

REPORT OF THE DIRECTOR OF CORPORATE AFFAIRS AND BUSINESS TRANSFORMATION

TO CONSULT ON THE ADOPTION OF NEW MODEL CONDITIONS AND GUIDANCE FOR DOG BOARDING ESTABLISHMENTS

Responsible Officer: Tom Keating, Lead Licensing Officer

REASON FOR REPORT

1. The Council is responsible for licensing a number of dog boarding establishments and currently has a set of model conditions in place. These conditions set out the general expectations and requirements for premises and guide officers in carrying out inspections.

The Chartered Institute of Environmental Health has recently issued new model conditions and guidance and this report seeks agreement to consult with the trade, a relevant authorised Vet and the general public on the adoption of these in 2017.

RECOMMENDATIONS

1. That the licensing team consult the existing licensed trade; a relevant authorised Vet and the general public (via the Council's website) on the new 'Model Licence Conditions and Guidance for Dog Boarding Establishments 2016' for a period of 12 weeks from January 2017.
2. Following the completion of this consultation a further report should be brought to this Committee setting out the responses received and providing a recommendation of proposed action (i.e. to adopt, not adopt or amend the proposed conditions and guidance).

RELATIONSHIP TO CORPORATE PLAN

1. There are no direct links to the Corporate Plan. It should be noted that the licensing process does however contribute to animal welfare and links to local business.

FINANCIAL, LEGAL AND RISK ASSESSMENT IMPLICATIONS

Any financial, legal and/or risk assessment implications are set out below:

Financial	Not at this stage but any additional work can be recharged via licensing fees.
Legal	The Council must ensure that the licensing process is compliant with relevant legislation.
Risk Assessment	The Council must ensure that the licensing process is compliant with relevant legislation and promote animal welfare.

CONSULTATION CARRIED OUT WITH:

1. None at this stage.

1.0 Introduction

- 1.1 Mid Devon District Council is responsible for administering a range of animal licences. This includes dog boarding and catteries; pet shops; dog breeding; dangerous wild animals; riding establishments and zoos. At the time of writing this report a total of 32 animal related licences were in effect. All of these are issued with appropriate conditions and these must be reviewed and updated from time to time.
- 1.2 The Animal Welfare Act 2006 made owners and keepers responsible for ensuring that animal welfare needs are met in terms of:
 - Providing a suitable environment
 - Providing a suitable diet
 - Allowing the animal to exhibit normal behaviour patterns
 - Being housed with, or apart from, other animals (where appropriate)
 - Being protected from pain, suffering, injury and disease
- 1.3 The 2006 Act is supposed to be followed up by secondary legislation to make changes to licence conditions but there has been no official word on this yet. However, the Department for Environment, Food and Rural Affairs (DEFRA) have recently carried out a consultation on reviewing the licensing regime for animal establishments. This consultation posed a number of questions around the licensing process (above and beyond conditions to impose) and when the licensing team receive an update on the outcome of this a further report will be brought to this Committee.

2.0 Licence conditions in general

- 2.1 In 2014 the Council adopted new model conditions for cat boarding establishments, dog breeding establishments and pet shops. These were all conditions produced by the Chartered Institute of Environmental Health (CIEH) and the licensing team have been working with licensed premises since then to ensure compliance. In general, the conditions seek to ensure that animals are provided with suitable:

- Accommodation
- Food
- Exercise
- Protection from injury and disease

2.2 The Council also adopted a set of conditions for dog crèches in 2014 as it became clear that this service was being offered in the area without any specific conditions in place.

2.3 The licensing team have found these updated conditions to be very helpful in clearly communicating to those we licence (and potential applicants) what is expected of them. The conditions also lead officers and Vets (where necessary) in carrying out inspections.

3.0 Model conditions and guidance for dog boarding establishments

3.1 This licensing authority currently licence 8 premises that offer a traditional dog boarding establishment to which the new model conditions would apply.

3.2 The current conditions in place, also produced by the CIEH, date back to 1995. The new proposed conditions were released earlier this year and can be found in full here: <http://www.cieh.org/policy/dog-guidance-2016.html>.

3.3 The document is similar in concept to previous CIEH model conditions that have been adopted by this authority. It covers things like the construction of the premises (from design to build), types of material that should be used, kennel size, areas for exercise, diets, interactions between dogs and general health and welfare issues.

3.4 At this point we wish to consult with those we licence, a Vet duly authorised to undertake inspections under the Animal Boarding Establishments Act 1963 as well as the public via our website, to get views on the proposed conditions. It is hoped that this will allow us to have a better understanding of the implications of these new conditions before deciding firstly, whether or not to adopt or amend them and secondly, to establish a timeline for premises to comply (if they are to be adopted).

3.5 By consulting in early 2017 we can have a clear agreement in place before animal boarding licences are required to be renewed - for member's information, all licences expire at the end of the calendar year as a result of the legislation.

3.6 Members should note that the adoption of model conditions does not prevent the local authority from removing; amending or adding additional conditions to a particular licence should it be considered appropriate based on the merits of the case.

4.0 Recommendations

4.1 That the licensing team consult the existing licensed trade; a relevant authorised Vet and the general public (via the Council's website) on the new 'Model Licence Conditions

and Guidance for Dog Boarding Establishments 2016' for a period of 12 weeks beginning in January 2017.

- 4.2 Following the completion of this consultation a further report should be brought to this Committee setting out the responses received and providing a recommendation of proposed action (i.e. to adopt, not adopt or amend the proposed conditions and guidance).

Contact for any more information	Tom Keating, Lead Licensing Officer (4618) Simon Newcombe, Public Health and Professional Services Manager (4615)
Background Papers	Model Licence Conditions and Guidance for Dog Boarding Establishments 2016
File Reference	Licensing/Animals
Circulation of the Report	Regulatory Committee