

REPORT TO:	LICENSING COMMITTEE 16 November 2016
AGENDA ITEM:	10
SUBJECT:	ANIMAL BOARDING ESTABLISHMENTS ACT 1963 & ANIMAL WELFARE ACT 2006 ADOPTION OF THE MODEL LICENCE CONDITIONS AND GUIDANCE FOR DOG BOARDING ESTABLISHMENTS 2016
LEAD OFFICER:	Executive Director, Place Department
CABINET MEMBER:	Councillor Hamida Ali, Cabinet Member for Communities, Safety and 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

- 1.1 The Committee is recommended to consider and adopt the Model Licence Conditions and Guidance for Dog Boarding Establishments 2016

2. EXECUTIVE SUMMARY

- 2.1 The purpose of this report is to seek the Committee's decision on the proposal to adopt the Model Licence Conditions and Guidance for Dog Boarding Establishments 2016

3. DETAIL

3.1 The Council has the duty of administering the licensing process in respect of the operating of dog boarding establishments under the Animal Boarding Establishments Act 1963 amended by the Animal Welfare Act 2006 The Borough currently has 1 commercial premises and 24 domestic premises licensed for dog boarding under these Acts.

3.2 Animal boarding licences last a year so are granted annually. In determining whether to grant a licence the Council is required to have regard to the Rules of Management for Dog Boarding Establishments.

On the 1st January 2002 the Licensing Committee adopted the 'Rules of Management for Dog Boarding Establishments' which from that date were applied to licensed boarding establishments in the Borough. A copy of these rules are attached as Appendix 1.

3.3 The 'Rules of Management for Dog Boarding establishments' include provision to govern the construction, size and layout of kennels that dogs are kept in, set maximum numbers, disease control, staff training in animal welfare, fire and other emergencies.

3.4 The Council has an arrangement with the Corporation of London Veterinary Service who will on request inspect premises and respond to complaints about animal boarding. The maximum number of dogs to be boarded are specified on each licence.

3.5 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.

3.6 The introduction of The Animal Welfare Act 2006 gave kennel owners and employees a 'legal duty of care towards the animals in their care' and in addition to the requirements outlined in 3.2 above, a dogs' need for a suitable environment, its need for a suitable diet, its need to be able to exhibit normal behaviour patterns. any need it has to be housed with, or apart from, other animals and its need to be protected from pain, suffering, injury and disease.

3.7 In 2016, the Model Conditions and Guidance for Dog Boarding Establishments were produced by the Chartered Institute of Environmental Health (CIEH) in conjunction with a working group whose members consisted of –

- Borough Council of Wellingborough
- British Small Animal Veterinary Association
- British Veterinary Association
- Corporation of London
- Dogs Trust
- Epping Forest District Council

- International Cat Care
- Pet Industry Federation (formerly Pet Care Trust)
- Royal Society for the Prevention of Cruelty to Animals
- The Kennel Club

Replacing the current conditions with the Model Conditions will 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 dog boarding. A copy of the 2016 conditions are attached at Appendix 2.

- 3.8 The 2016 conditions are mainly concerned with commercial kennels rather than domestic premises where dogs are boarded. A separate document detailing new licence conditions for home dog boarding is expected to be published by the CIEH in the coming months. This will be brought to a future committee meeting for adoption/approval.
- 3.9 However much of the 2016 conditions are applicable to dog boarding and so it is recommended that the wording apply to home dog boarders as well.

4. CONSULTATION

- 4.1 A copy of the proposed Model Licence Conditions and Guidance for Dog Boarding 2016 were sent to the 1 licensed kennels and 24 home dog boarders in September 2016 inviting comments on their proposed introduction. 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: Zulfiqar Darr, Interim Head of Finance, Place and Resources)

6. COMMENTS OF THE SOLICITOR AND MONITORING OFFICER

- 6.1 The Acting Solicitor to the Council comments that there are no additional legal implications beyond those set out in the report.

(Approved by: Jaqueline Harris- Baker, Acting Borough 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 There are no additional comments in regard to the existing human resources implications arising from these reports.

(Approved by Adrian Prescod, HR Business Partner, for and on behalf of Director of HR, Resources department.)

8. CUSTOMER IMPACT

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

9. EQUALITIES IMPACT ASSESSMENT (EIA)

- 9.1 None required.

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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CONTACT OFFICER: Wendy Shepherd, Safety/Licensing Officer, Place
Department, ext. 62457

BACKGROUND DOCUMENTS: None

APPENDIX A1: Rules of Management for Dog Boarding
Establishments

APPENDIX A2: Guidance for Dog Boarding Establishments