

<b>LICENSING COMMITTEE</b>	<b>AGENDA ITEM No. 5</b>
<b>14 FEBRUARY 2013</b>	<b>PUBLIC REPORT</b>

Cabinet Member(s) responsible:	Councillor Peter Hiller – Cabinet Member for Neighbourhoods, Housing and Planning	
Contact Officer(s):	Peter Gell – Strategic Regulatory Services Manager Terri Martin – Regulatory Officer - Licensing	Tel. 453419 Tel. 453502

**ANIMAL WELFARE – ANIMAL BOARDING ESTABLISHMENTS ACT 1963 - INTRODUCTION OF HOME BOARDING FEES AND CONDITIONS**

<b>RECOMMENDATIONS</b>
The Committee is requested to approve a two tier system of licensing in relation to animal boarding, to allow the distinction between commercial boarding and home boarding, with different conditions and fees applicable.

**1. PURPOSE AND REASON FOR REPORT**

- 1.1 The purpose of this report is to introduce fees and conditions in relation to licensing of home boarding for dogs. The council currently licenses boarding of cats and dogs (kennels and catteries) on a commercial basis (under the Animal Boarding Establishments Act 1963). This report proposes that separate conditions and fees applicable should be different for home boarding.
- 1.2 This report is for the Licensing Committee to consider under its Terms of Reference No. 2.4.1.3 (e) “To exercise the functions of the authority as listed in Schedule 2.2.4, where these are not delegated to Officers as listed as section 2.4.3, namely”, “Licensing premises associated with live animals”.

**2. TIMESCALE**

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If Yes, date for relevant Cabinet Meeting	<b>N/A</b>
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**3. BACKGROUND**

- 3.1 The Animal Boarding Establishments Act 1963 regulates the keeping of boarding establishments for animals. No person shall keep a boarding establishment for animals except under the authority of a licence granted by the local authority in accordance with the provisions of the Act.
- 3.2 Within the Act the definition of ‘animal’ means any dog or cat.
- 3.3 Within the Act the definition of keeping a boarding establishment means carrying on by him at premises of any nature (including a private dwelling) of a business of providing accommodation for other people’s animals.

**4. REASONS FOR RECOMMENDATIONS**

- 4.1 The Council currently licenses boarding establishments which offer animal boarding on a large scale commercial basis. The licenses issued have CIEH (Chartered Institute of

Environmental Health) model standard conditions attached, which set out how the kennels and catteries should be constructed in terms of dimension, materials etc. hygiene, security and disease control. These model conditions are attached at **Appendix A**.

- 4.2 We currently have twelve licensed boarding establishments, six catteries, three kennels, and three offering boarding for both cats and dogs. These boarding establishments all have purpose built kennel and cat blocks that comply with the current model conditions.
- 4.3 The Licensing Department have become aware that some people are providing accommodation within their own homes for a fee on a regular basis. This is a licensable activity as set out in 2.2 above, but we do not currently have appropriate conditions to allow these people to operate lawfully. This report proposes the adoption of a second set of conditions to regulate 'home boarding' which would allow these people to operate within the legislation and be regulated by a set of model home boarding conditions for the welfare of the animals.
- 4.4 It is proposed that home boarding will only apply in relation to dogs. DEFRA (Department for Environment, Food and Rural Affairs) and the Feline Advisory Bureau state that the home boarding of cats is not to be encouraged and therefore not recommended and are looking to outlaw this activity.
- 4.5 The recommendation to include home boarding into the licensing scheme is not just to ensure that the Council is licensing in accordance with the legislation but to also ensure that there are checks in place at premises to ensure the safety and welfare of the boarded dogs.

## **5. CONSIDERATIONS**

- 5.1 The LGA (Local Government Association formerly LACoRS Local Authorities Coordinators of Regulatory Services) have produced a model set of conditions for councils who wish to incorporate home boarding. It is these model home boarding conditions that are proposed to be adopted and can be found at **Appendix B**.
- 5.2 The time taken to inspect the record keeping and premises will be less than commercial premises as the activity is on a smaller scale, therefore the proposed fee is reduced (this is also a recommendation of the LGA).
- 5.3 The 2012-2013 fees for current animal boarding licences are £300.00 for a new application and £160.00 for a renewal. It is proposed that a separate fee for home boarding be set at £200.00 for a new application and £100.00 for a renewal. This fee has been derived on a cost recovery basis allowing for officer time for administration and inspections to ensure compliance.
- 5.4 A sample survey was completed on how much home boarding premises charge for home boarding of dogs. The fees quoted averaged at £20.00 per night for one dog and £30.00 per night for 2 dogs. Therefore the proposed licence fee is considered reasonable.

## **6. BACKGROUND DOCUMENTS**

Animal Boarding Establishments Act 1963

CIEH Model Conditions

LGA (LACoRS) Model Conditions for Home Boarding