

# MINUTES OF LICENSING AND SAFETY COMMITTEE

22 JANUARY 2019

## PRESENT:

Councillors Cade (Chairman), Mrs Avis, Mrs Bragg, Brader, Miss Dumbleton, Mrs Garcia, Mrs Nash, Picker, Mrs Roberts and Mrs Roodhouse

## 18. MINUTES

The minutes of the following meetings were approved and signed by the Chairman:

Licensing and Safety Committee 6 November 2018;  
Licensing Sub-Committee (General) 5 November 2018; and  
Licensing Sub-Committee (General) 13 December 2018

## 19. DECLARATIONS OF INTEREST

Councillor Picker declared a general non-pecuniary interest by virtue of a close family member owning and stabling a horse outside the Borough.

## 20. THE ANIMAL WELFARE (LICENSING OF ACTIVITIES INVOLVING ANIMALS) (ENGLAND) REGULATIONS 2018

The Committee considered the report of the Head of Environment and Public Realm (Part 1 - agenda item 4) concerning the licensing of activities involving animals following changes to animal welfare legislation.

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 came into effect on 1 October 2018. The Regulations act as the primary legislation for the licensing of the following animal activities:

- Boarding of animals
- Dog breeding
- Sales of animals as pets
- Hiring of horses/riding establishments
- Keeping or training of animals for exhibition

The Council was not seeking to introduce a policy at this stage as there was no legal requirement for this. The detailed guidance issued by the Department for Environment, Food and Rural Affairs (DEFRA) had been used as the framework for the new regime.

A new risk rating system would be implemented. The duration of the businesses licence would be determined by the level of compliance and extent to which they met, or exceeded, the required standards.

An inspection would be carried out for each premises prior to determination of a new licence or renewal application. All inspections would be carried out by trained officers and would be unannounced.

Inspections of horse riding establishments and dog breeders require a veterinarian. The appointment of a veterinarian was subject to a formal tender process.

There were currently around twenty-five licence applications and most inspections had already been completed. There were three horse riding establishments awaiting inspection by a veterinarian, either our current veterinarian, or once an appointment had been made by the Council.

The onus would be on the individual or business to be aware of the legislation and to apply for a licence.

The legislation was expected to strengthen animal welfare, particularly around puppy farms.

Work would be carried out by officers to monitor social media and gather evidence. Intelligence would be shared with other agencies such as the Police and the RSPCA.

In the case of reports of animal welfare concerns, officers would take necessary action based on the balance of risk and suitable intelligence.

Charities such as the Cats Protection League were not required to be licensed. The regulations were aimed at businesses and individuals operating for financial gain.

Dogs belonging to domestic owners could produce up to three litters per year before meeting the requirement to register. This could apply to one dog having three litters or three dogs having one litter each. However, even single litters could require licensing if as part of a business.

Members raised concerns about possible legal loopholes. The legislation was new and was subject to continuing review by DEFRA. Further regulations were expected.

Licence holders had the right to dispute the rating applied. The Regulatory Services Manager would act as the independent officer to consider any appeals raised against ratings.

Consideration of the refusal of any licence application would be referred to the Committee as officers did not have delegated authority for this.

There are separate regulation fees, but no separate re-inspection fees. All inspection costs had been built into the fees and charges structure to cover the operation of the whole regime. Officers had carried out detailed research to determine the fee structure and ensure the charges were justified and the regime would be carried out on a cost neutral basis.

The arrangements and the fees and charges would be subject to review after a year of operation when more data would be available.

#### **RESOLVED THAT –**

- (1) the new arrangements for the licensing of activities involving animals be noted; and
- (2) the arrangements be reviewed in 12 months' time.

**CHAIRMAN**