

Licensing Committee

5 SEPTEMBER 2016

PRESENT: Councillor J Brandis (Chairman); Councillors M Hawkett (Vice-Chairman), P Cooper, A Harrison, A Huxley, S Lambert, G Powell, S Renshell and Sir Beville Stanier Bt (ex-Officio)

APOLOGIES: Councillor T Mills

1. TEMPORARY CHANGES TO MEMBERSHIP

There were none.

2. MINUTES

RESOLVED –

That the minutes of the meeting held on 4 July 2016 be approved as a correct record.

3. ANIMAL LICENSING POLICY

It was reported that AVDC's Licensing services were responsible for licensing a number of animal related activities. These included kennels and catteries, riding establishments, pet shops, businesses involved in the breeding of dogs, the keeping of "dangerous wild animals" and zoos.

Each type of licence was determined by its own legislative background and there were similarities in the licensing regime for each. The various legislation was listed in the introduction to the draft policy, which was in itself attached to the officer's report as an appendix. Although not fully enacted at this time, the Animal Welfare Act 2006 also consolidated a common approach to all animal related businesses.

Although it was not a legal requirement for the Council to produce such a document, it was considered good practice and helpful for the Council to consolidate its current structures and procedures in relation to animal related licences into one document. This also gave the Council the opportunity to update all the standard conditions consistent with current Codes of Practice and industry standards, and at the same time acknowledge the current and future impact of the Animal Welfare Act 2006.

The draft policy set out the law and principles of licensing, and incorporated the overarching nature of the Animal Welfare Act, 2006. It also set out the requirements for each type of licence, with standard conditions appended to it.

The proposed standard conditions for animal boarding establishments (kennels and Catteries) followed the latest recommendations from the Chartered Institute of Environmental Health. However, it was acknowledged that a number of long standing businesses would not immediately be able to meet the proposed new conditions. They had been inspected by a veterinary surgeon and Council officers in the past and were not considered to be a threat to animal welfare. The draft policy proposed an exemption for existing businesses with a caveat that any alteration should meet the new standards and should the business be sold or change hands, the new licensee be given five years to bring the establishment in line with the new standards.

However, there had been opposition during the consultation to the above suggestion in that it could create two standards and would not achieve the objective of improving

conditions across the Vale. It was acknowledged that there would be some businesses adversely affected by the new conditions, however this would need to be balanced against the need to ensure all licensed premises comply with current industry standards.

It was recommended that a transitional period be introduced for those premises that could not immediately meet all the conditions, particularly in respect to the physical size of accommodation after which time all premises would need to be compliant. It had been proposed that officers undertake an impact assessment and bring a recommendation back to the licensing committee in due course and that Paragraph 3.3.4 of the draft policy be re-drafted to reflect this. However, whilst Members agreed that a transition period would be reasonable, a prolonged timescale would result in an unacceptable two tier system. There was some discussion as to what would be a reasonable timescale and it was agreed that three years should be the maximum time allowed and this be reflected in the resolution below.

The draft policy also proposed that riding establishments had a safeguarding procedure in place. The Riding Establishments Acts did stipulate a suitability requirement but this only related to qualifications and/or experience in relation to horses.

The draft policy had been posted on the Council's website and all existing licensees had been invited to comment. Five responses were received and these had been attached as an appendix to the draft policy. Advice was sought from a veterinary surgeon in relation to two of the comments; one of which was attached in full as an appendix to the report.

Members suggested a number of minor amendments to the policy and sought clarification on a number of points. These related to the following:-

Animal Boarding Establishments Act, 1963 – the original Act had not included dog walkers and groomers who may also offer some degree of day care/boarding.

Dog Breeding Establishments – it was acknowledged that there were problems with dogs being bred outside the UK and then being sold here via the internet or by other means which was difficult to control by licence.

Zoos – there were two establishments in the Vale classed as a Zoo. Both were well run and posed no problems. Both establishments excelled at conservation as confirmed by their most recent inspections by a Sate Vet.

A number of minor changes and queries were also suggested regarding the conditions for the various types of licences and officers would incorporate these into the final policy.

RESOLVED –

1. That the Licensing Committee agreed the Animal Licensing Policy including the changes as set out in the schedule of responses to the policy and those suggested by Members of the Licensing Committee;
2. That all animal boarding premises be allowed a transition period of three years to comply with the new requirements specifically relating to the size of accommodation and that this decision will be deferred until officers had carried out an impact assessment on existing licensed boarding establishments.
3. That the Cabinet Member for Environment and Waste be asked to approve the final Animal Licensing Policy for AVDC.