

Committee: Licensing and Environmental Health Committee **Date:** 20 January 2026

Title: Primate Licensing

Report Author: Marcus Watts – Environmental Health Manager (Protection) **Key decision:** No

Summary

1. The Animal Welfare (Primate Licences) (England) Regulations 2024 became law on 5 March 2024 and came into force on 6 April 2025. The regulations introduce a new licensing regime for those that keep primates in England.
2. The enforcement provisions of the Regulations commence on 1 April 2026. Guidance on the new Regulations was published on 10 July 2025.
3. This report provides members with information on the new provisions and associated fees.

Recommendations

4. Members are asked to:
 - I. Note the contents of the report and the implications of the Animal Welfare (Primate Licences) (England) Regulations 2024 on the Council.
 - II. Agree to the fees shown in paragraph 14.
 - III. Agree to delegate authority to Officers listed in paragraph 15.

Financial Implications

5. Local authorities can charge a fee in respect of any application relating to a primate licence and can also charge a fee in respect of any inspection which it must or may arrange under the regulations. Licence fees should be calculated based on cost recovery and will be reviewed annually to ensure they are set at the right level.

Background Papers

6. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.
 - a) The Animal Welfare (Primate Licences) (England) Regulations 2024

b) Statutory guidance for local authorities: [Licensing process for keeping primates - GOV.UK](https://www.gov.uk/government/publications/licensing-process-for-keeping-primates)

Impact

7.

Communication/Consultation	No consultation is necessary. Fees are calculated in accordance with specific fee setting guidance.
Community Safety	There are no direct community safety implications associated with introduction of Primates Licensing.
Equalities	<p>Decisions on granting licenses will be considered in accordance with statutory guidance.</p> <p>Any enforcement action shall also have regards to the legislative provisions, statutory guidance and Councils Enforcement Policy.</p> <p>An equalities impact assessment has not been provided as legislation and associated guidance does not lend itself to the Council to develop a policy. In issuing a licence the Council is required to have regards to the Public Sector Equality Duty when making decisions.</p>
Health and Safety	Workplace risk assessments for the purposes of inspection will apply. Direct contact with the Primates will not be necessary.
Human Rights/Legal Implications	<p>Functions concerning animal welfare typically fall to the Environmental Health and Licensing Committee.</p> <p>There are no human rights implementations directly arising from the issuing of a Primates licence.</p> <p>Any legal action will be considered against the Council's general enforcement policy and statutory guidance to ensure proportionate action is taken.</p>

Sustainability	The issuing of licences does not contribute to sustainability
Ward-specific impacts	None
Workforce/Workplace	None. Due to anticipated low number of applications, no additional resources are considered necessary to deliver this work.

Situation

8. It is estimated that there are up to 5000 primates that are owned privately in Britain. The most common kept species are believed to be common marmosets, tamarins and squirrel monkeys. Primates are intelligent, long-lived animals who form intricate social relationships with each other and experience emotions, and suffer, in a similar way to humans. Meeting the complex physical and behavioural needs of these wild animals in captivity is incredibly difficult.
9. On 5 March 2024, The Animal Welfare (Primate Licences) (England) Regulations 2024 ('the Regulations') became law and introduced a licensing regime to protect the welfare of primates kept in England. The Regulations apply to the keeping of any non-human primate in England on or after 6 April 2026 unless the primate is kept under a Zoo Licensing Act 1981 licence ('zoo licence') or an Animals (Scientific Procedures) Act 1986 licence ('ASPA licence'). The Regulations requires any person who keeps any such primate to hold a primate licence.
10. Statutory guidance detailing the administration and enforcement requirements of the licencing regime was finally published on 10 July 2025. The guidance includes conditions for private keepers (Schedule 1) that set out the range of requirements to protect their welfare. These include requirements on diet, accommodation, environment and other care management provisions.
11. The Regulations and associated guidance set out a specific application process that requires an inspection to be carried out prior to any application being determined. They also require a further inspection to take place on at least one occasion during the currency of licence (where issued for more than twelve months). These inspections must be conducted by a "suitable person" which is defined by the Regulations as being:
 - (a) a veterinarian; or
 - (b) any other person who, in the view of the local authority, is suitably qualified and competent to carry out the inspection.
12. Following that inspection, if satisfied that the licence conditions are likely to be met, the local authority must grant the applicant a primate licence with effect

from such date as it may determine. If the local authority is not satisfied that the licence conditions are likely to be met, it must refuse the application.

13. Statutory guidance recognises that it will not be possible to assess the applicant's likely compliance with all the licence conditions just by visually assessing the premises where the primates are, or are to be, kept. Local authorities should therefore have in place a process to enable them to assess applicants' understanding of:
 - the licence conditions and what they require
 - the welfare needs of the primates being or to be kept
14. If an applicant cannot demonstrate sufficient knowledge of the primates' welfare needs or how the licence conditions will be met, local authorities should advise the applicant on any additional information or steps that may be required before proceeding further with the application.
15. Once issued licences may last for up to three years, with three years being the default unless the applicant requests the licence to be issued for a shorter period, and they may be varied voluntarily by the applicant during that period to reflect any changing circumstances. Licences may also be revoked and varied without consent if considered necessary.
16. It will be an offence for a licence holder to fail to comply with a licence condition. The offence carries a penalty of an unlimited fine. Local authorities will also have the power to serve a "rectification notice" as an alternative to prosecuting a licence holder who fails to comply with a licence condition.
17. A rectification notice must:
 - state that the local authority considers that the holder of the licence is failing to meet a licence condition, and why;
 - specify the steps that the local authority considers that the holder of the licence needs to take to comply with the licence condition;
 - specify a period not exceeding two years in which those steps are to be taken ("the rectification period").
18. Where a rectification notice has been given, the local authority cannot bring proceedings for non-compliance with any of the licence conditions identified in the notice before the end of the rectification period and if the required steps are taken during the rectification period, no proceedings can be brought subsequently for that non-compliance. The local authority may extend the rectification period, and may do so more than once, so long as the rectification period as extended does not exceed two years.

19. Officers are also required to provide information to the Secretary of State on an annual basis regarding the number of licences issued, primates kept, fees charged and anything additional that the Secretary of State may require.

20. An application fee may be charged to recover reasonable costs, and section 12 of the Regulations also permits a fee to be charged for any required inspections. The fees contained in the table below are the estimated cost recovery fees officers believe will be necessary. These will be reviewed annually.

Application Fee	£592.93
Application for renewal of licence (No change)	£526.22
Application for renewal of licence (With changes)	£592.93
Application for variation of licence (Minor variation)	£92.37
Application for variation of licence to increase the number of primate species	£267.10
Interim Inspection	£101.60 plus any Vet inspection fees

21. In accordance with the Constitution the functions concerning animal welfare fall to the Environmental Health and Licensing Committee. Delegated authority is sought to authorise the Director for Environment and Climate Change and the Environmental Health Manager (Protection) authority who may appoint, nominate or otherwise authorise officers and inspectors for purposes of

- Granting, refusing and renew primate licence applications. Varying, surrender or revoking a licence and determining the period and conditions of licence. In the case of revocation such action will only be taken in consultation with the Environmental Health Manager.
- Acting as suitably qualified person to inspect and take all necessary action as inspector.
- Take enforcement action and serve a Rectification Notice in relation to Regulation 15.
- To consider representations made under Schedule 2 (decisions to refuse an application, revoke a license and issue a rectification notice). Such representations are to be considered by an officer who has not made the original decision.
- Seek and execute a warrant for entry.
- Any other action required under the Regulations.

Risk Analysis

22.

Risk	Likelihood	Impact	Mitigating actions
<p>The Council is required to fulfil the functions of the Regulations. There is little risk to the Council from enforcing these provisions. Appeals are through the representation process and the first tier tribunal</p>	<p>There is a high likelihood that owners of primates exist within the authority who will apply for a licence. However, officers anticipate that the number of Primate keepers in the district is low</p>	<p>1. Little impact is anticipated</p>	<p>Authorised officers will have received appropriate training and instruction. An appropriate qualified Vet will be employed for inspection purposes.</p>

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.