

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **REGULATORY COMMITTEE** held on 19 June 2020
at 11.00 am

Present

Councillors

J Cairney (Chairman)
R J Chesterton, Mrs F J Colthorpe,
D R Coren, J M Downes, T G Hughes,
D J Knowles, Mrs E M Andrews, S J Penny,
L D Taylor and A Wilce

Apologies

Councillor(s)

Miss J Norton

Also Present

Councillor(s)

R M Deed and L J Cruwys

Also Present

Officer(s):

Maria De Leburne (Legal Services Team Leader), Thomas Keating (Specialist Lead (Licensing) Officer), Deborah Sharpley (Solicitor), Sarah Lees (Member Services Officer) and Carole Oliphant (Member Services Officer)

1 ELECTION OF CHAIRMAN (CHAIRMAN OF THE COUNCIL IN THE CHAIR)

Cllr J Cairney was elected as Chairman for the municipal year 2020-2021

(Nominated by Cllr LD Taylor and seconded by Cllr J M Downes)

2 ELECTION OF VICE CHAIRMAN (03.58)

Cllr D R Coren was elected Vice Chairman for the municipal year 2020-2021

(Nominated by Cllr S J Penny and seconded by Cllr Mrs F J Colthorpe)

3 APOLOGIES AND SUBSTITUTE MEMBERS (04.40)

Apologies were received from Cllr Miss J Norton

4 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (04.49)

There were no declarations made

5 PUBLIC QUESTION TIME (05.20)

There were no members of the public present

6 VIRTUAL MEETINGS PROTOCOL (05.29)

Members had before them, and **NOTED**, the remote meeting protocol

Note: *remote meetings protocol previously circulated and attached to the minutes

7 **MINUTES OF THE PREVIOUS MEETING (05.48)**

The minutes of the meeting held on 4th July 2020 were **AGREED** as a true record

8 **ANIMAL WELFARE LICENSING POLICY (08.02)**

The Committee had before it a *report of the Specialist Lead Licensing Officer outlining a new Animal Welfare Policy.

He outlined the contents of the report and policy and explained that it covered boarding kennels and catteries, riding establishments pet shops and dog breeders. Currently there were varying degrees of standards across the country and that the new legislation had been brought in to address that. He explained that the legislation controlling zoo's and dangerous animals had not changed.

He explained that was not a statutory obligation for Licensing authorities to have an Animal Welfare Policy but this was being introduced as a best practice guidance document for applicants.

He explained that the conditions for the establishments were now set nationally and that guidance had been provided by DEFRA. He informed members that the new legislation required the Licensing Authority to have qualified officers dealing with animal welfare by 2021 and that both the MDDC Licensing officers were currently undertaking the relevant qualification required.

The Policy had been through a consultation process and the RSPCA had commented on the complaints process which had been adjusted to take into account their views.

In response to a question asked the Specialist Lead Licensing Officer explained that the policy did not require for an independent veterinarian to complete inspections at riding establishments and that it was possible for an applicant to use their own veterinarian.

Consideration was given to:

- Recharge of veterinarian fees to applicants
- Partnership working with neighbouring authorities to secure additional specialist officer support if required for complex cases
- The scope of who was investigated during the application process
- Although Officers have a range of delegated powers, issues could still be brought to a hearing of a Sub Committee.
- The requirement of establishments to display their licence including their star rating
- The factors which contributed to an establishments star rating

It was therefore **RECOMMENDED** to Council:

That the Animal Welfare Policy be adopted subject to the amendment of clause 15.2 as follows:

For the activity of hiring out horses, there is a requirement for an annual inspection by a independent veterinarian, regardless of the total length of the license. The Council must appoint a listed veterinarian to inspect the premises on which the activity is being carried out before the end of the first year after the license is granted and then each subsequent year. It is this Council's policy that the veterinarian must be independent and not one that is retained by the applicant/licence holder.

Proposed by the Chairman)

Note: * Report previously circulated and attached to the minutes

9 **ENFORCEMENT UPDATE (30.51)**

The Specialist Lead Licensing Officer explained that the Regulatory Committee covered the area's that the Licensing Committee did not and the main bulk of the work was Hackney Carriage and Private Hire Licensing.

He explained that the Regulatory team had to amend their processes due to current restrictions and that they were now accepting documents by email rather than in person. He informed members that this did not include DBS certificates and that applicants still had to provide the original copies.

One of the effects of the current restrictions was that taxi drivers could not obtain a medical certificate to show fitness for work and the authority had allowed drivers to self certify themselves as fit to work.

He explained that unlike public transport there was no requirement for face masks to be worn in taxis but many of the companies had introduced their own safety measures.

He described a recent successful prosecution in which an unlicensed mini bus operator had been caught and pleaded guilty.

He explained that a requirement of holding a MDDC taxi licence was for drivers to attend safeguarding training and that 5 drivers had failed to do so. Members were informed that the licenses of drivers failing to complete the training had been suspended. During the current crisis it had not been possible to hold classroom based safeguarding training sessions and this had been switched to on line certificates as a temporary measure. It was hoped to reintroduce face to face classroom based training as soon as practicable.

(The meeting ended at 11.41 am)

CHAIRMAN