refusal letters to interested parties, but are free to do so if they wish (and may be subject to a request under the Freedom of Information Act 2014 or similar legislation). They are also asked to let the inspector have a copy of the licence.

Renewal of a licence

- 5.1 An application has to be made to the licencing authority at least six months before the expiry of the existing licence (unless special circumstances arise which, in the opinion of the authority are sufficient to allow applications later than this). Operators should have systems in place so that they are ready to submit an application in good time.
- 5.2 Before renewing the licence in accordance with section 8(3) the licensing authority must make arrangements for an inspection to be carried out in accordance with section 13(2) of the Regulations. The renewal licence inspection must be undertaken in the twelve months before the end of the final year of the licence.
- 5.3 The licencing authority should send a copy of the inspector's report to the zoo operator within one week of receiving it. After considering the inspection report and any response from the operator, the local authority may renew the licence by extending the period of the licence by three years.
- 5.4 If the licencing authority is not satisfied after considering the inspection report that the zoo is being operated in compliance with the required conservation measures, the Minister may refuse to renew the licence or, if the report indicates that a default in compliance can be remedied within a limited period, renew the licence for a period not exceeding one year subject to such conditions as the Minister considers appropriate.

Duration of a licence

- 6.1 The original licence (i.e. the first licence granted to the zoo) shall run for two years. Any subsequent licence, shall run for three years. An original licence may be issued to run from a future date so the applicant can have the licence before the zoo is ready to commence, or recommence in the case of temporary closure.

Licence conditions

- 7.1 Section 17(1) requires the licencing authority to ensure every licence always contains appropriate conditions to ensure the zoo gives effect to the conservation requirements in section 4(2) of the Regulations. In addition to the requirement to attach licence conditions implementing the measures in section 4(2), section 5 and 13 also gives the licencing authority discretion to attach any condition deemed necessary or desirable for the proper conduct of the zoo during the period of the licence.
- 7.2 In determining such conditions, the licencing authority is required to have regard to the Irish Standards of Modern Zoo Practice specified under section 6 of the Regulations.
- 7.3 Licence conditions must be issued with a clearly defined appropriate time period for completion to be determined by the inspectors but not exceeding two years.
- 7.4 Once time-limited conditions dealing with issues not relating to the requirements of section 4(2) have been complied with, they should be removed from the licence upon renewal or at the time of issuing.
- 7.5 Amending a licence can only be undertaken following consultation with the licensee about the amendment the Minister proposes to make. In the first instance the conditions must be discussed with the operator on the day of inspection. Section 17(3) outlines the process for the opportunity to be heard before the amendment is made to the licence, however this does not apply if the changes were discussed on the day of inspection and are documented in the zoo inspection report as highlighted in section 17(4).

Enforcement of licence conditions

- 8.1 Where the licencing authority is not satisfied that a zoo licence holder has complied with a condition (or several conditions) attached to the licence in relation to the zoo or any section of it, section 19(1) requires them, after giving the licence holder the opportunity to be heard, to issue a direction requiring compliance with the condition(s). However, there is no need for the authority to make a direction if they decide instead to close the zoo permanently in accordance with section 20.
- 8.2 Section 18 specifies the contents of a direction. The direction must say what licence condition or conditions have not been complied with. For each condition it must say whether the condition has been breached in relation to the whole zoo or only a section of the zoo (for example, a department of the zoo or a particular part of the zoo's premises). The direction must also stipulate the steps the licence holder must take to comply with the condition or conditions and the period for compliance.
- 8.3 The direction can also require the zoo, or a part of it, to be closed to the public while the direction is in force, or for part of that period, if that is considered appropriate. Any decision to issue a direction under section 19 closing the zoo, or a section of it, for a period of time, should not be taken lightly. Such a direction should be revoked once the zoo has complied with the condition or conditions.

- 8.4 A direction issued under section 19(1) may be varied or revoked by a further direction of the licencing authority. Any decision to vary the direction by increasing the period of compliance must not extend the period beyond two years from the date when the direction was first issued. There is a right of appeal against these directions under section 18. Directions requiring the temporary closure of the zoo or imposing requirements on the licence holder to carry out additional works at the zoo will not take effect until an appeal is decided (and is unsuccessful) or abandoned, or where the recommended 28-day period for appeal expires and no appeal is made.
- 8.5 Where the licencing authority is satisfied that the licence holder has not complied within the period specified in the direction (taking into account any extensions of time granted under section 19(4) and depending on the outcome of any appeal under section 18) and the condition not met relates to the requirements set out in section 4(2) (conservation measures for zoos) of the Regulations, the licencing authority is required either to close down the zoo permanently under a direction issued under section 19 to 21 or permanently to close the affected section of the zoo (by altering the licence in accordance with 19(1)b).
- 8.6 If a closure direction is made under any of Regulations 19 to 21 in respect of all of a licensed zoo, the licence is revoked as soon as the direction has effect.

Transfer, transmission and surrender of a licence

- 9.1 A licence may be transferred to another person with the approval of the licencing authority. In exercising this power, the licencing authority will need to be satisfied that the transferee is suitable to hold the licence and is able to comply with the requirements in section 4(2) of the Regulations. As a transferred licence is not a fresh or renewed licence within the terms of the Regulations, the date of expiry should not be altered.
- 9.2 If the holder of the licence were to die, the personal representatives of the deceased are deemed to be the holders of the licence for a period of three months after the death, or longer if the licencing authority so approve. A longer period may be necessary as probate or letters of administration can take longer than three months to secure.
- 9.3 The licensee may surrender the licence at any time to the authority. The provisions of section 10 then apply. Specifically the zoo must be closed to the public on surrender of the licence and the licensee must make suitable arrangements for the future care of the animals kept at the zoo or for their disposal and their care until their disposal.

Inspections

- 10.1 There are three types of inspection: "licence", "interim", and "special". All zoo inspections involve Minister authorised Inspectors as per section 12.

Licence inspections

- 10.2 Parts 2 and 3 of the Regulations deals with inspections before the grant or refusal of a new licence, a renewal of a licence and before any significant alteration to a licence.
- 10.3 Inspections of each licenced zoo must be carried out by inspectors, designated by the Minister in writing, at least once in every 12 months.
- 10.4 A licence (or renewal inspection) shall have regard to the current standards of modern zoo practice, the condition of the zoo premises and to all features of the zoo relevant for the purposes of the required conservation measures and inspectors must ascertain whether the conditions of the licence are being met. A licence inspection will include a thorough review of the processes

and policy in place, including elements of health and safety and legislative compliance.

- 10.5 It is recommended that the zoo operator or licence applicant be given 28 days' notice of the inspection (after consultation with either as the case may be). It is recommended, however, that at least six weeks be allowed for all parties to agree the inspection date. The licencing authority should also consult the new or existing zoo in advance of the inspection with mandatory conditions they propose to attach to the licence (where application is made for a new licence) or about any proposed alteration to the licence (significant alteration inspections). Following the inspection, the conditions should be finalised and it is recommended that the applicant be consulted, as appropriate, about changes to be made to these proposed conditions.
- 10.6 Where an inspection is carried out before the grant of a licence for a new zoo, section 13(2) requires the inspectors to consider whether the conditions proposed by the authority are likely to be met if the licence is granted. Where an inspection is carried out before the grant of a new licence for an existing zoo, the inspector must consider whether existing licence conditions are met (section 13(2)d) as well as whether the proposed conditions for the new licence are likely to be met if it is granted. Where the inspection is carried out before a licence renewal, section 13(2)c requires the inspectors to be satisfied that existing conditions are met and requires the inspector to be satisfied that they are likely to continue to be met if the licence is renewed. Where the inspection is carried out before a significant alteration of a licence, the inspector must consider if the existing licence conditions are met and he must consider if the proposed new or varied conditions are likely to be met and also if the conservation measures in section 4(2) would be implemented at the zoo if the proposed alterations were made.
- 10.7 Section 14(1) requires the licence holder to supply any records requested by the inspectors in respect of conditions relating to the requirements of section 4(2).
- 10.8 Licencing authorities should aim to send to a proposed or existing zoo a copy of an inspectors' report for comment within one week of receipt. To make sure that the zoo inspection process proceeds in a timely manner, the licencing authority may wish to agree with the inspection team a timetable for completing and signing off its report (7 days is suggested). Once the completed report has been sent to the zoo, the licencing authority are encouraged to request the applicant/operator to provide comments within a specified period of time (28 days is suggested).
- 10.9 Section 14 outlines the power of entry given to the inspectors under the Regulations. At all reasonable times an inspector may enter any premises in which the inspector has reasonable grounds for believing a person is operating a zoo, is able to inspect said zoo, examine and take clinical samples from animals kept there, examine records and take copies of any records kept on the premises and require a person to produce to the inspector any records that are required to be kept under these Regulations.
- 10.10 An inspector may not enter a private dwelling or part of the premises used as a private dwelling except with the occupier's consent or under the authority of a warrant issued by a judge of the District Court where reasonable grounds are required for access.

Interim inspections

- 10.11 To increase efficiency of the inspection team in ascertaining that the conservation measures outlined in section 4(2) and that the conditions are being met the licencing authority recognises that the processes and policy (e.g. health and safety) will often remain unchanged from year to year and that assessment is not required annually unless specified in conditions of a licence or where they directly influence the delivery of section 4(2). As such the 'interim inspection' has been introduced.
- 10.12 Interim inspections focus on the operation, husbandry and delivery of the mandatory conservation and education measures outlined in section 4(2) and reviews any licence conditions from the

previous inspection.

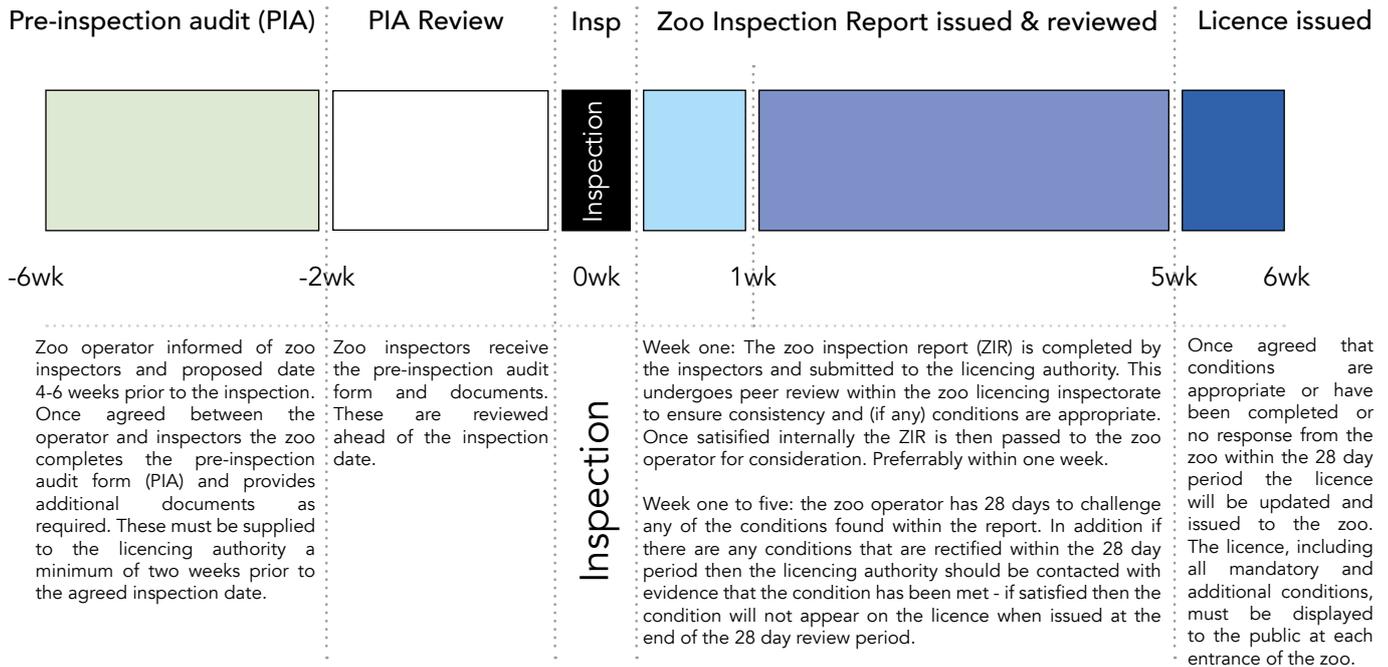
- 10.13 In the case of an original (initial) licence, an interim inspection shall take place during the first year only. For subsequent licences, interim inspections are required during the first and second year, with the second no later than six months before the end of the third year of the period of the licence.
- 10.14 The licencing authority must ensure that notice of intention to inspect is given to the operator at least 28 days prior to the proposed inspection date (preferably 6 weeks). The operator must also be given the names of the inspecting team and any changes through sickness or other reasons notified immediately to the operator prior to the inspection.
- 10.15 The zoo operator may object (by notice to the licencing authority) to any one or more of the inspectors, although it is for the licencing authority or Minister, as appropriate, to decide whether the inspecting team should be changed. The operator or a deputy are asked to be available to meet inspectors to answer any queries they may have; and to direct them to exhibits and areas of the zoos they may wish to visit, including those where any records of the animals are kept in the zoo. The inspecting team may require the attendance of the zoo's veterinary surgeon or practitioner during the inspection.
- 10.16 The inspection will cover all features of the zoo which are directly or indirectly relevant to the health, welfare and safety of the public and animals. Also it will extend to the zoo's compliance with existing licence conditions and/or the likelihood of complying with proposed new or varied conditions including those implementing the requirements set out in section 4(2) of the Regulations.
- 10.17 The inspection will address the zoo's staff involvement in matters, such as they relate to the above-mentioned features. The inspectors will require to see any records which the operator is required to keep as a condition of the licence relating to conservation measures (section 14(1)). The inspectors' report may include advice and/or recommendations for any improvements designed to ensure the zoo carries out its conservation, public safety and animal welfare activities. For this purpose the inspectors are required to have regard to the current Irish Standards of Modern Zoo Practice, and are recommended to have regard to any other associated advice.
- 10.18 Section 17, 18 and 28 of the Regulations provide a procedure for dealing with any disagreement between inspectors and operators over conditions in their report relating to animal welfare, conservation and other activities of the zoo. In such a case the disagreement may be referred to the licencing authority who may, after consultation with such persons on the Minister's list as they think fit, give guidance in regard to the recommendations to be made. It is hoped, however, that the inspectors and operators will first try to resolve any disagreement between themselves. The licencing authority are required to send a copy of the inspectors' report to the operator of the zoo, preferably within one week of receiving it, and to give the operator the opportunity to make representations or comment on it within 28 days after the copy is received.

Special inspections

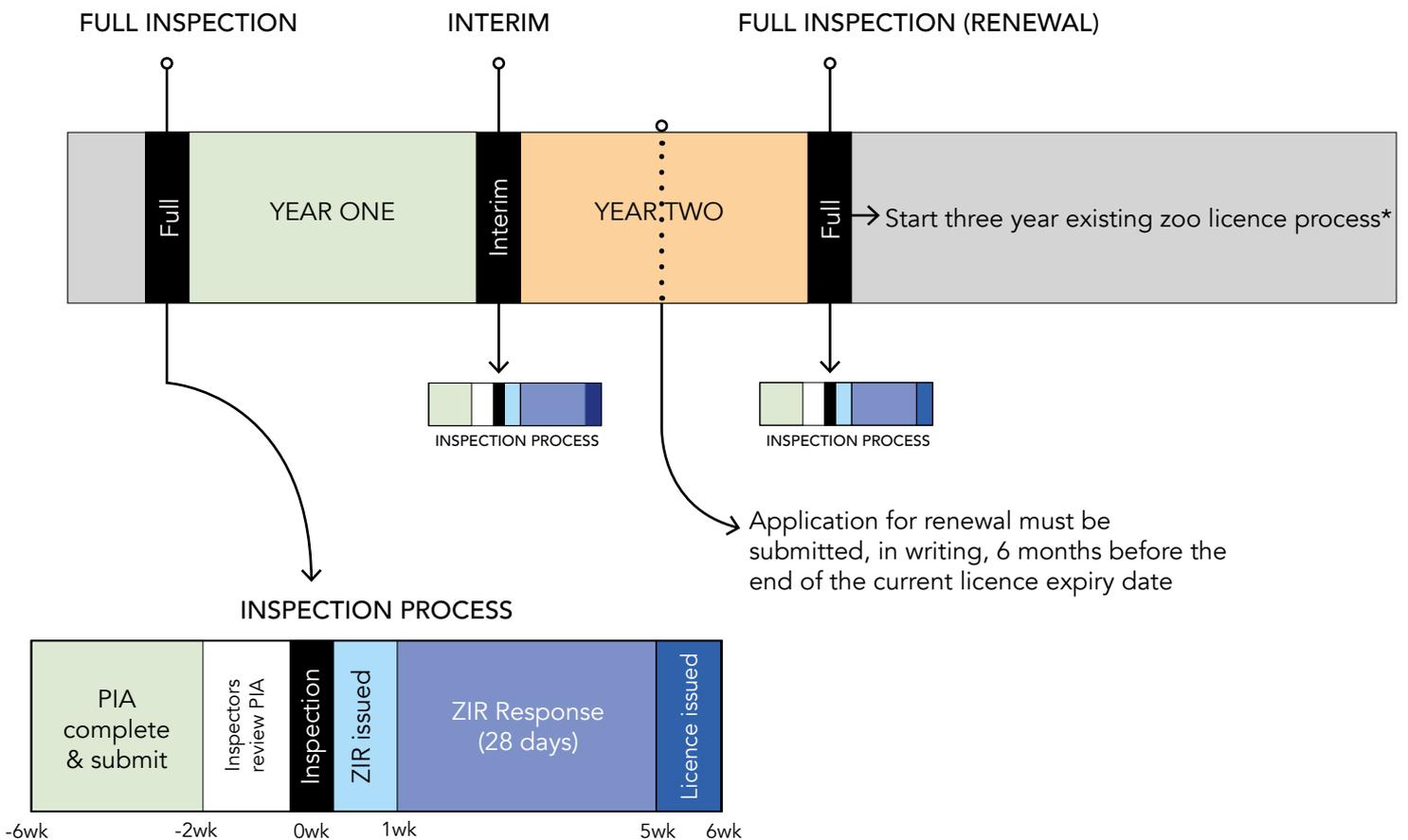
- 10.19 The third type of inspection provided for in the Regulations is the special inspection of a licensed zoo. This is at the discretion of the licensing authority if they consider it to be appropriate having regard to:
 - (a) any zoo inspection report on the zoo made to them pursuant; or
 - (b) any representations made to them on behalf of a properly constituted body concerned with any aspect of the management of zoos or the welfare of animals; or
 - (c) any report on the zoo made to them pursuant to an inspection under the provisions of section 13; or
 - (d) any other circumstances which in their opinion call for investigation.

- 10.20 An inspection under (d) might be necessary to check compliance with licence conditions that require improvements to be made within a specified period of time – particularly if the period expires in the same year as the inspection that led to the condition being added. However, it is hoped that where the specified period expires during the year timing of such an inspection could be arranged to allow the compliance check(s) to be made at the same time as the next planned inspection. This would remove the need for more than one inspection in the same year.
- 10.21 A special inspection can be carried out at any time. The licencing authority is required to communicate to the zoo operator the purpose and scope of the inspection. In case the operator wishes to have any representatives present the licencing authority also has to notify the zoo of the date and time so arrangements can be made. The licencing authority may appoint whomever they consider competent for the purpose of the inspection. However, where the purpose of the inspection relates to the health of animals, a veterinary surgeon or practitioner with experience of the animal kinds kept in the zoo should be appointed. Unlike the case of an annual inspection the zoo operator does not have to be told who the inspector or inspectors are.
- 10.22 Where the licencing authority receive representations or complaints about a zoo (otherwise than in an inspectors' report), they will wish to make preliminary inquiries before deciding to undertake a special inspection, so as to ensure that the circumstances appear to warrant one. It is considered that any such inspection should be carried out by the minimum number of inspectors for the purpose – normally only one. The inspection and report should cover only those matters which are relevant to the reasons for arranging it, and this fact must be communicated to the inspector(s) beforehand. The licencing authority is required to send a copy of the report to the operator for his comment.
- 10.23 A special inspection maybe required at a zoo which has closed permanently (and to which section 20 applies):
- (a) to supervise implementation of a plan prepared under section 24; and/or
 - (b) to help to decide whether a direction is necessary under section 23 or to ensure that such a direction is being complied with; and/or
 - (c) to help to decide whether the authority need to make their own arrangements for the care and disposal of animals at a closed zoo under sections 25 or 26.
- 10.24 Section 14(1)f provides for the zoo to supply all records of the collection kept by the zoo, should the inspector(s) need to see them. Unless the operator of the zoo cannot be found, the local authority must promptly send a copy of the inspectors' report to him and give him the chance to comment on it.

GENERIC ZOO LICENCE INSPECTION PROCESS

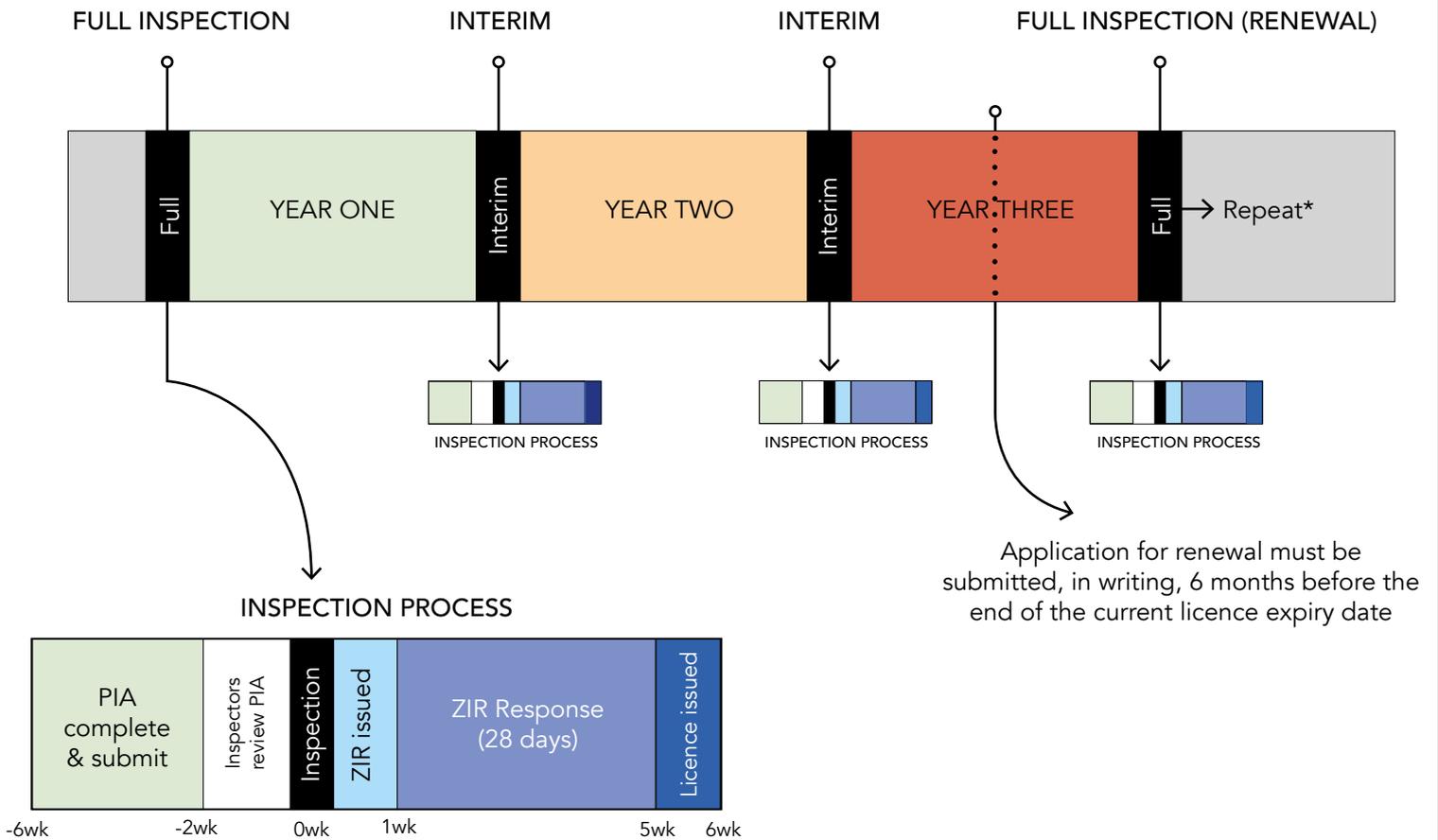


LICENCING PROCESS FOR NEW ZOOS WITHOUT AN EXISTING ZOO LICENCE



* Note alternative outcome in special circumstances when a licence can be extended for a period of one year.

LICENCING PROCESS FOR ZOOS WITH AN EXISTING ZOO LICENCE



* Note alternative outcome in special circumstances when a licence can be extended for a period of one year or for new zoos which have a shorter inspection period whilst policy and processes are set up and implemented.

Closure of a licensed zoo

- 11.1 Section 20 provides the licencing authority with the power to close permanently a zoo, or a section of it, by giving a zoo closure direction.
- 11.2 The licencing authority must permanently close the zoo where:
- (a) the licencing authority is satisfied that a licence condition giving effect to any conservation measure in section 14(2) of the Regulations referred to in a direction they have given under section 18 has not been met in respect of the whole zoo within the period specified in that direction. Before issuing this direction, the licencing authority must give the licence holder the opportunity to be heard;
 - (b) the zoo licence holder cannot be found after reasonable enquiries have been made – section 21 refers;
 - (c) the authority is satisfied, after giving the licence holder an opportunity to be heard, that the zoo no longer opens on seven or more days in a twelve-month period and it will not be opening on seven or more days in any future twelve-month period – section 10(3) refers.
- 11.3 The licensing authority has a discretionary power to close a zoo, or a section of it, where:
- (a) the licencing authority is satisfied that a licence condition other than one giving effect to any conservation measure in section 4(2) of the Regulations referred to in a direction they have given under section 18 has not been met within the period specified in that direction. Before issuing a direction under section 18, the licencing authority must give the licence holder the opportunity to be heard;
 - (b) the licencing authority is satisfied that any reasonable requirements relating to the premises or conduct of the zoo as notified to the licence holder in consequence of the report of any inspection under the Regulations are not complied with in a reasonable period of time – section 20(1)a refers;
 - (c) the licencing authority is satisfied that the zoo has been a breach of any condition of the licence – section 20(1)b & c refers.
- 11.4 There is a right of appeal against a zoo closure direction under section 28. Such a direction only takes effect after an appeal is decided (if unsuccessful) or abandoned or where the 28-day period of appeal expires and no appeal is made.
- 11.5 Where a zoo is closed down under a zoo closure direction, the licence is automatically revoked from the date the zoo closure direction takes effect. A zoo licence holder who does not have a reasonable excuse will be guilty of an offence if the zoo continues to operate once the zoo closure direction takes effect.

Closure of an unlicensed zoo

- 12.1 Section 23 applies to unlicensed zoos that have no direction issued under section 18 of the Regulations and have been open for more than seven days in the last twelve months in contravention of the Regulations.
- 12.2 Section 23(5) requires the licencing authority issue a zoo closure direction to close any unlicensed zoo that should be licensed when the operator cannot be found after reasonable enquiries have been made.
- 12.3 Unless the licencing authority is minded to make a zoo exempt from the Regulations under section 11, they shall notify the operator, in accordance with section 23(2), of their intention to close the zoo in at least 35 days time and of the operator's opportunity to be heard under section 18.

- 12.4 Section 23(2) requires the licencing authority to issue a zoo closure direction if they are satisfied after at least 35 days have passed and the operator has had an opportunity to be heard that the establishment is an unlicensed zoo operating unlawfully and the operator has not issued a notice of intention to apply for a zoo licence under section 4 of the Regulations.
- 12.5 Section 23(2) & (3) requires the licencing authority to issue a zoo closure direction if no licence application is made within 35 days of the date of the notice of intention to apply; or the application is refused and there is no appeal or the appeal is unsuccessful or abandoned.

Welfare of animals following permanent closure of a zoo

- 13.1 Zoo operators must make arrangements for the future care or disposal of their animals in accordance with section 24(1) when:
- a zoo closure direction has been made in respect of the zoo and has taken effect ;
 - the zoo's licence has expired;
 - the zoo's licence has been surrendered.
- 13.2 Zoos will also be required to make arrangements for the future care or disposal of part of their collection in accordance with section 24. Such a requirement arises where a section of the zoo has been closed permanently to the public. The requirement may, however, be terminated by further alterations to the zoo's licence. For example, where the animals in the permanently closed section of the zoo have been disposed of, and the authority subsequently alter the zoo licence to permit their former accommodation to be converted for a different use.
- 13.3 Section 24(1) requires the zoo operator, as soon as reasonably practicable, to submit to the licencing authority a plan setting out the proposed arrangements for the welfare of the animals in the zoo he plans to keep and for the disposal of animals he plans to dispose of and their care until that disposal takes place. The licencing authority should note that it is acceptable for the plan to show that some or all of the animals will be retained in a private collection. Where that is the case, the licencing authority needs to be satisfied that they can be properly looked after and that the keeper is compliant with other current and relevant legislation specific to the country where the animals are to be rehomed.
- 13.4 The licencing authority, in accordance with section 26(4) should note that the arrangements for the care or disposal of the animals must not be prejudicial to the protection of wild animals or the conservation of biodiversity.
- 13.5 Section 24(2) requires the zoo to supply to the authority any information requested about the care or disposal of the animals kept there.
- 13.6 The licencing authority must consider the plan and decide whether to approve it or whether improvements are needed before they approve it. The zoo operator is not permitted to implement the plan until the licencing authority has approved it in accordance with section 24(4). The licencing authority must supervise the implementation of the plan once it has been approved.
- 13.7 In some cases zoo operators may need to dispose of animals before the plan has been approved. Section 24(5)b allows them to do this if they obtain the approval of the licencing authority. Section 24(5)b also allows operators to dispose of animals other than in accordance with an approved plan if the authority agrees. For example, the animal was to be moved to a specified new home but before that happened the intended recipient decided it no longer wanted, or could take, the animal.
- 13.8 Where the licencing authority does not approve the plan in the form submitted and are unable to agree changes with the zoo operator, they can make use of their power under section 25 to issue a direction. The licencing authority can also use the section 25(1) power to issue a direction to the

zoo operator about the future care of the zoo animals or about their disposal and care until they are disposed of where the licencing authority is not satisfied with the way an approved plan is being implemented; or where the zoo operator is taking an unreasonably long time to prepare a plan; or where they consider urgent steps need to be taken by the zoo to safeguard the welfare of the zoo animals. Before issuing this sort of direction, the authority must give the zoo operator the opportunity to be heard. The licencing authority may vary a direction, but, unless the zoo operator cannot be found, they shall not do so unless the operator is given the opportunity to be heard.

- 13.9 There is a right of appeal against the licencing authority's decision not to approve a plan prepared under section 24, a direction issued under section 25 or any variation of such a direction; and arrangements made by the licencing authority under section 26.

Zoo licence issue number

- 14.1 Zoo licences are issued with a dedicated licence number for each original licence, successive renewal, and interim inspections where conditions are added.

- 14.2 The licence number will be issued in the following format:

'ZOO/Year of original licence/ Year current licence issued/ Type of inspection that the licence is being issued: full (F) or interim (I) or special (S)/ Consecutive inspection number issued for that year'

for example:

- (i) a zoo originally licenced in 2011, renewed in 2013, undergoing an interim inspection in 2014 and was the third zoo inspected in 2014 would have the licence number ZOO/2011/2013/I/03.
- (ii) in the case of a new zoo being licenced for the first time (full inspection) in 2016, being the fifth zoo inspected that year the licence number would be ZOO/2016/2016/F/05.