

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **REGULATORY COMMITTEE** held on Thursday 10 April 2014 at 11.20am

Present

Councillors: T G Hughes (Chairman), Mrs E M Andrews, R J Chesterton, Mrs F J Colthorpe, D R Coren, N V Davey, A V G Griffiths, D J Knowles, M R Lee, M A Lucas and E G Luxton

Apology

Councillor: P F Williams

Also Present

Councillor: R M Deed

Also Present

Officers: M Parish (Licensing and Community Safety Manager), T Keating (Licensing Officer) and S Lees (Member Services Officer)

10. **PUBLIC QUESTION TIME**

There were no members of the public present.

11. **MINUTES OF THE PREVIOUS MEETING – 23 SEPTEMBER 2013**

The Minutes of the meeting held on 23 September 2013 were approved as a correct record and **SIGNED** by the Chairman.

12. **FEE SETTING POLICY FOR LICENSING (Recording 1 minute and 40 seconds)**

The Committee had before it a report * from the Head of Environmental Services. This explained that the Council was responsible for a range of licences and registrations and was, in most cases, able to set fees to recover the costs of the function. As fee setting had come under more scrutiny across the country in recent years it was viewed as helpful if this Council had a policy in place which set out how this would be done and the principles on which it was based.

RESOLVED that the policy be adopted as a guide to setting fees for licences and registrations administered by the Council subject to an additional bullet point being added under section one, entitled 'Full Cost Recovery' to read as follows: 'Any other costs relevant to the Licensing function'.

(Proposed by Cllr A V G Griffiths and seconded by
Cllr Mrs F J Colthorpe)

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

13. **TO ADOPT NEW CONDITIONS FOR CATTERIES, DOG BREEDING, DOG CRECHES AND PET VENDING (Recording 16 minutes and 45 seconds)**

The Committee had before it a report * from the Head of Environmental Services. The Council had a number of animal licensing responsibilities and licences were issued with conditions. Over time these were reviewed and updated and this report sought adoption of the latest model conditions for catteries, dog breeding and pet vending. The report also proposed conditions for dog crèches.

Discussion took place regarding:

- The difference between a dog crèche and a boarding kennel;
- The advantages to a premises of having both a boarding kennel licence and a dog crèche licence.

RESOLVED that this Council adopts:

- a) The Model Licence Conditions and Guidance for Cat Boarding Establishments November 2013;
- b) The Model Licence Conditions and Guidance for Dog Breeding Establishments January 2014;
- c) The Model Licence Conditions for Pet Vending Licensing September 2013;
- d) The proposed conditions for Dog Creches in order to enable such businesses to be licensed; and
- e) Applicants for new dog boarding (to include dog crèches), cattery, pet shop and dog breeder licences are recharged the veterinary surgeon's fee for the first full inspection.

(Proposed by Cllr M A Lucas and seconded
by Cllr D J Knowles)

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

14. **REVISION TO HACKNEY CARRIAGE/PRIVATE HIRE DRIVER POLICY AND DELEGATED AUTHORITY TO SUSPEND OR REVOKE A LICENCE (Recording 25 minutes and 30 seconds)**

The Committee had before it a report * from the Head of Environmental Services providing information in relation to a recent High Court decision which had implications on the process the Council followed when suspending or revoking a Hackney carriage / Private Hire driver's licence. The report set out how the Council would act in accordance with this decision.

Discussion took place regarding:

- The apparent unfairness of a system that treated somebody as 'Guilty until proven innocent'; however, it was stated that the impending new legislation may make the separation in the meaning of 'suspension' or 'revocation' a lot clearer;
- Sometimes a licence was suspended if a person was medically unfit to drive.

RESOLVED that the process and policy amendments as set out in the report be adopted.

(Proposed by Cllr Mrs F J Colthorpe and seconded by Cllr M A Lucas)

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

(The meeting ended at 12.00pm)

CHAIRMAN