

# Animal Licensing Forum

Wednesday 22<sup>nd</sup> August 2018  
First Floor Room 2

<b>Present:</b>	Steve Cobb (SC)	Licensing Manager (Chair)
	Jeannette Thompson	Service Director - Legal & Community
	Hannah Sweetman (HS)	Senior Licensing Officer
	Molly Shiells	Licensing Officer
	Richard Johns (RJ)	EHO Central Beds Council (part)
	Georgina Clements (GC)	Waterdell Cattery
	Barry Huffer (BH)	CozyCats Cattery
	Jeremy Burrowes (JB)	Country Boarding for Cats and Dogs
	Renate Burrowes (RB)	Country Boarding for Cats and Dogs
	Margaret Nyrvana-Jones	Lodge Kennels
	Cllr Bernard Lovewell	Executive Member for Housing and Environmental Health
	Caroline Speck	NHDC (minute taker)
<b>Apologies:</b>	Vivienne Huffer (VH)	CozyCats Cattery
	John Allard (JA)	Greenfields Cattery

## 1. Introductions and housekeeping

SC advised of basic housekeeping and all present introduced themselves. SC explained to the group that since the last meeting there has been a restructure and the Housing & Public Protection service no longer exists and we now have a new director of service – Jeannette Thompson. Andy Godman has left the Authority.

## 2. Apologies for absence

As John Allard is unavailable today he has asked for the meeting to be recorded. All agreed this was acceptable as long as it was not made public. Therefore it will not be put on the web site and only shared with the group.

## 3. Minutes of previous meeting

Minutes agreed as accurate. No actions to comment on.

## 4. Overview of changes from Licensing manager

SC advised that HS has sent a link to everyone re The Animal Welfare Act licensing requirements which comes in to force on the 1<sup>st</sup> October 2018. Any existing licenses will be subject to the new rules upon renewal. SC ran through the new procedural guidance.

SC said the Performing Animals Act will cease and responsibility will pass from County to District whereby the Local Authority will have to licence any animals kept for public display e.g. petting zoos at community events. Some debate arose in regard to who would be captured within this new regime. A licence would only be required where the person was operating a business therefore a licence is not required if the event is free or turnover for the financial year is under £1000 (Govt definition of a business). The new arrangements for performing animal licensing will not take effect until 1 April 2019.

All inspections going forward from October 2021 will have to be inspected by a suitable inspector with an OFQUAL Level 3 qualification – equivalent to A Level. Until then, a

licensing officer from the Local Authority with suitable experience can continue to undertake inspections.

The Local Authority will have to give licence holder a 3 month written reminder to renew their licence –applications for renewal must be received at least 10 weeks before expiry of the existing licence. An inspection must be undertaken before a licence can be renewed.

Due to new powers that the Local Authority have they will have an opportunity to suspend or revoke a licence if need be. Appeals will not go to magistrates' court but will be heard at a First Tier Tribunal. All will have a period of 28 days to lodge an appeal - some questions were asked about this including – would a lawyer be required? Can someone still operate until an appeal is heard? JT said that most likely people will be able to represent themselves but nothing is definite yet and we should know more soon.

SC said powers of entry in existing legislation say we have right of entry anytime except for residential premises where we need to give 24 hours notice. If we need to have access to an office or records we can obtain a warrant from the magistrates.

All existing licences will run to 31 December – renewals will be under the new Animal Welfare Act and not existing legislation. We will provide blank forms and these can be completed online if required.

Risk assessments – the previous idea Paws on the Doors (similar to Scores on the Doors) will no longer be required as the new service has a mandatory star service. SC gave a quick overview – all premises must reach the minimum standard to get a licence. The government have issued a tick box with pre-designed standards to determine either low risk or high risk business.

A minimum standard business with a low risk will be issued with 3 stars and a 2 year licence and will get a minimum of 1 unannounced compliance visit per year.

A minimum standard business with a high risk will be issued with 2 stars and a 1 year licence and will get a minimum of 1 unannounced compliance visit per year. If there are any minor failings they will get a 1 star and 1 year licence and a minimum of 1 unannounced compliance visit per year.

Compliance visits are in addition to the usual pre-booked renewal inspection.

For those wishing to achieve above the minimum standards they will have to achieve all of the requirements coloured blue in the guidance and at least 50% of those coloured red. A high risk business will receive 4 stars, a 2 year licence and 1 compliance visit in that 2 year period. Low risk premises will receive 5 stars, a 3 year licence and 1 compliance visit in that 3 year period.

As this is a national scheme we will be required to put a list of businesses and their star rating on the web site.

Some discussion arose from BH about planning legislation in regard to building new catteries on green belt land – BH would like Licensing to bring this to Planning's attention. JT explained about new planning legislation coming in.

## **5. Item from Georgie Clements**

*GC wanted to know if it will be possible to arrange pre legislation inspections to enable us to know if we have any requirements in our individual catteries that are required to renew our licence?*

GC said if we have to apply 10 weeks before she would need to know if cost effective to carry on. Need to know if any major changes will need to be done in regard to structural.

SC said reading the guidance pen size seems to be more flexible. BH said that they are not as prescriptive. Cllr Lovewell said that the Council do not want to unnecessarily put any business at risk.

SC said one licence can cover a multitude of activities or multiple licences can be issued. GC asked a question about pen sizes on page 22 of cattery guidance. SC reiterated that it is not their intention to put businesses at risk and will support businesses where possible provided that welfare standards can be maintained. GC asked if we can suspend parts of the licence until works are completed – we will be as flexible as possible. Inspections will be based on the new rules.

Some asked if they could have their fees back if they decide not to renew. Fees are split into application and licence fees whereby the licence fee would be refundable if a licence wasn't subsequently granted. HS will get applications out as soon as possible and will get the process underway.

MN – asked if in the case of an emergency situation new rules state that we have to have something written in place – a joint protocol was suggested but some thought it was a good idea and others didn't. However SC said the new rules stated that a process must be in place in case of an emergency so a generic policy stating a staged approach beginning with other local premises then moving further afield would seem sensible.

RJ arrived from Central Beds at 11.35am. Cllr Lovewell and JT both left at 11.40am.

A short break was undertaken and the meeting recommenced at 11.50am.

SC said he spoke to RJ in the break and he has agreed that CBC will inspect in early September to assess the work needed to achieve compliance combined with the annual renewal inspection.

## **6. Open to forum members to raise concerns/questions**

Implementation – GC asked if RJ is visiting in September would he also be visiting in November. And would this incur a charge? SC advised that the combined visit was covered by the application fee however any follow-up visits or re-scoring visits would be chargeable.

Renewal visits in September will be pre-arranged but compliance visits will be unannounced. All wanted to be at the premises when unannounced visits take place but couldn't guarantee it. SC said it is the responsibility of the owner to ensure that suitable arrangements are in place to ensure that any person supervising or working at the premises had sufficient knowledge to provide the inspecting officer with relevant information e.g. each animal's specific dietary/medical/husbandry requirements. A premises can be inspected at any time and the business model needs to provide for the absence of the licence holder and that the animals' welfare is paramount at all times whilst at a licensed premises.

Some queries were raised.

MN asked if we could have any template policies from NHDC to meet the new requirements. SC said it was the responsibility of each licence holder to write a policy specific to their business model.

BH asked if pens have to have the size written on them. IT would be sensible to mark each pen with the number of animals it was designed to house.

Transfer of business on death is explained in the policy but nothing about transfer of business on sale. SC explained that the licence would cease at the point of sale and the new owner would have to apply for a new licence (licences were only transferable upon the death of the licence holder).

## **7. Any other business**

RB wanted to let everyone know that they had been given a noise abatement order re barking/howling dogs from an Environmental Health Officer. RB said they employed a surveyor who came in and measured noise levels – they followed the recommendations given and put in an acoustic fence – this resulted in the abatement order being revoked since the EHO from the Council re-visited. However the complainant has again complained. RJ advised that RB speak to the EHO and advise them and to check that there is nothing else they can do. If the EHO says nothing has changed it should be fine.

SC said if anyone has any similar problems to speak to RB for further advice.

SC said new planning legislation coming in has changed and if developers put residential properties next to existing businesses they have to put measure in place to ensure no noise nuisance is likely. (the Agent of Change principle)

HS mentioned that she now covers Hitchin/Royston areas and MS covers Baldock/Letchworth areas.

RJ said that he and BS will also swap inspection visits around from time to time.

## **8. Dates of Future Meetings**

All agreed that the Forum should meet once a year in March. The next date will be confirmed ASAP.