

REPORT TO: LICENSING COMMITTEE

Date of Hearing: 17:30 18 July 2017 PART 1 Matter

Report of: Environmental Health and Licensing Manager

Type of Application: Report outlining a proposal to introduce an animal licensing policy

Legislation:

- Animal Welfare Act 2006
- Animal Boarding Establishments Act 1963
- Pet Animals Act 1951 and Pet Animals Act 1951 (Amendment) Act 1983
- Riding Establishments Act 1964 and 1970
- Dangerous Wild Animals Act 1976
- Breeding of Dogs Act 1973 and 1991
- Breeding and Sale of Dogs (Welfare) Act 1999
- Zoo Licensing Act 1981

Ward Application Refers to: ALL

Applicant: Not applicable.

Premises Address: Not Applicable

1. **What is the report about?** Identifying the need to carry out the statutory consultation relating to the introduction of an animal licensing policy under the above legislation.

1. **PURPOSE OF THE REPORT**

- 1.1 Animal Welfare requirements in the UK are spread over numerous pieces of legislation as listed above. Our responsibilities under animal welfare legislation are currently discharged via licences issued for various activities, and through the conditions applied to each individual licence.
- 1.2 The purpose of this report is to inform Members of the draft policy that is proposed to be used as a consultation document on the introduction of an animal licensing policy.
- 1.3 This Policy will ensure that the Council carries out its animal licensing responsibilities in a fair, equitable and consistent manner.
- 1.4 It will help ensure that the public, councillors and those engaged in animal licensing activities understand what the law requires and how the Council will approach its enforcement duties.
- 1.5 The DRAFT form of words is attached as appendix 1.

2. **BACKGROUND**

- 2.1 Recent years have seen several model licence conditions issued, and the launch of a major DEFRA consultation document on the future of animal licensing. In line with this increased focus on the need to maintain and improve standards of animal welfare, it is therefore proposed to introduce an animal licensing policy for Exeter,

which consolidates the requirements for the various animal licences issued by the authority, and incorporates the good practise identified in the Chartered Institute of Environmental Health model licence conditions for pet vending, dog boarding, cat boarding and dog breeding.

- 2.2 This draft policy sets out the general principles that the Council will follow in relation to the enforcement of animal welfare legislation. The draft Policy also describes the types of animal licensing matters that are likely to occur and how the Council will deal with them.
- 2.3 The draft policy and the conditions included represent guidance on details of the service provided and the general principles that the Council follows in relation to the enforcement of animal licensing legislation and the discretionary functions it undertakes.
- 2.3 In line with good practise it is proposed to conduct a widespread consultation with a number of prescribed bodies and interested parties.
- 2.4 The responses to the consultation will need to be brought back to a subsequent Licensing Committee for them to consider any amendments or variations that may have been suggested during the consultation.

3. OPTIONS

- 3.1 The Committee are invited to indicate whether they support the recommendation to consult on the draft Licensing Policy.

4. TIMETABLE

- Notification to interested parties 19th July 2017.
- 12th October 2017 consultation period ends.
- 31st October 2017, Animal Licensing Policy (amended as necessary) to Licensing Committee with recommendation for approval to Full Council.
- 14 November 2017 Animal Licensing Policy to Executive Committee
- December 2017 Licensing Policy to Full Council for approval.

5. CONCLUSION

- 5.1 It is proposed that the revised Policy draft document at appendix 1 will be used as a basis for consultation with Members of the Council, businesses and resident's representatives and others with an interest in the policy. It is further proposed that the draft policy be brought back to the Licensing Committee on 31st October 2017 to consider any representations that have been received and to enable a recommendation for the adoption of the final (reviewed) Policy to be made to Full Council in December 2017.

6. RECOMMENDED

- 1) That Members of the Committee give consideration to the draft document to be consulted upon as attached and either:
 - a) Accept the request of the Environmental Health and Licensing Manager and authorise the consultation process as outlined above.
 - b) Reject the request submitted by the Environmental Health and Licensing Manager on the grounds that the draft policy requires amendment prior to the consultation period beginning.

Environmental Health and Licensing Manager

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

APPENDIX 1: Draft Animal Licensing Policy