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Date 11 December 2017

Dear Member

Council – 13 December 2017

I am now able to enclose, for consideration at the next meeting of the **Council**, the following reports that were unavailable when the agenda was printed.

Minutes of the Regulatory Committee on 8 December 2017.

Yours sincerely

Sally Gabriel
Member Services Manager

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **REGULATORY COMMITTEE** held on 8 December 2017 at 10.00 am

Present

Councillors

Mrs F J Colthorpe, D R Coren, P H D Hare-Scott, Mrs G Doe, S G Flaws, L D Taylor and R Wright

Apologies

Councillors

R J Chesterton, T G Hughes and D J Knowles

Present

Officers

Thomas Keating (Lead Licensing Officer), Maria De Leburne (Solicitor) and Sarah Lees (Member Services Officer)

1 **ELECTION OF CHAIRMAN (THE VICE CHAIRMAN OF THE COUNCIL, CLLR R EVANS, IN THE CHAIR)**

RESOLVED that Cllr D R Coren be elected Chairman of the Committee for the municipal year 2017/18.

2 **ELECTION OF VICE CHAIRMAN**

RESOLVED that Cllr Mrs J Doe be elected Vice Chairman of the Committee for the municipal year 2017/18.

3 **APOLOGIES AND SUBSTITUTE MEMBERS**

Apologies were received from Councillors R J Chesterton, T G Hughes and D J Knowles.

4 **PUBLIC QUESTION TIME**

There were no members of the public present.

5 **MINUTES**

The minutes from the meeting held on 21 March 2017 were confirmed as a true and accurate record and **SIGNED** by the Chairman.

6 **ENFORCEMENT UPDATE (00:05:56)**

The Lead Licensing Officer provided the Committee with the following update:

- The Licensing Authority had been successful in prosecuting an unlicensed dog breeder in October 2017. The offence had taken place in Poughill and had involved the illegal breeding of bull dogs. Due to the amount of money being charged for the sale of each puppy and the number of litters planned there had been the potential for the unlicensed breeder to earn just under £80k. A fine of £538 had been issued.
- There was nothing to report regarding enforcement in the taxi area.

7 FEES FOR ANIMAL RELATED APPLICATIONS AND CHANGES TO THE LICENSING PROCESS (00:09:59)

The Committee had before it a report * from the Lead Licensing Officer recommending the adoption of applicable fees as set out in the report and recommending the amendment and clarification of the licensing process for dog boarding establishments.

The contents of the report were outlined with particular reference to the following:

- There was a range of licensing fees, some were set nationally and others could be set locally. The onus was on the Licensing Authority to work out its costs and charge an appropriate amount to recover these.
- Fees could be charged in relation to the boarding of cats and dogs, pet shops, riding establishments, dangerous wild animals and dog breeders. Some of these activities required a vet inspection especially those which were considered high risk, for example, riding establishments and the keeping of dangerous animals.
- The Committee were shown a spreadsheet illustrating the costs incurred at each stage of the licensing process. This included the fee charged for the licence itself and the on-going annual administration costs.
- Mid Devon's fees were compared with other local Licensing Authorities. The comment was made that Mid Devon's fees appeared to be considerably higher than some other authorities. It was explained that a Licensing Officer's hourly rate was calculated at £30 and that an animal license was never issued without a visit which usually took a minimum of two hours. The Authority was not allowed to make a profit in setting its fees only to recover their actual costs.
- There was an exemption for 'hobby' breeders who bred small numbers of litters which from next year would be reduced from 5 to 3 per year.
- The Licensing team were informed about dog breeding cases through websites which advertised the sale of puppies, through the RSPCA and neighbours who had suspicions about an unusual amount of dog breeding activity in their local area.

It was **RESOLVED** that:

- a) The fees as set out within the report be introduced from 1 January 2018;
- b) Future applications for dog home boarding licenses may be referred to a Sub Committee for a decision when an officer believes that the total number of dogs onsite is unreasonable, unsuitable and/or inappropriate;
- c) Delegated authority be given to Licensing officers to decide whether or not a dog home boarding premises requires a vet inspection prior to the grant of a licence. This discretion to only apply when the application is to board 3 dogs or less from the same household and there is no more than 1 resident dog.

(Proposed by Cllr Mrs F J Colthorpe and seconded by Cllr S G Flaws)

Note: * Report previously circulated; copy attached to the signed minutes.

8 FEES FOR 'BEAUTY' REGISTRATIONS (00:33:06)

The Committee had before it a report * from the Lead Licensing Officer recommending the adoption of registration fees as set out in the report.

The contents of the report were outlined with the following brief discussion taking place:

- These fees could be set locally but hadn't been reviewed since 2011.
- It was not clear whether the previously set fee related to a personal registration or to the premises where the activity was taking place therefore the proposed fees sought to provide some clarity.
- Examples of what other councils charged were provided within the report for comparison.
- If there was a suspicion of malpractice the Environmental Health team would inspect the premises.
- It was expected that when a premises closed down or ceased trading the associated license would be surrendered to the Licensing Authority but this did not always happen.

RESOLVED that the fees as set out within the report be approved and that they be introduced immediately.

(Proposed by Cllr P H D Hare-Scott and seconded by Cllr S G Flaws)

Note: * Report previously circulated; copy attached to the signed minutes.

(The meeting ended at 10.42 am)

CHAIRMAN

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