



<b>Report to:</b>	Licensing Committee	<b>Date:</b>	3 October 2016
<b>Report title:</b>	Adoption of Model Conditions for Animal Welfare Licences		
<b>Report from:</b>	Mary Morrissey - Strategic Director Environment, Housing and Regeneration		
<b>Ward/Areas affected:</b>	Borough Wide		
<b>Chair of Committee/Lead Member:</b>	Councillor Mary Burstow		
<b>Author(s)/Contact Number(s):</b>	David Kingstone, Licensing & Environmental Compliance Team Leader 020 8770 5162 / 0734 2055 767 Nick Cloke, Licensing Lead Officer 020 8770 5622 / 020 8547 5600 x 4366		
<b>Corporate Plan Priorities:</b>	<ul style="list-style-type: none"> <li>• An Open Council</li> <li>• A Green Council</li> <li>• A Fair Council</li> <li>• A Smart Council</li> </ul>		
<b>Open/Exempt:</b>	Open		
<b>Signed:</b>		<b>Date:</b>	6 September 2016

## 1. Summary

- 1.1 This report seeks adoption of model licence conditions for cat boarding establishments, dog boarding establishments, dog breeding establishments and pet vending licensing (pet shops).
- 1.2 The model conditions will be applied as the new standard conditions attached to all relevant new and renewed licences issued from 1 January 2017.

## 2. Recommendations

The Licensing Committee is recommended to:

- 2.1 Adopt the attached for cat boarding establishments (given in Appendix A) and agree that licence conditions should be drawn from them as appropriate when granting licences;
- 2.2 Adopt the attached for dog boarding establishments (given in Appendix B) and agree that licence conditions should be drawn from them as appropriate when granting licences



- 2.3 Adopt the attached for dog breeding establishments (given in Appendix C) and agree that licence conditions should be drawn from them as appropriate when granting licences
- 2.4 Adopt the attached for pet vending licences (given in Appendix D) and agree that licence conditions should be drawn from them as appropriate when granting licences
- 2.5 That conditions drawn from these documents form the Council's standard conditions attached to licenses as appropriate with effect from 1 January 2017.

### **3. Background**

- 3.1 Local authorities in England, Scotland, and Wales are responsible for issuing licenses to the owners of a range of animal related businesses. The licence regime is designed to promote animal welfare and, where applicable, public safety.
- 3.2 This authority currently has a set of standard conditions which are applied to each licence type. These are complemented by premises specific conditions where deemed necessary for the protection of animal welfare and public safety. The standard conditions derive from model conditions compiled by animal welfare professionals, which are updated from time to time.
- 3.3 Cat Boarding Establishments/Dog Boarding Establishments

Dog and/or cat Animal Boarding Establishments must be licenced under the Animal Boarding Establishments Act 1963. The licence covers kennels, catteries and the home boarding of dogs. Home boarding includes the boarding of a dog within a domestic property for commercial gain, including both overnight stays and day crèches where the dog stays during daytime hours only.

- 3.4 Dog Breeding

Dog Breeding establishments require a licence under the Breeding of Dogs Act 1973 & Breeding and Sale of Dogs (Welfare) Act 1999 where licensees breed and sell more than 2 litters per year or 5 or more litters are born per year

- 3.5 Pet Vending

Local authorities in England, Scotland and Wales issue licenses to the proprietors of pet shops and other pet vendors under the provisions of the Pet Animals Act 1951.

- 3.6 Licence process

- 3.7 Before granting any licence the local authority must be satisfied that animals are:

- Kept in accommodation that is suitable (with regard to size, temperature, lighting, ventilation and cleanliness)
- Supplied with appropriate food and drink
- Adequately protected from disease and fire.



3.8 The local authority may

- Attach conditions to any licence it grants
- Inspect the premises at all reasonable times
- Refuse a licence if the standards at the premises are unsatisfactory or revoke a licence if the terms of the licence are not being complied with.

#### **4. Issues**

4.1 This authority currently issues licences with a set of standard conditions which are applied to each licence type. These are complemented by premises specific conditions as appropriate. The standard conditions derive from model conditions compiled by animal welfare professionals, and which are updated from time to time.

4.2 Model conditions for Cat Boarding and Dog Boarding have recently been revised and updated by a working group comprising industry experts, animal welfare charities and local authority representatives (including from the Chartered Institute of Environmental Health Officers (CIEH); the Local Government Association; the British Veterinary Association; the RSPCA; and others).

4.3 The revised conditions have been published by the CIEH and are recommended for adoption.

4.4 We are taking the opportunity to also seek formal adoption of the model conditions for Pet Vending and Dog Breeding which have been published over the last few years. The conditions recommended by these documents are very similar to those we currently use in our standard conditions for licences, however formal adoption by committee of the model conditions is best practice.

4.5 The Model Condition and Guidance documents are attached as appendixes to this report.

#### **5. Impacts and Implications**

##### Financial

5.1 There are no financial implications arising from this report.

##### Legal

5.2 The legislation allows applicants to appeal against a condition imposed on their licence to the Magistrates' Court.

5.3 It is considered that the risk of appeal against model conditions is limited as they are issued by the CIEH and have been produced by leading animal welfare experts.



## 6. Appendices and Background Documents

A	CIEH Model Licence Conditions and Guidance for Cat Boarding Establishments (Revised June 2016)
B	Model Licence Conditions and Guidance for Dog Boarding Establishments (May 2016)
C	CIEH Model Licence Conditions and Guidance for Dog Breeding Establishments (January 2014)
D	Model Conditions for Pet Vending Licensing (September 2013)

<b>Audit Trail</b>		
Version	Final	Date: 1 September 2016
<b>Consultation with other officers</b>		
Finance	No	N/A
Legal	Yes	Saima Khan
Integrated Impact Assessment required?	No	N/A