

AGENDA ITEM NO. 3

Minutes of a meeting of the Licensing Committee held in Council Chamber, Nutholt Lane, Ely on Wednesday, 20th July 2016 at 9.35am.

P R E S E N T

Councillor Elaine Griffin-Singh (Chairman)
Councillor Christine Ambrose Smith
Councillor Mike Bradley
Councillor Chris Morris
Councillor Mike Rouse
Councillor Carol Sennitt
Councillor Alan Sharp

OFFICERS

Stewart Broome – Senior Licensing Officer
Maggie Camp – Legal Services Manager
Liz Knox – Environmental Services Manager
Adrian Scaites-Stokes –Democratic Services Officer

4. APOLOGIES

Apologies were received from Councillors Sue Austen, Paul Cox and Julia Huffer.

5. DECLARATIONS OF INTEREST

There were no declarations of interest.

6. MINUTES

It was resolved:

That the Minutes of the Licensing Committee meetings held on 11th May 2016 and 26th May 2016 be confirmed as correct records and be signed by the Chairman.

7. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made no announcements

8. DRAFT ANIMAL LICENSING POLICY

The Committee considered a report, R59 previously circulated, which detailed a draft Animal Licensing Policy for consultation.

The Senior Licensing Officer reminded the Committee that the Council currently had responsibility for granting licences relating to animals but did not have a formal policy for that. This was not a statutory requirement but was it important

in setting out the Council's approach and to provide guidance, transparency and consistency. A draft Policy had been drawn up, in compliance with the RSPCA¹'s Gold Standard, to secure the welfare of the animals and to ensure good practice.

The table under paragraph 4.1 of the report showed the numbers of different animal licences. Each type of licence had different conditions. The five overall needs of animals, as shown in paragraph 4.2, meant that the Policy conditions had been based around the LACORS² model but had been adjusted to match the differing business models.

Councillor Christine Ambrose Smith joined the meeting at this point, 9:43am.

The Senior Licensing Officer continued by pointing out that the Council would want all licence holders to obtain insurance, as part of the new conditions. This was one example in helping iron out some of the inconsistencies between the different licences. The different paragraphs, setting out the new proposed conditions for consultation, were listed under 4.4 of the report. Although the Council's current methods were very good, evidenced by a very low level of complaints being received about the animal establishments it licensed, the new Policy would set out a revised framework which would help all parties involved in animal establishment licensing. It was noted that there were now specific conditions for Doggy Day Care and Crèches.

There would be no major impact on any existing licence holders by introducing the new Policy. The financial implications of the Policy would be minor, as some licence holders would have to obtain appropriate insurance. The only cost to the Council would be from officer time handling the consultation and Members' time considering the responses.

Councillor Mike Bradley was pleased with the professional approach taken on this issue. Why had the draft Policy only included for five horse riding establishments within the district when there appeared to be many more? Did the Council not have control over animal welfare? This would be a good public relations opportunity if the 'gold standard' was achieved as it would help the businesses.

The Senior Licensing Officer explained that, although there were many livery yards within the district, only establishments that provided horse riding and teaching had been included. Livery yards and those places just offering stabling did not need a licence. Other organisations dealt with animal welfare. The Council dealt with matters within its remit but would look into places that should have a licence if any relevant activities were found to be occurring.

Councillor Mike Rouse commended the officers on producing a Policy that had clarity, consistency and common sense. The Council should attempt to attain the 'gold standard' provided the Policy was fair, as animal welfare was high on

¹ RSPCA – Royal Society for the Prevention of Cruelty to Animals

² LACORS - Local Authorities Coordinators of Regulatory Services

everyone's agenda. Could there be presentations to businesses that reached the 'gold standard' via the Policy, as this would encourage best practice?

Councillor Alan Sharp queried whether having a licence enabled enforcement of the provisions of the Animal Welfare Act. How would the Council conduct enforcement if people were driven onto the 'black market'?

The Committee was informed that the legislation regarding animal licences was old and there was no statutory obligation to have a Policy, but it was considered best practice. Appendix 1 of the Policy set out the different boarding conditions including all the existing opportunities for Doggy Day Care and Crèches. Creating this new Policy would allow an opportunity to align all relevant policies to get consistency.

It could be difficult to find home boarders of animals and these places were checked out, e.g. via suitable websites. The Licensing Department were conducting more inspections and more compliance activity was taking place in the district, as well as works with other Council departments to publicise the necessary requirements and help solve any situations found. If the conditions within the new Policy were too stringent or too costly then people could be tempted to go 'underground', but there was nothing in the draft Policy that should cause this to happen.

If successful in achieving the applicable standard then the Council would receive the Gold Award, which could be printed on all licences. The Award was not something the trade could aspire to, but when they received their licence it would demonstrate that they were up to that standard.

Councillor Chris Morris asked if a list of the animal licence holders addresses could be provided for Members of the Committee. He questioned whether the officers were happy about the time when the consultation would be run. The Senior Licensing Officer agreed to provide the list electronically and pointed out that the information was readily available on the Council's website. The timing of the consultation was ideal, as most people placed their animals in suitable establishments at that time of year.

It was resolved:

- (i) That the draft version of the Animal Licensing Policy at Appendix 1 be approved;
- (ii) That a public consultation be agreed to take place on the approved Animal Licensing Policy from 21 July 2016 to 21 October 2016.

9. **LICENSING OFFICERS UPDATE**

The Committee considered a report, R60 previously circulated, which updated the Licensing Committee on the work of officers.

Enforcement Evening

The Senior Licensing Officer advised the Committee about a joint licensing enforcement operation undertaken in conjunction with Cambridgeshire Police. This followed a meeting with the taxi trade, where it wanted more enforcement due to suspected non-licensed activities. The event was a resounding success with some action taken, as shown under paragraph 3 to the report. There were no major problems and no non-licensed activities were found. The Police were keen to hold more of these events and news of the presence of them and Council officers would spread throughout the trade.

Policing Crime Bill

This was currently going through Parliament and, if enacted, would have implications for the Council. The Licensing department would continue to monitor its progress and report back to Members if required.

Immigration Act 2016

Although this would have an impact, the specific sections affecting licensing had not yet come into force, so it was 'business as usual' for the time being. Once those sections were implemented then the Licensing department would have to adapt to their requirements. This would not affect too many people in this district, as most were either United Kingdom or European citizens.

Councillor Elaine Griffin-Singh asked whether the Council had information on people's status. The Senior Licensing Officer confirmed that this was known, as passports or residency cards for licence holders were checked.

Betting Licences Bill

This Bill hoped to restrict the use of high stake betting machines. This would be monitored but it should not impact on this district, as it currently had no such machines available.

General Matters

The number of applications, inspections and suspensions were shown in the table under paragraph 3.5 of the report. The numbers were not that bad and some related to licence holders forgetting to pay the fees needed. The number of vehicle tests that had failed had gone down slightly.

Councillor Elaine Griffin-Singh queried whether the Licensing department were notified if a vehicle failed its test. The Committee was informed that the Council was informed when there was a failure, so suspensions were instigated quickly, meaning the driver could not use that vehicle.

Councillor Mike Bradley thought the enforcement evenings were a good method for keeping an eye on non-licensed activities. However, were drivers who used the new Uber taxi booking system non-licensed or from a taxi service? The Senior Licensing Officer had not been approached by Uber but explained that anyone operating using that system would need a driver licence, vehicle licence, and an operator's licence unless they were a hackney carriage proprietor. During the enforcement event no unauthorised people were found to be operating. More of these events would take place so the Council could

become aware of any issues and could attempt to resolve them in an effort to raise standards.

10. **FORWARD AGENDA PLAN**

The Senior Licensing Officer stated that there would be no reports required for the September meeting, so the Committee consented to cancelling that meeting. Future agenda items would include a review of fees (October 2016) and the responses to the public consultation about the draft Animal Licensing Policy (November 2016).

Councillor Mike Bradley asked if a report about Temporary Events Notices could be added to the agenda plan and would discuss this further with the Senior Licensing Officer. The Senior Licensing Officer suggested that a training session for Members about Temporary Event Notices would be beneficial and requested that he be informed whether Members wanted that or a report brought to the Committee.

Councillor Elaine Griffin-Singh thought it was up to Members to see how the Council's policies worked and feed back to officers. The Licensing department could try to get the new public relations team to compile an editorial piece for publication to help address problems related to those events.

The Environmental Services Manager reminded the Committee that when an issue had come up recently, the Council had responded to address that matter. The department could engage with the public relations people to become more pro-active.

The forward agenda plan was noted.

The meeting closed at 10:34am.