

Animal Boarding Establishments Act 1963

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1. General

Local Authorities issue licences to proprietors of boarding kennels under the provisions of the Animal Boarding Establishments Act 1963. The licence can stipulate a number of conditions to secure the following objectives:

- that the dogs are kept in accommodation suitable in respect of construction, size, temperature, ventilation and cleanliness;
- that dogs are adequately supplied with suitable food and drink, and are visited at suitable intervals;
- that dogs are kept secure;
- that reasonable precautions are taken to prevent the spread of infectious diseases;
- that appropriate steps be taken in the event of an emergency;
- that a suitable consistent level of management is maintained.

1.1 Legislation

The principal legislation dealing with Animal Boarding Establishments is the Animal Boarding Establishments Act 1963 which addresses the areas to be covered by the licence relating to animal welfare and management. It is essential that consumers and those responsible for premises management are aware of the licence conditions.

1.2 Insurance

Adequate insurance indemnity should be arranged by the operator of the premises. This should be maintained at a sufficient level to cover the maximum number of dogs boarded. Several companies offer policies specific to animal boarding establishments. Details are often advertised in pet publications.

Proprietors of animal boarding establishments are able to ensure purely the liability aspect by taking out third party liability cover. In addition, you can insure against veterinary fees for accident and illness, death from accidents, death from illness and loss from theft and straying. You must insure against public liability.

Employers Liability Insurance is mandatory for boarding establishment owners who employ staff. Employers Liability (Compulsory Insurance) Act 1969.

Certificates of insurance must be prominently displayed.

1.3 Staff Facilities

Staff should be adequately trained in the safe handling of dogs, emergency procedures to be followed, and all other aspects of the licence conditions which are pertinent to their work.

Adequate toilet and washing facilities must be available for staff in accordance with health and safety requirements.

An adequate First Aid Kit must be available for staff use.

Staff should also be regularly vaccinated against Tetanus.

1.4 Establishments receiving both Dogs and Cats

When the granting of the licence is being considered by North Norfolk District Council, there will be a presumption against cats and dogs being kept within sight of each other, unless good reason can be made otherwise.

In consideration of "Good Reasons" existing facilities and management will be taken into account.

2. **Licence Display**

If displayed externally the licence and its conditions should be protected from the weather. Preferably the licence should be displayed in the reception area.

The number of dogs for which the premises is licensed, the number of isolation and holding kennels must be specified on the licence.

3. **Construction**

3.1 General

The conversion of existing buildings should be discouraged. Experience shows that they may be more expensive to adapt and less efficient to operate.

At least 20% of the individual exercise runs must be covered with a suitable mesh.

Where galvanised welded mesh is used for fencing the wire diameter must not be less than 2mm (14 standard wire gauge) excluding any covering and the mesh size must not exceed 50mm.

Applications for new premises or alterations to existing may require approval from the Planning and/or Building Control Departments.

The interior and exterior of the buildings should be kept in good decorative order and repair. Outer paths, gardens, exercise areas and general surroundings must be kept in a good, clean, presentable condition. Failure to comply with this recommendation may be a consideration in any decision by North Norfolk District Council to withdraw the licence for any reason.

A safe system of work must ensure correct use of chemicals and materials used in the kennel and must include constructional details suitable to reduce spread of infection, disease and contamination.

3.1.1 *Wood in Kennels*

The purpose of avoiding wood on surface structures of kennel interiors is because of the possibility of damage to the material caused by scratching by animals. Worn and splintered material is difficult to clean, harbours bacteria, viruses, etc. and allows the splinters produced to penetrate the animals' skin.

The whole point of hygienic and safe practice is to provide easy to clean surfaces.

3.2 Walls and Partitions

This condition is to provide a physical barrier to infection. It will also reduce aggression while allowing socialisation.

Suitable materials for the construction of partition walls would be properly surfaced impervious brick/block construction, moulded plastic, glass reinforced plastic (GRP), pre-formed plastic surfaced board, etc. Such solid construction may be from floor to ceiling, but this should not be detrimental to other welfare considerations such as the dog's outlook, lighting and ventilation. Sealing refers to the use of a proprietary water-proofing agent for sealing the wall against damp-penetration. Under certain circumstances sealing of brickwork can only be achieved by rendering prior to sealing.

In individual exercise areas it is recommended that the solid partition be of a minimum of 675mm high from the ground and in existing construction this condition should be phased in over a suitable period taking into consideration existing construction and the condition of the kennels.

3.3 Floors

Floors of kennels and related exercise areas should be constructed in impervious material and be readily cleansable while providing sufficient grip for the animal to walk or run without sustaining injury.

Drainage channels should be provided near to the kennel edge so that urine is not allowed to pass over walk areas in corridors and communal access areas. It is reasonable to face a bedding area in the opposite direction to the exercise area if separate drainage channels are appropriately sited. Before beginning any alterations you are advised to contact the building control section of North Norfolk District Council. Waste water outlets may need approval from the National Rivers Authority.

"Communal" facilities must not be used by more than one dog at any one time unless they are from the same household.

Communal exercise areas should generally be discouraged.

3.4 Ceilings

Where kennels are provided, within converted outbuildings, consideration should be given to ease of cleaning, energy conservation, wildlife access, lighting and ventilation.

3.5 Doors

Galvanised Weld Mesh should be a minimum of 2mm (14 gauge) in thickness. It is recommended that the spacing of the wire should not exceed 50mm.

When designing kennel doors regard should be paid to the health and safety of the person working in the kennel, for example large dogs may push against the door which may give rise to difficulties in securing the door and even to accidents to the person on the opposite side of the door when it opens outwards. Therefore consideration could be give to opening the outer door in an inward direction in the interests of staff safety.

3.6 Windows

Windows when a security risk must be protected by welded mesh, or be made of reinforced glass, polycarbonate or other impact resistant material.

3.7 Drainage

No guidance at this stage.

3.8 Lighting

Natural and artificial lighting must be of sufficient standard to enable efficient working after daylight hours.

3.9 Ventilation

Draughts can be the outcome of ventilation provided for animal health. A balance is necessary between adequate ventilation and the unnecessary removal of warm air.

Ventilation is important as an aid to disease control, a protection against smell accumulation, and prevents excessive humidity of the atmosphere. High humidity increases the risk of kennel cough and should be avoided.

Siting of the bed is an important consideration. Raising the bed and providing adequate protective sides to allow the dog “depth” to seek protection are considerations in protecting the dog.

3.10 Maintenance

No guidance at this stage.

4. Numbers of animals

4.1 Numbers of Dogs Permitted

The number of dogs permitted related to the number and size of the kennels and must be stipulated clearly on the front sheet of the displayed licence. The decision regarding the number of dogs, as well as considering the kennel size and numbers, will take into account the effectiveness of site management.

Dogs from the same family who normally live together may prefer to share a kennel. It is a requirement that operators obtain written authorisation from the dog owner before kennel sharing is allowed. Where sharing occurs the dogs must be able to lie down comfortably in the sleeping area, with sufficient space for the door to open fully.

4.1.1 *Holding Kennels*

The number of holding kennels provided should be agreed between the kennel owner and North Norfolk District Council and noted on the licence. In general, holding kennels should not constitute more than 25% of the total number of residential kennels.

4.1.2 *Identification and Control of Dogs on Site*

The Control of Dogs Order 1992 requires that all dogs, whilst in a public area, must wear a collar and tag stating the name and address of the owner. It is recommended that all dogs boarded should wear a collar and tag identifying the name of the owner, or have the collar and tag secured immediately outside the dog's kennel. This will assist in the identification. It will also assist staff with dog control if one tries to escape, or if there is a fire or other emergency. In the case of sharing it will be necessary to take the collars off and hang them outside the kennel.

4.1.3 *Dangerous Dogs*

Dogs subject to contracts under current Dangerous Dogs Legislation must have a copy of the licence and insurance certificate lodged with the boarding kennel.

4.2 Kennel Size, Layout and Exercise Facilities

In existing kennels the new size requirements for sleeping areas should be phased in over a number of years after consultation between the kennel owner and the local authority taking into account local circumstances.

During kennel construction, it is necessary to use an appropriate design and correct materials to overcome problems of noise emission and to ensure energy conservation. This is in order to minimise discomfort to the dog and to minimise the risk of noise nuisance to persons in the vicinity of the site (neighbours).

4.2.1 *Adverse Weather*

In adverse weather conditions, the responsible person must decide whether or not dogs are given free access to external exercise areas.

In existing kennels the new size requirements for exercise areas should be phased in over a number of years after consultation between the kennel owner and the local authority taking into account local circumstances. This exercise area, if external, should be roofed to a minimum of half the area, sufficient to give the dog protection against the weather.

Some of this should be translucent material capable of filtering UV light and providing adequate shade.

4.2.2 *Communal Areas for Exercise*

In general, communal areas should be discouraged because of the risk of disease spread, in particular worms, and fighting. With the provision of individual exercise areas to each kennel, the extra provision of a communal area need not be provided. Surface ponding of water must not occur and land drainage should be provided where necessary if normal site drainage proves inadequate.

The risk of spreading disease, in particular worms, is increased by use of communal areas.

All communal exercise areas should be provided with an impervious cleansable surface at least around the perimeter (concrete, laid to a suitable fall to prevent ponding and promote drainage).

5. **Management**

5.1 Training

The licensee must formulate a written training policy for permanent, part time and seasonal workers. The following are regarded as essential topics to be covered in the programme:

- Animal Welfare
- Cleanliness and Hygiene
- Feeding and Food Preparation
- Disease Control
- Recognition and Treatment of Sick Animals
- Health and Safety
- Emergency Procedures

5.2 Transportation of Animals

All vehicles used by the establishment for the transportation of dogs must be regularly serviced and kept clean. They must be fitted with cages of adequate size for the safe transportation of dogs and be provided with adequate ventilation. All vehicles must be secure and should not be left unattended when transporting a dog.

5.3 Temperature in Kennels

Many kennels have been built without proper consideration for the welfare of the dogs. The materials used on the kennel exterior may not offer adequate protection against temperature variations throughout the majority of the year.

There will be periods in the year where ambient external temperatures will cause temperatures to fluctuate above or below the recommended levels. If the higher temperature level is exceeded due to structural shortcomings rather than normal ambient temperature then artificial means of counteracting this high temperature should be introduced.

Where temperatures lower than indicated are reached the use of individual heating lamps for dogs may prove adequate. In some circumstances additional background heating will also be required.

The temperature of the isolation kennels should not be allowed to fall below 15.5°C (60°F) generally, unless specific advice is given to the contrary by the Veterinary Surgeon.

The difficulty of providing maximum temperature levels is acknowledged. 26°C (79°F) is a realistic temperature which should not be exceeded in normal circumstances.

It is important to remember that a minimum temperature of 10°C (50°F) is required, and if inadequate attention has been given to construction and insulation it will be necessary to use additional heating and thereby increase running costs. Failure to provide additional heating will cause dogs to suffer. Particular attention should be paid to design and construction. Geographical orientation is also relevant. Aspect affects temperature. It is often difficult to maintain adequate temperatures with north facing openings. Correct attention to orientation of the kennel will allow maximum use of natural light.

Similarly in summer temperatures, poorly insulated exteriors will allow internal temperatures to build up (similar to car interiors) to excessive levels. Even with additional ventilation the dogs will suffer.

Some summer temperatures will naturally exceed 26°C (79°F). Inadequate construction or ventilation of the kennels must not be an excuse to allow unnecessarily high temperatures being attained.

Where temperatures are likely to rise above the maximum levels specified in the notes there should be some means of mechanical or automatic cooling/ventilation.

A safe system of heating must be provided so that risks of electrocution and burning are avoided. Open flame appliances must not be used.

5.4 Cleanliness

Arrangements must be made with the Waste Collection Authority or waste management contractor authorised for the purposes of the duty of care, for removal of other wastes from the establishment under the Environmental Protection Act 1990. Foul waste water must be disposed of by discharge to the approved drainage system.

5.4.1 *Cleaning*

There are a range of alternative cleaning regimes.

Basically the regime should include:

- Removal of solids
- Washing
- Disinfection
- Drying

The physical collection (shovel and bucket) of faeces is usual.

The use of detergent and water will "wash down". Equally pressure hoses or steam cleaning will wash down more effectively.

There is a need to control bacteria, viruses, fungi within the sanitising process.

There is little point in putting down disinfectant only to wash it away in a short period of time. The long term activity of chemicals used in the control of viruses, bacteria and fungi should be considered.

Great care should be taken when using any chlorine based chemical, e.g. bleach.

Combinations of bactericides, fungicides and virucides may prove expensive to use and may not necessarily be the best system to use.

There is a balance between the dog enjoying a known environment and introducing infection and infestation in wickerwork baskets and old clothing/bedding etc. Staff handling between kennels further increases the risk of disease spread. While owners' own baskets and bedding may help a dog to settle, particularly during its first stay in boarding conditions, their use should be discouraged as there is no immediate control over cleanliness and parasite transmission.

5.5 Food and Water Supplies

Dogs should be fed to a standard compatible with the maintenance of health. Inspectors will observe the general nutritional status of the dogs and the type and quality of food in store and in the process of preparation. If necessary, a veterinary surgeon will be called in to advise.

Food should not be left for excessive periods within the kennel in order to avoid smells and flies. More food and water may be required for old or young dogs. No food should be left outside at night.

Disposable eating dishes, although expensive, are recommended as hygienic since they cannot transmit infection and are a saving of time and labour since they are immediately disposable. Expanded polystyrene is not a suitable material for this use.

5.6 Kitchen Facilities

Separate kitchen facilities must be provided for the preparation of food. This facility must be provided with a sink connected to the main drains or other suitable drainage system. For new premises this should be a separate purpose built unit. For existing premises domestic kitchens may be accepted, this will be at the discretion of the Licensing Officer. If meat is cooked on the premises for animals refrigeration must be available for storage.

5.7 Disease Control and Vaccination

"Other relevant diseases" allows for the insertion of diseases which may as yet be unknown but which may be regarded as important in the future or which may be added according to circumstances.

Four weeks is the maximum time for all current vaccines to become fully effective. A shorter time is acceptable if suitable veterinary evidence is provided, based on manufacturers' instructions. For example, intra-nasal vaccination for *Bordetella bronchiseptica* (part of the Kennel Cough complex) is regarded as giving solid protection after only 5 days.

Vaccination against Kennel Cough should be encouraged. Kennel owners should seek the advice of their veterinary surgeon regarding accomplishment of this, as the disease is generally regarded as being multi-factorial.

It is important that there are facilities and procedures for cleansing and disease control and that staff are familiar with the procedures and understand what action to take in the event of an outbreak of disease.

Phenolic disinfectants should not be used around dogs and dogs must be kept dry during cleaning of enclosures.

If there is evidence of external parasites (fleas, ticks, lice etc) the dog must be treated with a proprietary insecticide.

If there is evidence of internal parasites the advice of a veterinary surgeon should be sought.

All insecticides, disinfectants etc must be used strictly in accordance with the manufacturers' instructions and hazard sheets kept for staff which explain precautions to be taken by the user.

The first aid kit for use on dogs must be kept well stocked at all times. Advice on contents should be available from the establishment's veterinary surgeon.

It is important to consider procedures to be carried out in case of death or escape. All staff should be made fully aware of these procedures. They will also help to reassure owners that the establishment acted correctly in that situation. Any dog that has died on the premises must be referred to a veterinary surgeon and the licensing officer of the local authority should be informed.

A veterinary practice should be appointed for the establishment. The name, address and telephone number must be displayed in a prominent position in a public area. The 24 hour telephone contact number of the veterinary surgeon used by the establishment should be displayed in a suitable place, close to the telephone and accessible to all members of staff.

5.8 Isolation

Isolation facilities must be provided at the rate of at least 1 isolation kennel for up to 50 kennels at the establishment and pro rata above that. The number should be noted on the Licence.

The requirement for 5m distance between isolation facilities and main kennels is based upon consideration of the distance that a dog sneeze travels. Intervening buildings and constructional detail (i.e window and door positions) should be taken into account. Individual circumstances may significantly vary the stated figure.

Isolation facilities must be used where the presence of infectious disease is suspected. Where stray dogs are accepted by the kennels they must be kept in a separate area away from boarded dogs. Isolation facilities must only be used for this purpose in exceptional circumstances, i.e where stray intake is minimal.

Protective clothing and equipment, for use only in the isolation facility, must be used to reduce the spread of infection.

In new build, isolation facilities separated 10 metres from the main units must be provided.

5.9 Register

Computerised. Loose-leaf, index card and book register systems are acceptable. If a book register is used, pages must be consecutively numbered. Records of the owners agreement to share may be kept on a separate form if a computerised system is used.

It is strongly urged that the establishment introduce formal boarding agreements, stating clearly the responsibilities of both parties during the duration of the kennelling. The Licensing Officer of the local authority will consider the details recorded in the register against the actual facts observed.

Owners should be encouraged to sign an authorisation for veterinary treatment.

5.10 Identification of Kennels

An alternative system of identification can be used with the approval of the Licensing Authority providing the system in use meets the criteria for identification and information provision for each dog and is readily accessible and easy to use.

The system of identification of units must be capable of containing relevant information such as feeding habits and frequencies, medicinal treatments etc. If identified on the kennel it must not obscure the primary information. If additional information is stored electronically or manually away from the kennel the information must be readily and easily accessible.

5.11 Supervision

Suitable intervals for visiting means intervals of not less than four hours, starting at 8.00am until 6.00pm. An evening visit may be appropriate but must be balanced against the possibility of disturbing the dogs and causing noise nuisance.

5.12 Fire Precautions

It is recommended that plans and details of the establishment are logged with the police and fire authorities. Fire protection advice must be sought from the Fire Prevention Officer regarding appropriate fire extinguishers and their correct siting, fire drills, fire escapes, etc and implemented. The general maxim of "people first" in the event of fire is good advice.

Where rebuilding or providing new buildings, the Fire Prevention Officer will give advice on fireproofing requirements.

The advice given by the Fire Prevention Officer should be in writing and particular regard should be given to the safe storage of inflammable substances. Staff should know how to use the fire extinguishers. It is also advisable to install smoke detectors.

Dogs should not have direct access to open flame heating devices.

6. Dog Sitting Services

During the course of the review the Working Party became aware of the practice of "dog sitting" organised on a business footing.

There is at least one national organisation promoting the practice and offering advice, support and guidance to those wishing to operate such a service.

The service essentially, and in theory, involves dogs being kept in small numbers, often singularly, in the dog sitters home.

Those operating such services are subject to the requirements of the Animal Boarding Establishments Act 1963. It should be stressed however that at present this is a very small part of the boarding market and the application of some of the conditions contained within this document may be inappropriate to enforce.

The Working Party recommends that local authorities licence such premises and apply appropriate and relevant conditions to ensure the prevention of spread of disease between animals and to ensure the health, safety and welfare of the individual animal being boarded.

Service providers should be advised that planning permission may be required if it is intended to board more than 6 dogs. They should further be advised that appropriate insurance cover should be obtained to protect both the operator and the owner of the animal.

The Chartered Institute of Environmental Health is considering this issue further and consulting with the national body and will provide further, more detailed, advice as appropriate at a later stage.

7. Other Relevant Legislation

7.1 Health and Safety at Work etc Act 1974

- i) There is a duty on all employers and employees to ensure safety of themselves, workmates and visitors to the site and contractors. This also extends to the self-employed.
- ii) An "accident book" must be provided to record details of accidents and "near misses". An annual review will indicate how to keep staff safer by introducing safer practices based on experience.

- iii) Regard should be had to providing safe systems of work for staff, particularly those involved in dog handling.
- iv) An establishment employing more than four people requires a written safety policy.
- v) There is a requirement for a risk assessment to be carried out to identify hazards in the workplace and assess risks, e.g. number of people affected etc, in order to assess any health and safety risk in an objective manner as far as possible.

Legislation is evolving all the time and reference should be made to enforcement authorities for up to date advice.

More details will be available from North Norfolk District Council or from Management of Health and Safety at Work-Approved Code of Practice ISBN 0-11-886330-4 available from HSE Books, tel no. 0797 881165 (mail order).

7.2 Environmental Protection Act 1990

- i) Under Section 34, operators have a "duty of care" to ensure that all waste arising from their premises is disposed of without harm to human health or the environment. They may only pass their waste to registered carriers or appropriately licensed or authorised disposal facilities.
- ii) Part III of this Act deals with nuisance. When setting up a boarding establishment, it is most important to consider the potential problems of noise and odour nuisance in order to prevent possible legal action which could lead to closure at a later date. Environmental Health Officers are able to give further advice and guidance on nuisance problems and related statutory provisions. Noise emission is often not considered by establishment owners. Monitoring a single dog barking at close range may produce a reading in the region of 95dB(A). It is important to design and site kennels to minimise any cause of complaint from neighbours. The choice of appropriate materials, and their correct use in design, in terms of preventing noise nuisance is extremely important. In view of the law allowing noise sensitive premises to be built near kennels, often after the kennel has been built, consideration should always be given to the need to retain noise within site boundaries as much as possible, having regard to local background noise levels.
- iii) The use of incinerators to dispose of animal carcasses may require licensing by your local authority who will advise you regarding the requirements of part 1 of the Environmental Protection Act. If you use an incinerator you are advised to notify the local authority. The Environmental Protection Act 1990 places a duty of care on businesses to ensure that waste is disposed of by a registered carrier to an appropriately licensed or authorised disposal facility. Those wishing to dispose of waste on their premises, or operate an incinerator may need planning permission, and a waste management licence or authorisation under the Environmental Protection Act 1990. They should seek advice from their Waste Regulation Authority or Environmental Health Department.

Dog faeces and "sharps" such as needles, scalpels, etc constitute "clinical" waste and are likely to be subject to specific disposal conditions.

7.3 Electricity at Work Regulations 1989

Apply to every employer or self employed person, and you therefore have a duty to comply with these Regulations ensuring your electrical fittings and equipment are maintained in a safe condition.

In the event of something going wrong, you will be asked to say why you thought the equipment was safe, which means regular testing of fittings is advisable.

7.4 Control of Substances Hazardous to Health Regulations 1988 (COSHH)

- i) These are known as the "COSHH" Regulations. They require you to keep chemical substances on your premises in a safe manner, and to review whether you are able to reduce the number of chemicals used and to see if you are able to use chemicals which are less hazardous in order to do the same job.
- ii) They also deal with zoonoses (diseases transmitted from animals to people, such as Salmonellosis, Toxocariasis and Toxoplasmosis) and you should bring suitable advice on risks and precautions to the attention of your staff, and ensure that they are suitably vaccinated.

For further advice, contact your medical practitioner and/or the environmental health department.

7.5 Controlled Waste Regulations 1992

The definition of clinical waste in these regulations includes animal tissue, blood or other body fluids, excretions, drugs or other pharmaceutical products, swabs, dressings or syringes, needles or other sharp instruments which unless rendered safe may prove hazardous to any person coming into contact with it.

The Health and Safety Commission's guidance document 'Safe Disposal of Clinical Waste' advises on best practice in the handling and disposal of such waste and you can also seek advice from the local Waste Regulation Authority or the Environment Agency Regional Office.

7.6 Control of Dogs Order 1992 (SI901)

Every dog whilst in a place of public resort must wear a collar with the name and address of the owner inscribed upon it.

"Public Place" means any street, road or other place (whether or not enclosed) to which the public have or are permitted to have access whether

for payment or otherwise and includes the common parts of a building containing two or more separate dwellings.

It should be noted that premises may also be visited from time to time under the Animal Protection Acts, Acts which are principally concerned with animal welfare and the prevention of cruelty.

7.7 Dangerous Dogs Act 1991

The Act prohibits persons from having in their possession or custody dogs belonging to types bred for fighting; it imposes restrictions in respect of such dogs; it enables restrictions to be imposed in relation to other types of dog which present a serious danger to the public; and makes further provision for ensuring that dogs are kept under proper control.