

<b>Meeting:</b>	<b>Licensing &amp; Enforcement Committee</b>	<b>Date:</b>	<b>9<sup>th</sup> September 2014</b>
<b>Subject:</b>	<b>Draft Animal Welfare Licensing Policy</b>		
<b>Report Of:</b>	<b>Gill Ragon – Head of Public Protection</b>		
<b>Wards Affected:</b>	<b>All</b>		
<b>Contact Officer:</b>	<b>Richard Barnett – Licensing And Enforcement officer</b>		
	<b>Email: Richard.Barnett@Gloucester.gov.uk</b>	<b>Tel: 396311</b>	
<b>Appendices:</b>	<b>1. Draft Animal Welfare Licensing Policy</b>		

## FOR GENERAL RELEASE

### 1.0 Purpose of Report

- 1.1 Present to members a draft Animal Welfare Licensing Policy for Gloucester City Council which will be applied by authorised Licensing and Enforcement Officers, when determining applications for licences associated with animals such as Pet Shops, Animal Boarding Establishments, Dangerous Wild Animals etc.

### 2.0 Recommendations

- 2.1 Licensing and Enforcement Committee are asked to RESOLVE that:

(1) An Animal Welfare Licensing Policy based on the Draft Animal Welfare Licensing Policy be approved by members for adoption to take effect from 1<sup>st</sup> October 2014.

### 3.0 Background

- 3.1 Gloucester City Council is responsible for the control and regulation of certain animals and animal establishments through a statutory licensing regime including:-

The Pet Animals Act 1951

Animal Boarding Establishments Act 1963

The Breeding of Dogs Act 1973 / 1991 (as Amended by the Breeding and Sale of Dogs (welfare) Act 1999).

Dangerous Wild Animals Act 1976

Riding Establishments Act 1964/1970.

Zoo Licensing Act 1981

- 3.2 Whilst the Licensing team have dealt with applications and granted licences under the above legislation for many years, the Council has never had a formal Animal

Welfare Licensing Policy in place. There is no statutory requirement to implement an Animal Welfare Licensing Policy but it is seen as good practice to have one.

- 3.3 The Draft Animal Welfare Licensing Policy which is attached as appendix 1 clarifies what is required of applicants, what provisions need to be in place to secure the welfare of all animals and what conditions will ordinarily be attached to each licence.
- 3.4 This Draft Policy is based on guidance from the Chartered Institute of Environmental Health for Dog Boarding Establishments 1995, Cat Boarding Establishments 2013, Pet Vending Licensing 2013 and the Secretary of States Standards of Modern Zoo practice. The conditions on each licence will be tailored to the type of licence being issued and the type of animal included.
- 3.5 Gloucester City Council currently have ten pet shops licensed in accordance with the Pet Animals Act 1951, three Animal Boarding Establishments licensed in accordance with the Animal Boarding Establishments Act 1963 and one Zoo licensed in accordance with the Zoo Licensing Act 1981.
- 3.6 At the time of this report, there are no licenced dog breeders, dangerous wild animals or riding establishments in the city.
- 3.7 The period in which any licence operates will depend on which legislation it falls under. This is detailed in the attached draft Animal Welfare Licensing Policy.

#### **4.0 Alternative Options Considered**

- 4.1 An alternative option would be not to have an Animal Welfare Licensing Policy and to continue using current Legislation when determining applications. However, this could result in inconsistencies and it would be harder to defend any challenges to our approach.

#### **5.0 Reasons for Recommendations**

- 5.1 The provision of the Animal Welfare Licensing Policy and guidance provides applicants and other agencies with a benchmark of the Licensing Authority's expectations. It will also help them to understand their statutory requirements and to complete accurate applications thereby reducing unnecessary work and delay. It will also reduce inconsistencies.
- 5.2 The Animal Welfare Licensing Policy should help develop positive relations with licence holders by encouraging consistent standards and proportionate regulation.

#### **6.0 Future Work and Conclusions**

- 6.1 It is intended to review this policy every five years making the next review scheduled for 2019, however, it may be amended prior to this, depending on changes to legislative framework, national guidance or changes to internal procedures/processes.

6.2 Members are asked to consider and approve the Draft Animal Welfare Licensing Policy, subject to any amendments considered appropriate.

## **7.0 Financial Implications**

7.1 There are no direct financial implications associated with this report.

(Financial Services have been consulted in the preparation this report.)

## **8.0 Legal Implications**

8.1 Various legislation exists that gives the Council the power to regulate animal licensing as set out in the report.

8.2 Each piece of legislation specified covers its own application process, including veterinary inspections where necessary, rights of appeal and offence. This Policy does not seek to depart from these provisions in any way.

8.3 This policy should be read in conjunction with, and without prejudice to, other existing National and European Union legislation, such as the Human Rights Act 1998 and the Equality Act 2010.

(Legal Services have been consulted in the preparation this report.)

## **9.0 Risk & Opportunity Management Implications**

9.1 The provision of an Animal Welfare Licensing Policy and guidance allows an opportunity to provide applicants and other agencies with a benchmark of the Licensing Authority's expectations.

9.2 The Animal Welfare Licensing Policy will provide an opportunity to assist applicants in understanding statutory requirements and in submitting complete and accurate applications thereby alleviating unnecessary work and delay.

## **10.0 People Impact Assessment (PIA):**

10.1 The Screening Stage considered risks to licence holders in the areas of gender, disability, age, ethnicity, religion, sexual orientation or community cohesion.

10.2 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

## **11.0 Other Corporate Implications**

### Community Safety

11.1 The overall aim of the animal licensing regimes are to promote animal welfare and public safety.

Sustainability

11.2 None at this stage

Staffing & Trade Union

11.3 None at this stage

**Background Documents:** CIEH model licence conditions and guidance for Dog Boarding Establishments 1995.

CIEH model licence conditions and guidance for Cat Boarding Establishments 2013.

Model conditions for Pet Vending Licensing 2013.

Secretary of States Standards of Modern Zoo Practice.