

REPORT TO:	LICENSING COMMITTEE 17 June 2015
AGENDA ITEM:	9
SUBJECT:	PET ANIMALS ACT 1951 ADOPTION OF THE MODEL CONDITIONS FOR PET VENDING LICENSING 2013
LEAD OFFICER:	Executive Director, Place Department
CABINET MEMBER:	Cllr. Mark Watson, Cabinet Member for Safety & Justice
WARDS:	All
CORPORATE PRIORITY/POLICY CONTEXT: This report is specific to this application and has no implications on the Council's Corporate Policies	
FINANCIAL SUMMARY: There are no direct financial implications arising from this report.	
FORWARD PLAN KEY DECISION REFERENCE NO.: N/A	

For general release

1. RECOMMENDATIONS

- 1 The Committee is asked to determine whether to adopt the Model Conditions for Pet Vending Licensing 2013 as shown at Appendix 2.

1.21

2. EXECUTIVE SUMMARY

- 2.1 The purpose of this report is to seek the Committee's decision on the proposal to adopt the Model Conditions for Pet Vending Licensing 2013.

3. DETAIL

- 3.1 The Council has the duty of administering the licensing process in respect of the operating of a pet shop under the Pet Animals Act 1951 (as

amended). The Borough currently has 8 pet shops licensed for pet vending (pet shop licenses) under the Act.

- 3.2 Pet shop licences last a year so are granted annually. In determining whether to grant a licence the Council is required to have regard to the need for securing:
- a) that animals will at all times be kept in accommodation suitable as respects size, temperature, lighting, ventilation and cleanliness;
 - b) that animals will be adequately supplied with suitable food and drink and (so far as necessary) visited at suitable intervals;
 - c) that animals, being mammals, will not be sold at too early an age;
 - d) that all reasonable precautions will be taken to prevent the spread among animals of infectious diseases;
 - e) that appropriate steps will be taken in case of fire or other emergency;
- 3.3 The Council has a contract with the Corporation of London Veterinary Service who will, on request inspect premises and respond to complaints about pet shops. Types and numbers of species to be offered for sale are specified on each licence.
- 3.4 On the 1st January 2002 the Licensing Committee adopted the 'Rules of Management for Pet Shops' which from that date were applied to licensed pet shops in the Borough. A copy of these rules is attached as Appendix 1.
- 3.5 The 'Rules of Management for Pet Shops 2002' include provision to govern the size of cages/pens that animals are kept in at a shop, set maximum stocking densities, requirements for the storage of food for pets for sale, suitable transportation of animals from the shop, staff training in animal welfare, fire and other emergencies.
- 3.6 The 'Rules of Management' are referred to by Licensing Officers and Corporation of London staff during routine inspections or visits undertaken

following the receipt of a complaint.

3.7 The introduction of The Animal Welfare Act 2006 gave pet vendors a 'legal duty of care towards the animals in their care' and in addition to the requirements outlined in 3.3 above, specified the minimum age that a pet may be purchased by a minor as 16.

3.8 In 2013, the Model Conditions for Pet Vending Licenses 2013 were produced by the Chartered Institute of Environmental Health (CIEH) in conjunction with a working group whose members consisted of –

- British Veterinary Association
- Cats Protection
- DEFRA
- Dogs Trust
- Federation of Companion Animal Societies
- Feline Advisory Bureau
- Local Government Association
- Ornamental Aquatic Trade Association
- Pet Care Trade Association
- Rabbit Welfare Association & Fund
- Reptile and Exotic Pet Trade Association
- Royal Society for the Prevention of Cruelty to Animals
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These conditions are effectively an update on the 2002 Rules of Management. The new conditions cover a greater number of species of animals and contain more detailed husbandry requirements. Adopting the updated conditions will also help to promote consistency of approach across local authorities to minimise the risk of transmission of disease from animals to humans, alongside the need to protect animals from cruelty and ill-treatment and to encourage good standards of animal husbandry in pet vending. A copy of the 2013 conditions is attached at Appendix 2.

4. CONSULTATION

4.1 A copy of the proposed Model Conditions for Pet Vending Licensing 2013 inviting comments on their proposed introduction were sent to the 8 licensed pet shops in November 2014. No comments were received.

5 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

5.1 The effect of the decision

There are no direct financial implications as a result of this report.

5.2 Risks

There are no perceived financial risks involved in this decision.

5.3 Options

There are no other options arising from this report

5.4 Future savings/efficiencies

None identified

(Approved by: Dianne Ellender, Head of Finance and Deputy S151 Officer – Chief Executive's Department)

6. COMMENTS OF THE SOLICITOR AND MONITORING OFFICER

6.1 The Council Solicitor comments that, apart from matters relating to fire safety, in relation to conditions the Council are entitled to specify those which it appears are necessary or expedient for securing all or any of the objects listed in 3.2.

6.2 It is an offence to operate a pet shop without a licence or for the licence holder to contravene or not comply with a licence condition punishable on summary conviction with a fine not exceeding level 2 (£500) on the standard scale or imprisonment for a term not exceeding three months, or both.

(Approved by: Gabriel MacGregor, Head of Corporate Law on behalf of the Council Solicitor and Monitoring Officer)

7. HUMAN RESOURCES IMPACT

7.1 The Human Resources impact of supporting the Licensing Hearings will be contained within the budgeted establishments of the Democratic and Legal Services and Licensing Teams.

7.2 Approved by Adrian Prescod, HR Business Partner, for and on behalf of Director of Human Resources, Chief Executive's Department.

8. CUSTOMER IMPACT

8.1 There are no specific customer services issues relating to these applications

9. EQUALITIES IMPACT ASSESSMENT (EIA)

9.1 The arrangements for the Licensing Hearings seek to ensure that all applicants and other interested parties receive a fair hearing and that the process is accessible to all groups within the community.

10. ENVIRONMENTAL AND DESIGN IMPACT

10.1 There are no perceived environmental and design impacts relating to these applications

11. CRIME AND DISORDER REDUCTION IMPACT

11.1 There are no perceived crime and disorder impacts relating to this matter.

12. HUMAN RIGHTS IMPACT

12.1 There are no perceived human resources implications associated with this report.

13. FREEDOM OF INFORMATION/DATA PROTECTION CONSIDERATIONS

13.1 There are no direct freedom of information/data protection considerations associated with this report.

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Department, ext. 62457
BACKGROUND DOCUMENTS: None