
TITLE: DRAFT ANIMAL LICENSING POLICY

COMMITTEE: LICENSING COMMITTEE

DATE: 20 JULY 2016

AUTHOR: SENIOR LICENSING OFFICER

[R59]

1.0 ISSUE

1.1 To approve a draft Animal Licensing Policy for consultation.

2.0 RECOMMENDATION(S)

2.1 That Members approve the draft version of the Animal Licensing Policy at **Appendix 1**.

2.2 That Members agree to a public consultation taking place on the approved Animal Licensing Policy from 21 July 2016 to 21 October 2016.

3.0 BACKGROUND

3.1 East Cambridgeshire District Council is responsible for granting a number of licences which involve animals under the following legislation:

The Pet Animals Act 1951

The Animal Boarding Establishments Act 1963

The Breeding of Dogs Act 1973/1991 (as amended by the Breeding and Sale of Dogs (Welfare) Act 1999)

The Dangerous Wild Animals Act 1976

The Riding Establishments Act 1964/1970

The Zoo Licensing Act 1981

Animal Welfare Act 2006

3.2 The Licensing team have dealt with applications and granted licences under the above legislation for a number of years, but in all that time the Council has never had a formal policy in place.

3.3 There is no statutory requirement to have an animal licensing policy, but it is considered best practice that this important and varied area of licensing has a policy which sets out a Council's approach. The aims of the policy are to provide guidance to all parties and to help ensure transparency and consistency is achieved.

3.4 The policy has therefore been drafted to clarify what is required of applicants, what provisions need to be in place to secure the welfare of all animals, what

conditions will ordinarily be attached to each licence, and it also includes information on the consequences of not adhering to the required conditions.

- 3.5 The policy has also been drafted to fulfil the RSPCA’s Community Animal Welfare Footprint scheme’s gold standard criteria. Compliance with this scheme is voluntary, but compliance ensures good practice, and will enable the Licensing Authority to apply for a gold award, which if the application is successful will permit the Council to place the gold award crest on our website and relevant documentation.

4.0 SUMMARY

- 4.1 East Cambridgeshire District Council currently has the following issued animal licences:

| Type | Number |
|------------------------|---------------------|
| Animal Boarding | Kennels 16 |
| | Home Boarding 8 |
| Dog Breeding | Domestic Breeding 3 |
| | Non-domestic 7 |
| Dangerous Wild Animals | 0 |
| Pet Shops | 5 |
| Riding Establishments | 5 |
| Zoos | 1 |

- 4.2 Each licence type has specific conditions, and the overriding purpose of these conditions is to protect animal welfare. In 2006 the Animal Welfare Act was created, and amongst other things it contained the “five needs” of animal welfare that all animal licensed establishments have to uphold. These five needs are:

- a) the need for a suitable environment;
- b) the need for a suitable diet;
- c) the need to be able to exhibit normal behaviour patterns;
- d) any need to be housed with, or apart from, other animals; and
- e) the need to be protected from pain, suffering, injury and disease.

- 4.3 The proposed policy has been constructed to include conditions designed to uphold the five needs detailed in paragraph 4.2. They are largely based on the conditions currently used by officers, which in turn were based on model licence conditions created by the Chartered Institute of Environmental Health (CIEH), and the Local Authorities Co-Ordinators of Regulatory Services (LACORS). However, minor changes have been made to ensure they are fit for purpose, and cover new business models that were not around in the past, i.e. “Doggie Day Care”. These changes are detailed in paragraph 4.4 overleaf.

4.4

| Licence type | Paragraph | Existing condition | Proposed condition |
|---|--|-------------------------------|---|
| Dog Boarding Cat Boarding Pet Shop | Pg10, para 1.3 Pg17, para 1.3 Pg51, para 1.3 | N/A | A requirement to hold appropriate insurance for the type of business i.e. public liability insurance. |
| Dog Boarding Cat Boarding Dog Breeding Riding Establishment | Pg16, para 5.10.1 Pg22, para 5.10.1 Pg47, para 5.9.1 Pg66, para 5.4 | N/A | A requirement for the supervisor not to hold any animal welfare convictions. |
| Home Boarding | N/A | N/A | Exemption from veterinary inspection on initial application for home boarding of up to 3 animals from the same household removed. |
| Home Boarding – Dogs | Pg29, para 5.10.5 | Fire detection equipment etc. | Addition of carbon monoxide alarm requirement to the existing fire alarm requirement. |
| Home Boarding – Cats | N/A | N/A | New specific conditions for home boarding of cats |
| Doggy Day Care | N/A | N/A | New specific conditions for Doggy Day Care/Crèches. |
| Pet Shops | Pg56, para 20.1 | (iv) Primates e.g. marmosets | Category removed, as recommend by the RSPCA, and DEFRA. |
| Pet Shops | Pg51, para 3.9 | N/A | New condition requiring information on animal to be present on accommodation. |
| Pet Shops | Pg58, para 25 | N/A | Specific conditions for puppies taken from CIEH model conditions |
| Pet Shops | Pg59, para 26 | N/A | Specific conditions for cats taken from CIEH model conditions |
| Pet Shops | Pg60, para 27 | N/A | Specific conditions for rabbits taken from CIEH model conditions |

| Licence type | Paragraph | Existing condition | Proposed condition |
|---------------------|----------------------------|---------------------------|--|
| Pet Shops | Pg60, para 28 | N/A | Specific conditions for small mammals taken from CIEH model conditions |
| Pet Shops | Pg61, para 29 | N/A | Specific conditions for ferrets taken from CIEH model conditions |
| Pet Shops | Pg61, para 30 | N/A | Specific conditions for birds taken from CIEH model conditions |
| Pet Shops | Pg62, para 31 | N/A | Specific conditions for reptiles and amphibians taken from CIEH model conditions |
| Dog Breeding | Pg45, para 5.1.1 – 5.1.4 | N/A | New training conditions for staff |
| Dog Breeding | Pg48, para 5.13.1 - 5.13.2 | N/A | New weaning conditions |
| Dog Breeding | Pg48, para 5.16.1 – 5.16.3 | N/A | New dog socialisation conditions |
| Dog Breeding | Pg49, para 6.1 – 6.6 | N/A | New dog whelping conditions |
| Dog Breeding | Pg49, para 7.1 – 7.2 | N/A | New “new owners” conditions |

5.0 CONCLUSION

- 5.1 The Council’s current method of licensing animal establishments has provided a very good standard of animal welfare, but the implementation of an animal licensing policy will provide a clear framework for all involved in this important area of licensing as we move into the future.
- 5.2 The inclusion of specific conditions for Doggy Day Care will enable officers to tailor conditions to ensure the five needs are upheld in this emerging market.
- 5.3 The new policy will also remove some existing inconsistencies in animal licensing, such as requiring all establishments have suitable insurance, which is not currently the case.
- 5.4 The suggested amendments in paragraph 4.4 above will help to improve animal welfare further.

6.0 IMPLICATIONS

- 6.1 The implementation of the policy will not have a major implication on those who already hold a licence with the Council, as the proposed changes to conditions are minor.
- 6.2 The proposal to ban the selling of non-human primates, as recommended by the RSPCA and a requirement of their gold standard award will not have an impact in the district, as none of the licensed Pet Shops in the district currently sell this type of animal.

7.0 FINANCIAL IMPLICATIONS

- 7.1 The proposed policy and changes to conditions will only have a minor financial impact on those licence holders who do not currently obtain insurance to cover the activity they conduct, as no other condition amendment requires a financial outlay to be made.
- 7.2 Officer time will be required to deal with the consultation exercise, and Member time will be required to consider any comments received. These costs will come out of the Licensing Department budget.
- 7.3 An Equality Impact Assessment (EIA) has been completed showing there is no adverse impact on the community if Members follow the Officer recommendations.

8.0 APPENDICES

- 8.1 Appendix 1 Draft Animal Licensing Policy
- 8.2 Appendix 2 Equality Impact Assessment (EIA)

| <u>Background Documents</u> | <u>Location</u> | <u>Contact Officer</u> |
|---|--------------------|--|
| The Pet Animals Act 1951 | Room SF208 | Stewart Broome |
| The Animal Boarding Establishments Act 1963 | The Grange, Ely | Senior Licensing Officer (01353) 616477 |
| The Breeding of Dogs Act 1973/1991 (as amended by the Breeding and Sale of Dogs (Welfare) Act 1999) | | |
| The Dangerous Wild Animals Act 1976 | | |
| The Riding Establishments Act 1964/1970 | | |
| The Zoo Licensing Act 1981 | | |
| Animal Welfare Act 2006 | | |