

### **AGENDA ITEM NO. 3**

Minutes of a meeting of the Licensing Committee held in Council Chamber, Nutholt Lane, Ely on Monday, 14th November 2016 at 9.35am.

#### **P R E S E N T**

Councillor Elaine Griffin-Singh (Chairman)  
Councillor Sue Austen  
Councillor Mike Bradley  
Councillor Neil Hitchin  
Councillor Julia Huffer  
Councillor Chris Morris  
Councillor Alan Sharp

#### **OFFICERS**

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

#### **18. APOLOGIES**

Apologies were received from Councillor Carol Sennitt.

#### **19. DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **20. MINUTES**

It was resolved:

That the Minutes of the Licensing Committee meeting held on 12<sup>th</sup> October 2016 be confirmed as a correct record and be signed by the Chairman.

#### **21. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman was disappointed with the meetings starting late and the lack of apologies received from absent Members.

#### **22. DRAFT ANIMAL LICENSING POLICY**

The Committee considered a report, R109 previously circulated, which set out the revised Animal Licensing Policy for approval.

The Senior Licensing Officer reminded the Committee that it had resolved to publish the draft policy for consultation, at its meeting on 20<sup>th</sup> July 2016. The consultation had proceeded and had resulted in a disappointing response. Informal feedback had been gleaned by officers when conducting inspections

and these comments had been considered when revising the Policy, but only one official response had been received, even though interested bodies had been contacted. The first two points from the official response had been dealt with by officers, whilst the third point had been a misunderstanding on the part of the responder. As a result, the Policy had required revising to clarify certain parts and the changes had been highlighted as tracked changes in the revision document.

Councillor Mike Bradley noted that section 2.2.1 seemed to indicate that there was no Policy between the 2006 Act and the present. The Senior Licensing Officer acknowledged there had been no Policy but the Licensing Department had complied with relevant legislation through the use of conditions. The draft Policy aimed to tie this all together.

Councillor Bradley queried section 6.1, where it stated officers could be contacted for free for advice. The Committee was advised that currently this was a free service and the Licensing department was looking at providing a pre-application advice service and this would involve consideration of officers' roles. It was possible that this could generate revenue in the future. The Department wanted people to contact them first, before submitting any application, so that potential problems could be ironed out beforehand.

Councillor Bradley then noted that, under section 8, there appeared to be some flexibility with applications that did not strictly adhere to the Policy. The Senior Licensing Officer stated that this would not fetter discretion when considering applications on a case-by-case basis. In reality, departures from the Policy could be expected rarely.

The Officer continued, Appendix 1 set out the conditions required of animal boarding establishments. When considering animal boarding establishments, section 4.1.3 had been amended to clarify the size requirements for holding kennels. These were used to temporarily secure animals whilst administrative tasks were completed. 5.2.2 now included the maximum temperature allowed in kennels.

Councillor Chris Morris pointed out that the figures were inaccurate, as one figure should read 79°F (not 82°F). The Senior Licensing Officer would check the other figures within the document to ensure accuracy. Section 5.8.1 had a change in wording to reflect the legal change with regards to micro-chipping of dogs.

Councillor Mike Bradley questioned the requirements for licence holders to provide back-up copies of records, as the back-ups needed to be accessible for officers. The Committee was informed that officers expected to be able to see the information from back-up copies. It was therefore agreed to include the words "universally accessible" as part of that condition.

Section 5.10.2 had been revised to firm up the conditions and this would not be onerous for the businesses.

Under Home Boarding of Cats, section 5.3.3 had changed to reflect best practice, so people were discouraged from taking their own bedding etc. Section 6.9.2 for Dog Day Crèches removed the need for exercise areas to be indoors. Section 6.9.7 excluded the requirement for cushioned areas, as the interpretation of this was causing confusion. Section 6.9.8 now included metric measurements. Section 5.6 had not been amended, even though there had been concerns fed back over the kennel space specified. Similar other local authority conditions had been checked, which varied. The reason it had been set was to promote safety for dogs and staff, therefore it was not deemed appropriate to remove it. However, a suggestion was made to re-word the section (as set out in paragraph 3.9 of the report). Overall, the policy had been well received and when implemented would not have a major impact on the licence holders.

Councillor Julia Huffer thought the suggested re-wording for section 5.6 was sound, as it was a more sensible approach. It was queried whether this applied just to Doggy Day Care or whether home boarding was different. The Senior Licensing Officer confirmed that different schemes required different conditions but the suggested re-wording would strike a fair balance. Boarding dogs overnight would come under animal boarding but, with so many possible variables, applications had to be judged on a case-by-case basis.

Councillor Mike Bradley was happy with all the proposed amendments but queried whether establishments had to have air conditioning to prevent the maximum allowed temperature being exceeded. It was explained that the guidance was to help control temperatures by whatever means the establishments chose. The accommodations had to be fit for purpose.

Councillor Elaine Griffin-Singh was very pleased with the approach officers had taken, as they had listened to the people involved.

It was resolved:

That the draft version of the Animal Licensing Policy, to include the suggested amendments shown as tracked changes in Appendix 1 in their entirety, and the amended Doggy Day Care condition 5.6, which can be found in paragraph 3.9 of the report, be approved to come into effect immediately.

## 23. **DRIVER STANDARDS AGENCY TESTS**

The Committee considered a report, R110 previously circulated, which sought approval of amendments to the taxi licensing guide regarding driver application requirements.

The Senior Licensing Officer reminded the Committee that it had been aware of the removal of the Driver Standards Agency (DSA) tests. The Blue Lamp Trust had been approached to provide equivalent replacement tests, which were slightly better than the previous. One applicant from the area had taken their test and the system appeared to work well. So all reference to the DSA had to

be removed from the guidance and should be replaced with the Blue Lamp Trust. Although the new tests were slightly more expensive they were more flexible in when and where they were held. Moving forward, the Council were considering the implications of introducing their own tests. Until this was investigated, the Blue Lamp Trust tests were the best option for maintaining standards. These tests would not affect existing drivers, only new driver applicants.

Councillor Mike Bradley was happy with the suggested approach and thought that a public relations message should be promoted explaining that this situation had been imposed upon the Council.

It was resolved:

That all references to the Driver Standards Agency (DSA) test in the taxi guide “blue book” be replaced with Blue Lamp Trust with immediate effect.

#### 24. **LICENSING OFFICERS UPDATE**

The Committee considered a report, R111 previously circulated, which updated the Licensing Committee on the work of officers.

The Senior Licensing Officer advised the Committee that the report showed the current level of work being done. Generally, during the last 12 months the situation over the number of issues with enforcement notices and compliance problems had very much improved. The taxi trade were happy overall with the current situation. Other joint working had been undertaken with various partners and had looked at illegal dog breeding and environmental protection, amongst other things. The hotel ‘Water Nymph’ was a barge on the river and courted some controversy. The Licensing team along with the Planning department were working on that.

The officer’s update report was noted.

#### 35. **FORWARD AGENDA PLAN**

Councillor Mike Bradley wondered whether the Committee would receive a report relating to the future of the Licensing service. The Environmental Services Manager reminded the Committee that the service plan was presented to Regulatory & Support Services Committee, though a report could be presented to this Committee to share the thoughts about the future of the service.

The Senior Licensing Officer said that a report on the taxi fees notice may come back to the Committee if any objections were received, but he added that early indications following talks with the trade suggested this would not be the case.

The forward agenda plan was noted.

The meeting closed at 10:28am.