

## Animal Licensing Forum

Wednesday 25<sup>th</sup> September 2019

### First Floor – Council Chamber

<b>Present:</b>	Steve Cobb (SC)	Licensing Manager (Chair)
	Hannah Sweetman (HS)	Senior Licensing Officer
	Molly Shiells	Licensing Officer
	Charlie Skeels	Community Safety & Licensing Apprentice
	Ben Salvatierra (BS)	EHO Central Beds Council
	Vivian Huffer (VH)	CozyCats Cattery
	Barry Huffer (BH)	CozyCats Cattery
	Roger Ely (RE)	Firs Boarding Kennels & Cattery
	Sally Marchant (SM)	Dalys Dogs
	Jo Roberts (JR)	Stagenhoe Cat Hotel
	Jeremy Burrows (JB)	Country Boarding for Cats & Dogs
	Renate Burrows (RB)	Country Boarding for Cats & Dogs
	Margaret Nyrvana-Jones (MN)	The Lodge Kennels
	Lucy Barrow (LB)	Longcroft Luxury Cat Hotel
	Georgia Gray	NHDC (minute taker)

#### 1. Introductions and housekeeping

SC advised of basic housekeeping and all present introduced themselves. SC explained that Cllr Gary Grindal is now the Executive Member for Housing and Environmental Health replacing Bernard Lovewell. SC also advised that the meeting will be recorded to assist with minute taking.

#### 2. Apologies for absence

Richard Johns (RJ)	EHO Central Beds Council
Jeanette Thompson	Service Director - Legal & Community
Cllr Gary Grindal	Executive Member for Housing and Environmental Health

#### 3. Minutes of previous meeting

Minutes agreed as accurate. No actions to comment on.

#### 4. Fees 2019/2020

SC explained fees have changed for financial year 2019/2020 and gave some background on how the decision was reached. Licence fee case law prohibits local authorities from making a profit from licence fees. A costing exercise was carried out to assess how long it takes

licencing officers to process applications taking into account extra requirements needed this year as well as the amount of time Central Beds have spent on North Herts work over the course of 12 months. The costings went to the Service Director and Executive Member for a final decision. There was a previous resolution from the licencing committee which said that the council will not ordinarily subsidise fees and the business should pay what it costs the council to provide the service.

BH could not see any justification for the increase in fees this year. SC advised that the fees reflect the cost and that NHDC would be acting unlawfully if we knowingly overcharged for fees. Additionally, EU legislation has come into place where the fee must be split into application fee and licence fee because at the point of application the licence as well as the length of licence is not guaranteed.

RE questioned if the fees are accurate for future years as during the past year a lot more administration work and visits have had to take place due to the change in regulation and going forward when nominal visits are being made it is not going to reflect this years fee changes accurately. SC explained that times have been calculated based on information provided by BS and RJ for different premises and have been averaged across each application type (making a deduction for the addition work undertaken this year). If next year all premises become 5 star with a 3 year licence the amount of work would decrease and the fees would have to reflect this and if surplus was shown at the end of the 3 years the fees would have to be changed accordingly.

BH wanted to feedback concerns over the idea of any potential overcharging revealed in one year should be refunded in future years as if a business has stopped trading it will not receive their refund. SC advised that this is an ongoing exercise as this is a new licensing regime to ensure fees continue to accurately reflect the council's costs.

BH expresses how noticeable how high North Herts fees are compared to bordering local authorities including Central Beds. SC explains how there are many factors which could reflect this.

JB queried whether the 3 services they offer can be all put into one licence and what does the application fee actually cover. SC advised this can continue and advised how the star rating is determined if they do have a facility with more than one function.

The application fee covers from the point of the initial phone call query, any forms and arrangements needed and the preparation of the licence.

SM queried if the licence fee depends on business size and gave some personal background of business. BS advised it could be something he can raise to DEFRA. SC advised can't make any promises but will look to see if they can incorporate a sliding scale on the fees for the exhibition of animals based on the information given.

LB raised concerns regarding the inconsistencies around the country and whether North Herts are of a higher standard as that would mean the fees are justifiable. SC advised of ratings, HS elaborated on when higher star ratings are given and what factors are taken into account before premises are awarded those higher ratings.

RE raised a query regarding being compliant with the new regulations and BS advised how his premises would be reassessed following the works undertaken. SC confirmed the new rating would be based on the premises as they are at the time of inspection.

5. **Renewals 2019**

HS explained that the renewals process isn't much different to last year apart from a different form. She advised that renewal reminders for 1 year licence holders had been sent out on the morning of the meeting. HS also explained that all of the forms and fees are on the NHDC website, that only the application fee is expected to be paid to start the renewal process, and continued to describe the rest of the process in order to get the licence issued. HS informed that unless any details or changes have taken place at the premises the additional forms previously required have been kept on file so may not be needed for renewal. The licence dates have altered from expiring on 31<sup>st</sup> December and now run from date of issue until licence term ends.

LB asked for clarification of the licence dates to which BS and HS advised of the changes that were brought in from October 2018 meaning that a licence was issued from the date of grant not 1 January as under the previous legislation.

RE advised that the forms on the website are named incorrectly and both cattery and kennel forms are named kennels. HS advised that this would be corrected immediately.

6. **Review/Feedback on the changes**

SC decided to leave this item due to time and broaden item 8.

7. **Clarification as to the inspection requirement being more detailed than laid down in the licensing guidance section provided to the trade. (specifically section 5.7 of the conditions)**

RE advised that his interpretations were different to that of the inspecting officer regarding artificial lighting in catteries. RE had queried this with the inspecting officer who had a much more detailed response regarding lux levels compared to the advice given in section 5.7.

SC advised that if premises are being recommended to carry out works the inspecting officer should give a description of what is required to ensure the correct changes are being made. The onus is also on the applicant/licence holder to discuss any proposed works prior to undertaking them if there is any doubt.

RB informed that since the new laws have been implemented it has brought positive changes on their business processes with their staff.

RE raised an issue that on the forms they are given headings rather than questions and there was no feedback given on changes. HS encouraged forum members to write to DEFRA as they are listening and making changes based on feedback.

BH suggested that if the inspecting officers see paperwork that could be beneficial to other premises they should share as a template to make it easier to comply with. SC advised that the paperwork owner's consent would be needed in order to do this. RB agreed with the idea of a template and commented on networking between similar businesses. SC advised if anyone present has any documentation that works well for them and are willing to share that could be beneficial to other premises to send through to CBC for appropriate redactions to take place. VH questioned if this would be likely to be in place in time for renewals this year. SC advised unfortunately not but encouraged networking with the other premises with higher ratings.

SC advised that the council would be consulting on a revised animal licensing policy that would clarify some of the anomalies and vagueness of the mandatory conditions. LB raised a concern of 'guidance for the guidance' being dangerous; would it not be better to influence DEFRA to make these changes nationally. HS explained that DEFRA have advised authorities when it comes to conditions and guidance to liaise with your legal teams and to make clear what your authority's interpretation of the condition is. HS also advised of a Herts & Beds working group specifically for the animal welfare changes and interpretations.

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

RB asked if home boarders are happy with the recent changes and SC advised that guidance for home boarding hasn't changed from when it was last issued BS agreed.

BH offers to try and keep a track of any new home boarders as he is aware of the difficulty NHDC have trying to find and contact them. HS explained the difficulties in contacting and that those that have been contacted were unaware of the need for a licence and have now been licensed.

MNJ queried if the same would be happening for dog breeders as there is only one licenced breeder in North Herts. Conversation arose regarding dog breeders with no licence and VH queried the selling of puppies from family dog. HS informed that this situation is looked at on a case by case basis and that the legislation changes make it easier for them to be able to implement the licence.

RE asked for a recap on application and licence process he needs to follow and HS advised.

RE raised a further question between noise levels in premises that keep both cats and dogs as if he was to invest more into a specific side of his own business could it effect the other side. BS advised it is subject to inspection regarding distances between the animals also may be beneficial to get a vet in with acoustics equipment. HS explained that as it is more of a premise specific query a one on one conversation with the inspector would be more beneficial.

RB said about networking between the premises to encourage other members to take a look at each others before making any changes.

MNJ advised she didn't quite understand the additional activities section but SC offered to run through it with her after meeting concluded.

9. **AOB**

SC questioned when members would like to carry out next meeting and all agreed to keep meeting annually. The next meeting date is to be confirmed.