

## LICENSING COMMITTEE

31 October 2017

### Present:

Councillors Sheldon, Branston, Brimble, Foale, Hannan, D Henson, Holland, Mitchell, Keen, Owen, Pearson and Sills

### Apologies:

Councillor Newby

### Also present:

Environmental Health and Licensing Manager, Solicitor, Principal Licensing Officer and Democratic Services Officer (Committees) (MD)

#### 19 **Chair**

Councillor Sheldon took the Chair.

#### 20 **Minutes**

The minutes of the meeting held on 19 September 2017 were taken as read and signed by the Chair as a correct record.

#### 21 **Declarations of Interest**

No declarations of interest were made by Members.

### **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

#### 22 **Adoption of a new Animal Licensing Policy**

The Principal Licensing Officer presented the report that detailed the responses to the 12 week consultation of the proposed animal licensing policy. The policy had previously been presented to the Licensing Committee at the meeting held on 18 July 2017 and would require adoption by Council in December 2017.

There was a need to maintain and improve the standard of animal welfare, an animal licensing policy having been proposed in Exeter following a Defra consultation. The policy consolidated the requirements for the various animal licences issued by Exeter City Council and included the licencing conditions for pet vending and cat and dog breeding. He highlighted that there had been some constructive feedback from the RSPCA which had been added to the policy. A consultation response from the Dogs Trust had provided information on forthcoming national legislative amendments, which would likely require minor amendments made to the policy.

In response to questions from Members, the Environmental Health and Licensing Manager and the Principal Licensing Officer explained that:-

- Following consultation with numerous animal welfare agencies, it had been agreed that three litters or more at dog breeding establishments would constitute

- the threshold for requiring a dog breeding licence. Other authorities set this threshold at five litters a year. Three litters were considered the lowest number within the scope of the legislation;
- Dog boarding establishments were strongly recommended to have the appropriate insurance;
  - There was a difference between kennels and home boarding within the policy. Home boarding looked after animals at a person's residence, rather than at a business premises;
  - If a dog was entrusted to a kennel or home boarding establishment, then the dog walker was responsible for the animal. The legislation for enforcement matters was separate, however the PSPO could be used as a control measure but evidence would be required for enforcement action;
  - Any breaches with the number of animals bred, would be addressed following receipt of a complaint. Trading Standards have authorisation to undertake specific investigations via social media, however Licensing and an authorised vet would perform a site visit and take any required action in relation to specific complaints;
  - Any investigation by the police into any dogs attacking other dogs, would on a case by case basis. It would be a multi-agency investigation and dependent on the demand on the police;
  - The policy had been put on hold for several years due to numerous government consultations and was now important to now push the policy forward and update the licenses to put the Council into a stronger position.

**RECOMMENDED** that the Animal Licensing Policy be approved and Executive and Council requested to adopt the Policy.

## 23 **Skin Piercing Registration**

The Environmental Health and Licensing Manager presented the report on skin piercing registration. He explained that the report sought to replace the current premises-specific skin piercing registration to allow both a premises' and individual to have a license and allow a person to work at one or more registered premises in the city. An Environmental Health Officer would still be required to visit the premises to ensure hygiene, cleanliness and infection control standards were maintained. The amendments would tidy up the register and bring the Council in line with neighbouring authorities.

In response to questions from Members, the Environmental Health and Licensing Manager and the Principal Licensing Officer explained that:-

- Personal registrations would be provided following conversations with owners, premises' inspections, and the skin piercing type applied for and viewing of any qualifications. There was a national plan to establish a minimum level qualification for tattoos, but currently registrations must work within the current codes of practice;
- There were no cases of registrations being refused, establishments in the City operated at high standards and were compliant;
- Potential issues of illegal tattooists, operating from locations such as their residence would be difficult to track, so the Council would liaise with the police to monitor and track cases as they were reported;
- There were age constraints within the legislation for piercings on certain areas of the body. The standard legislation was that it was illegal for these piercings on persons under 18 years old. For more common piercings, such as ear piercing, the advice was that it should not be permissible for those under the age of 16.

**RESOLVED** that:-

- (1) From 1 April 2018, registration for persons to carry out skin piercing be granted on a personal, rather than premises-specific basis. Existing (premises-specific) registrations be re-issued as personal registrations, meaning persons may practice specified skin-piercing activities at any registered premises within the city of Exeter, provided that the premises was registered for that particular activity; and
- (2) Existing and future registrations for skin piercing premises be (re)issued as premises-only certificates.

The meeting commenced at 5.30 pm and closed at 6.05 pm

Chair