

LICENSING COMMITTEE

THURSDAY 14 FEBRUARY 2013
7.00 PM

Bourges/Viersen Rooms - Town Hall

AGENDA

Page No

1. **Apologies for Absence**
2. **Declarations of Interest**

At this point Members must declare whether they have a disclosable pecuniary interest, or other interest, in any of the items on the agenda, unless it is already entered in the register of members' interests or is a "pending notification" that has been disclosed to the Solicitor to the Council.

Members must also declare if they are subject to their party group whip in relation to any items under consideration.

3. **Minutes of the Meeting held on 21 January 2013** 1 - 4
4. **Sex Establishment Application Fees** 5 - 6
5. **Animal Welfare - Animal Boarding Establishments Act 1963 - Introduction of Home Boarding Fees and Conditions** 7 - 18

Emergency Evacuation Procedure – Outside Normal Office Hours

In the event of the fire alarm sounding all persons should vacate the building by way of the nearest escape route and proceed directly to the assembly point in front of the Cathedral. The duty Beadle will assume overall control during any evacuation, however in the unlikely event the Beadle is unavailable, this responsibility will be assumed by the Committee Chair.

Committee Members:

Councillors: Thacker (Chairman), Peach (Vice Chairman), Hiller, Serluca, Allen, Nawaz, Jamil, Saltmarsh, Miners and Davidson

Substitutes: Councillors: Kreling, Johnson and Harrington

Further information about this meeting can be obtained from Gemma George on telephone 01733 452268 or by email – gemma.george@peterborough.gov.uk



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**MINUTES OF A MEETING OF THE LICENSING COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 21 JANUARY 2013**

Members Present: Councillors Thacker (Chairman), Hiller, Serluca, Peach, Allen, Kreling, Saltmarsh, Miners, Jamil and Davidson

Officers Present: Peter Gell, Strategic Regulatory Services Manager
Adrian Day, Licensing Manager
Kerry Leishman, Regulatory Officer
Colin Miles, Lawyer
Gemma George, Senior Governance Officer

1. Apologies for Absence

Apologies were received from Councillor Nawaz.

Councillor Kreling was in attendance as a substitute.

2. Declarations of Interest

There were no declarations of interest.

3. Minutes of the Meeting held on 22 November 2012

The minutes of the meeting held on 22 November 2012 were approved as a true and accurate record subject to the inclusion of Councillor Allen's apologies.

3.1 Minutes of the Sub-Committee hearings held between May 2012 and December 2012

The following minutes, from the Sub-Committee hearings held between May 2012 and December 2012, were approved as true and accurate records.

- i) 25/05/12 Coco – Expedited Review Application
- ii) 29/05/12 Coco – Appeal Against Interim Steps
- iii) 20/06/12 Coco – Review Application
- iv) 05/07/12 Central Park – Variation Application
- v) 12/07/12 77 Mayors Walk – New Premises Application
- vi) 08/08/12 Seven Eleven – New Premises Application
- vii) 12/10/12 415 Lincoln Road – Variation Application
- viii) 09/11/12 Tesco – New Premises Application
- ix) 03/12/12 Central Food – New Premises Application

4. Cumulative Impact Policy, Late Night Levy and Early Morning Restriction Orders Consultation

The Committee received a report which had been compiled as a result of initial concerns raised by Officers of the Council, Responsible Authorities and the local

community within the Operation CAN-do area. These concerns were in relation to the impact on the promotion of the Licensing Objectives due to the perceived saturation of licensed premises within the CAN-do area of the city.

The Committee was requested to determine whether Officers should proceed with a review of the Statement of Licensing Policy, to include a Cumulative Impact Policy within the Operation CAN-do area. The report further highlighted that the Licensing Act 2003, as amended by the Police Reform and Social Responsibility Act 2011 (“the 2011 Act”) gave Licensing Authorities the power to make an Early Morning Restriction Order (EMRO) if it considered it appropriate for the promotion of the Licensing Objectives. The 2011 Act also conferred on Licensing Authorities a power to introduce a Late Night Levy (LNL) enabling authorities to charge a levy to persons who were licensed to sell alcohol late at night.

Therefore the Committee was also requested to agree to further work being undertaken to identify what the viable options were when introducing Early Morning Restriction Orders and a Late Night Levy following initial consultation with the Chief Officer of Police and the Cambridgeshire Police and Crime Commissioner.

The Strategic Regulatory Services Manager and the Regulatory Officer addressed the Committee and provided further background in relation to the issues being experienced within the Operation CAN-do area and the steps which would need to be followed when considering whether to adopt a CIP within the Statement of Licensing Policy. This included the commencement of a full public consultation, the time length of which was suggested to be six weeks, and the evidence which would need to be gathered to support the imposition of a CIP, EMRO or LNL.

Following the consultation, a report would be brought back to the Licensing Committee requesting a decision to be made as to whether to request the adoption of a CIP to Full Council.

Members debated the report. Comments and responses to questions included:

- There were many local residents who would be supportive of a CIP;
- Due to the current licensing laws, refusal of a new premises application was only likely in exceptional circumstances;
- Only Full Council had the delegated authority to adopt a CIP;
- The statutory consultees were detailed with the Licensing Act 2003 and the consultation would be published online, and in the local newspaper;
- The best evidence currently available for the imposition of a CIP related to the Operation CAN-do area, however this did not mean that future areas could not also be considered if issues could be evidenced;
- A CIP was only being considered for the Operation CAN-do area at the current time;
- Introducing a CIP would not yield overnight changes, but rather it would be a longer term solution;
- The introduction of a CIP would reduce the presumption to automatically grant a new premises licence application;
- All premises licence applications would be dealt with in the same manner until a CIP was introduced;
- In order to ‘name’ another suitable location for the implementation of a CIP, evidence of proof of crime, anti-social behaviour, littering from licensed premises and detriment to health, amongst many other things, needed to be gathered and other avenues explored in the first instance.

Following debate and questions to Officers, Members commented that the serious issues being experienced within the Operation CAN-do area warranted the commencement of a consultation and the further exploration of options available to the Licensing Authority.

RESOLVED:

The Committee:

1. Determined that Officers should proceed with a review of the Statement of Licensing Policy to include a Cumulative Impact Policy within the Operation CAN-do area, due to the increasing concerns of Council Officers, Responsible Authorities and the local community of the impact on the Licensing Objectives; and
2. Noted the contents of the report and agreed to the further work required to identify what the viable options were when introducing Early Morning Restriction Orders (EMROs) and a Late Night Levy (LNL), following initial consultation with the Chief Officer of Police and the Cambridgeshire Police and Crime Commissioner.

Reasons for the decision:

The decision was made to comply with the statutory requirements regarding amendments to the Statement of Licensing Policy in order to include a Cumulative Impact Policy, with a view to making sustainable improvements in the Operation CAN-do area and furthermore, to enable the Licensing Authority to explore the new powers conferred to it in the form of Early Morning Restriction Orders and Late Night Levys.

5. Changes in the Licensing Policy for Hackney Carriage and Private Hire Vehicle Licensing Consultation

The Committee received a report which had been compiled as a result of Officers receiving a request from Allied Vehicles Ltd for the Council to review its conditions of fitness in relation to Hackney Carriage Vehicles. The request had been to amend the Council's current criteria in order for the Peugeot E7 to be considered as suitable to be licensed as a Hackney Carriage vehicle.

Furthermore, there was a need for Officers to review the Taxi and Private Hire Licensing Policy in order to ensure that it remained appropriate and fit for purpose.

The Committee was requested to consider a request from Officers for approval to launch an 8 to 12 week consultation in relation to the Hackney Carriage and Private Hire Vehicle Licensing Policy. A response would be sought from all stakeholders who had an interest in, or were affected by, the Hackney Carriage and Private Hire Policy.

Following the consultation period the responses would be collated and a policy drafted and presented to the Licensing Committee. The Committee would then be asked to consider all the information available within the associated documents, and the draft policy, in order to make an informed decision as to the adoption of a final policy.

The Strategic Regulatory Services Manager and the Licensing Manager addressed the Committee and provided further background to the reasons behind the request for a consultation and further outlined the specific items included within it.

Members debated the report. Comments and responses to questions included:

- All the relevant stakeholders would be consulted and the consultation would be published online and advertised in the local press;
- It had been agreed at a previous Licensing Committee meeting in 2009 that all taxis would have suitable CCTV systems fitted. The Committee commented that it was unfortunate that this recommendation had never been implemented;
- Many of the current processes, procedures and policies were not best suited to the relocation of the Taxi Licensing Service, which had happened just over a year ago, hence the need for a review of certain areas of the business;
- Currently, limousines were not required by law to be licensed. The Committee felt that this was a specific area that needed to be reviewed;
- Parking enforcement, relating to parking on grass verges, could not be included within the 'Relevance of Convictions and Cautions' section of the consultation document. It was noted however that verge parking issues did need to be explored further.

Following debate and questions to Officers, Members commented that the consultation was required, with a suggested duration of 12 weeks.

RESOLVED:

The Committee:

1. Approved the commencement of a consultation in relation to the policy covering the areas, as listed below:
 - i) Conditions of fitness for Hackney Carriage Vehicles;
 - ii) Vehicle Testing;
 - iii) Driver Badge Renewal Frequency;
 - iv) Limousine and Speciality Vehicles;
 - v) Private Hire Operator Conditions;
 - vi) Relevance of Convictions and Cautions; and
 - vii) CCTV.
2. Agreed the duration of the consultation to be 12 weeks.

Reasons for the decision:

The consultation was agreed for commencement to consider the request received from Allied Vehicles Ltd to review the policy. Furthermore, it was agreed in order to comply with statutory requirements regarding the regular review of licensing policies and to ensure that those policies and procedures continued to be fit for purpose.

7.00pm – 8.04pm
Chairman

LICENSING COMMITTEE	AGENDA ITEM No. 4
14 FEBRUARY 2013	PUBLIC REPORT

Cabinet Member(s) responsible:	Councillor Peter Hiller, Cabinet Member for Housing, Neighbourhoods and Planning		
Contact Officer(s):	Peter Gell	Strategic Regulatory Services Manager	Tel. 453419
	Terri Martin	Regulatory Officer Licensing	453561

SEX ESTABLISHMENT APPLICATION FEES

R E C O M M E N D A T I O N S

The Committee is requested to determine and set the fees in relation to applications for sex establishments made during the 2013-2014 financial year.

1. PURPOSE AND REASON FOR REPORT

- 1.1 The purpose of this report is to provide the Licensing Committee with sufficient information to enable them to determine and set the fees in relation to applications for sex establishments made under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Policing and Crime Act 2009.
- 1.2 This report is for the Licensing Committee to consider under its Terms of Reference No. 2.4.1.3 (k) "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", " to issue, grant, refuse, revoke, transfer, renew, vary, add conditions and set fees in relation to the licensing of sex establishments".

2. TIMESCALE

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

- 3.1 It is a requirement of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 for the fees to be determined and set by the Licensing Committee.
- 3.2 Since the commencement of the EU Provision of Services Regulations 2009 (which took effect from 28/12/09) fees for applications can only cover the cost of administering the system without profit and cannot include the costs of enforcement against unlicensed operators. These regulations also stipulated that fees for applications must be in two part, one fee for the application cost and the second part to be paid after grant to cover the cost of investigating compliance of the licence once issued.
- 3.3 Currently the fees set for 2012 to 2013 are £2,260 for renewal and initial grant applications, there is no fee currently set for variations and transfers. In the interest of fairness and transparency, is proposed that separate fees for each different type of application are set.

4. REASONS FOR RECOMMENDATIONS

- 4.1 In light of recent case law, (R (Hemming and Others) v Westminster City Council) a reassessment of the current fees was undertaken. The reassessment included a detailed investigation into the processes and provisions required to comply with all aspects of the legislation and case law judgement.
- 4.2 The result of the investigation highlighted that some provisions required under the Act (variations and transfers) were being provided free of charge, new applications were being undercharged and renewal application fees were in excess of the costs of the work undertaken on a majority of applications.
- 4.3 The reassessment of fees and proposed new fees applicable for 2013 to 2014 are shown below and include a breakdown of how the proposed new fees have been ascertained.

4.4

Type of Application	Officer cost pre grant	Ancillary cost	Hearing costs	Total pre grant fee	Officer cost post grant fee	Total payable
Initial new grant	£570.00	£150	£1,500	£2,220	£280	£2,500
Renewal	£270	£150	N/A	£420	£280	£700
Transfer	£270	£150	N/A	£420	£280	£700
Variation	£170	£150	N/A	£320	£160	£480

- 4.5 The proposed fees (above) for 2013-2014 are based on a cost recovery basis to administer the system. If however hearings are required where not included in the costings above (such as contested renewal applications) the costs of these hearings can be added to revised fees for 2014-2015 to ensure that no losses are made.
- 4.6 In relation to other licensing applications, the above proposed fees are comparable to some of those under the Gambling Act 2005. See table below:

2012-2013	New Applications	Annual fee / renewal	Transfer	Variations
Bingo premises licence	£2,809.00	£835.00	£956.00	£1,393.00
Betting Shop	£1,988.00	£502.00	£956.00	£1,194.00
Proposed fee for Sex Establishments 2013-2014	£2,500.00	£700.00	£700.00	£480.00

5. LEGAL IMPLICATIONS

- 5.1 If the fees are not determined and set by the Committee at an appropriate level to cover the costs to administer the system it could leave the council subject to a judicial review.

6. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)

Local Government (Miscellaneous Provisions) Act 1982

Section 27 of the Policing and Crime Act 2009

R (Hemming and Others) v Westminster City Council (2012) High Court Judgement

LICENSING COMMITTEE	AGENDA ITEM No. 5
14 FEBRUARY 2013	PUBLIC REPORT

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

RECOMMENDATIONS
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?	NO	If Yes, date for relevant Cabinet Meeting	N/A
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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

LICENCE CONDITIONS AND GUIDANCE FOR DOG BOARDING ESTABLISHMENTS

- (1) A copy of the Licence and its conditions must be suitably displayed to the public in a prominent position in, on or about the boarding establishment.
- (2)
 - a) The establishment must, at all times, be laid out and operated in accordance with an approved plan, to be attached to the licence. Before carrying out any alterations, plans must be submitted to and approved by the Licensing Officer of the Local Authority.
 - b) Where wood has been used in existing construction it must be smooth and treated to render it impervious. Wood should not be used in exposed construction of walls, floors, partitions, door frames or doors in the dog kennelling area. There must be no projections liable to cause injury.
 - c) All exterior wood must be smooth and properly treated against wood rot. Only products which are not toxic to dogs may be used.
 - d) All internal surfaces used in the construction of walls, floors, partitions, doors and door frames to be durable, smooth and impervious. There must be no projections or rough edges liable to cause injury.
 - e) Sleeping areas of kennels must be so insulated as to prevent extremes of temperature.
 - f) The construction must be such that security of the dog is ensured.
 - g) Fencing material must be secure and safe.
 - h) Sleeping areas of kennels must be so insulated as to prevent extremes of temperature.
- (3) WALLS
 - a) The walls with which dogs may come into contact must be of smooth, impervious materials, capable of being easily cleansed. Where concrete or other building blocks or bricks are used, they must be sealed so as to be smooth, impervious and resealed as necessary.
 - b) Junctions between vertical and horizontal sections should be covered. If impractical in existing premises, these joints must be sealed.
 - c) Partition walls between kennels must be of solid construction to a minimum height of 1.2M (4ft).
 - d) In new construction, in exercise runs the lower section of partitions in adjoining runs must be of solid construction.
- (4) FLOORS AND CONCRETE BASES
 - a) The concrete base and floors of all buildings and units must be of smooth impervious materials, capable of being easily cleansed. In new kennels, this must incorporate a damp proof membrane.
 - b) Floors of all units and individual exercise areas must be constructed and maintained in such a condition as to prevent ponding of liquids.
 - c) In new construction floors must be laid to a minimum fall of 1 in 80 leading to a shallow drainage channel or effectively covered deep drainage channel.
 - d) Communal exercise areas must be suitably drained but need not comply with 4a and 4b.
- (5) CEILINGS AND ROOFING
 - a) Ceilings must be capable of being easily cleansed and disinfected.
- (6) DOORS
 - a) Kennel doors must be strong enough to resist impact and scratching and must be fitted to be capable of being effectively secured.
 - b) Where metal bars and frames are used, they must be of suitable gauge (approximately 10-14) with spacing adequate to prevent dogs escaping or becoming entrapped. Where metal edging is used, this must not present a risk of injury to the dog.
 - c) Door openings must be constructed such that the passage of water/waste is not impeded, or allowed to gather due to inaccessibility.
- (7) WINDOWS
 - a) All windows which pose a security risk must be escape proof at all times.
- (8) DRAINAGE
 - a) Kitchens must be connected to mains drainage or an approved, localised sewage disposal system.

(9) LIGHTING

- a) During daylight hours light must be provided to exercise and sleeping areas so that all parts are clearly visible. Where practicable this must be natural light.
- b) Adequate supplementary lighting must be provided throughout the establishment.

(10) VENTILATION

- a) Ventilation must be provided to all interior areas without the creation of excessive, localised draughts in the sleeping area.

(11) NUMBER OF DOGS PERMITTED

- a) Each dog must be provided with a separate unit except that dogs from the same household may share a unit of adequate size with the written consent of the dogs' owner.
- b) Holding units may be provided for temporarily kennelling a dog for not more than 24 hours. Holding kennels, if provided, must comply with conditions as required for main kennels. Holding kennels must be a minimum area of 2.3 sq.m. (25sq.ft.)
- c) No animals other than dogs are to be boarded within the licensed facilities without the written approval of the Local Authority.
- d) Where stray dogs are accepted by the kennels they must be kept in a separate area away from boarded dogs.

(12) KENNEL SIZE, LAYOUT AND EXERCISE FACILITIES

- a) Each kennel must be provided with a sleeping area of at least 1.9sq.m (20sq.ft).
- b) Suitable bedding equipment must be provided which allows the dog to be comfortable and which is capable of being easily and adequately cleaned and sanitised. Such equipment must be sited out of draughts. All bedding material must be maintained in a clean, parasite free and dry condition.
- c) Each kennel must be provided with an exercise area of at least 2.46sq.m (26sq.ft) (for dogs up to 24 inches high at shoulder, or 36sq.ft for larger dogs, which is separate from the bedding area and exclusive to that kennel, for free use by the dog at all times except at night.
- d) Kennels must have a minimum height of 1.8m (6ft to facilitate adequate access by kennel staff for cleaning.
- e) Kennels and exercise areas must open onto secure corridors or other secure areas so that dogs are not able to escape from the premises.
- f) Exercise areas must not be used as bedding areas.
- g) All small runs must be paved or surfaced in such a way as to allow adequate cleansing and disinfection. Grass runs are only allowable in paddocks large enough to prevent the ground from becoming unduly fouled or trodden and the entrance and inside perimeter should be paved or surfaced with suitable material.

(13) TRAINING

- a) A written training policy must be provided. Systematic training of staff must be demonstrated to have been carried out.

(14) TEMPERATURE IN UNITS

- a) Heating facilities must be available in the unit and used according to the requirements of the individual dog.
- b) There must be some part of the sleeping area where the dog is able to enjoy a temperature of at least 10°C (50°F).
- c) In isolation units, there should be a means of maintaining the temperature at a level suitable for the condition of the dog and dependent on veterinary advice.

(15) CLEANLINESS

- a) All units, corridors, common areas, kitchens etc must be kept clean and free from accumulations of dirt and dust and must be kept in such a manner as to be conducive to maintenance of disease control and dog comfort.
- b) Each occupied unit must be cleansed daily. All excreta and soiled material must be removed from all areas used by dogs at least daily and more often if necessary.

- c) All bedding areas must be kept clean and dry.
- d) Each unit must be thoroughly cleansed, disinfected and dried upon vacation. All fittings and bedding must also be thoroughly cleansed and disinfected at that time.
- e) Facilities must be provided for the proper reception, storage and disposal of all waste. Disposal must be in a manner approved of by the Waste Disposal Authority. Particular care should be taken to segregate clinical waste arising from the treatment and handling of dogs with infectious diseases. The final disposal route for all such waste must be incineration.
- f) Measures must be taken to minimise the risks from rodents, insects and other pests within the establishment.

(16) FOOD AND WATER SUPPLIES

- a) All dogs must be adequately supplied with suitable food. Wholesome water must be available at all times and changed daily.
- b) Eating and drinking vessels must be capable of being easily cleansed and disinfected and must be maintained in a clean condition.
- c) Eating vessels must be cleansed after each meal.
- d) Drinking vessels must be cleansed at least once a day.

(17) KITCHEN FACILITES

- a) Exclusive facilities, hygienically constructed and maintained, must be provided for the storage and preparation of food for the dogs.
- b) Where fresh and cooked meats are stored, refrigeration facilities must be provided, and food contamination must be avoided.
- c) A sink and hot and cold water must be provided for the washing of food equipment and eating and drinking vessels. A separate wash-hand basin with hot and cold water must also be provided for staff use.
- d) Containers must be provided for the storage of foods and shall be so constructed and kept in such good order, repair and condition as to be proof against insects and other pests.

(18) DISEASE CONTROL AND VACCINATION

- 1) Adequate precautions must be taken to prevent and control the spread of infectious and contagious disease and parasite amongst dogs, staff and visitors. The course of vaccination must have been completed at least four weeks before the first date of boarding or in accordance with manufacturers instructions. A record that this proof has been supplied must be kept on site, throughout the period that the dog is boarded.
- 2) Proof must be provided that dogs boarded or resident have current vaccinations against canine distemper, infectious canine hepatitis (canine adenovirus), leptospirosis (L. caricola and L. icterohaemorrhagiae) and canine parvovirus and other relevant diseases.
- 3) Advice from a veterinary surgeon must be sought in case of signs of disease, injury or illness. Where any dog is sick or injured any instructions for its treatment which have been given by a veterinary surgeon must be strictly followed.
- 4) A well stocked first aid kit suitable for use on dogs must be available and accessible on site.
- 5) A suitable range of muzzles of varying sizes and a suitable dog catching device, must be kept on site.

(19) ISOLATION

- 1) Isolation facilities must be provided.
- 2) In existing kennels these isolation facilities must be in compliance with the other boarding requirements but must be separate and physically isolated from the main units. This must be a minimum 5M (15ft).
- 3) Adequate facilities to prevent the spread of infectious disease between the isolation unit and other units, must be provided.
- 4) Hands must be washed after leaving the isolation facilities before visiting the other units.

(20) REGISTER

- a) A register must be kept of all dogs boarded. The information kept must include the following:-
 - Date of arrival.
 - Name of dog, any identification system such as microchip number or tattoo
 - Description, breed, age and gender of dog.

- Name, address and telephone number of owner or keeper.
 - Name, address and telephone number of contact person whilst abroad.
 - Name, address and telephone number of dog's veterinary surgeon.
 - Anticipated and actual date of departure.
 - Health welfare and nutrition requirements
- b) The register must be kept readily available for a minimum of 24 months and kept in such a manner as to allow an Authorised Officer easy access to such information.
- c) Where records are computerised, a back-up copy must be kept. The register must also be available to key members of staff of the establishment at all times.

(21) IDENTIFICATION OF KENNELS

- a) Each unit must be clearly marked (eg numbered) and a system in place which ensures that relevant information about the dog in that kennel is readily available.

(22) SUPERVISION

- a) A fit and proper person must always be present to exercise supervision and deal with emergencies whenever dogs are boarded at the premises.
- b) Dogs must be visited at regular intervals, as necessary for their health, safety and welfare.
- c) Dogs must be adequately exercised.

(23) FIRE PRECAUTIONS

- a) Appropriate steps must be taken for the protection of the dogs in case of fire or other emergencies.
- b) A proper emergency evacuation plan and fire warning procedure must be drawn up and posted on the premises. This must include instructions to where dogs are to be evacuated to in the event of a fire or other emergency.
- c) Fire fighting equipment must be provided in accordance with advice given by the fire prevention officer.
- d) All electrical installations and appliances must be maintained in a safe condition. There must be a residual current circuit breaker system on each block of units.
- e) Heating appliances must not be sited in a location or manner where they may present a risk of fire, or risk to dogs.
- f) Precautions must be taken to prevent any accumulations which may present a risk of fire.
- g) There must be adequate means of raising an alarm in the event of fire or other emergency.
- h) The licensee shall ensure that a responsible person shall at all times be in, or within, reasonable distance from the premises for the purpose of giving warning and taking other necessary steps in the event of fire or other emergency. In case of absence of the responsible resident, the licensee shall appoint a responsible person residing within reasonable distance of the premises to have custody of a duplicate key. The name and address and telephone number of such a person shall be displayed in legible characters on the front door or windows of the premises and be notified to the local fire brigade and police.

LACORS MODEL LICENCE CONDITIONS FOR HOME BOARDING (DOGS)
ANIMAL BOARDING ESTABLISHMENTS ACT 1963.

1. INTRODUCTION

- 1.1 Unless otherwise stated, these conditions shall apply to all buildings and areas to which dogs have access and/or which are used in association with the boarding of dogs.
- 1.2 Normally planning permission will not be required for the home boarding of animals on the scale proposed, however should complaints be received because of particular noise or odour problems, then the Council reserves the right to consider whether there has been a change of use which requires a planning application to be submitted.
- 1.3 The Licensee must ensure that the establishment is covered by adequate and suitable public liability insurance and, where necessary, adequate and suitable employers liability insurance.
- 1.4 No dog registered under the Dangerous Dogs Act 1991 must be accepted for home boarding.
- 1.5 Dog hybrids registered under the Dangerous Wild Animal Act 1976 (e.g. Wolf Hybrids) are not to be accepted for home boarding.
- 1.6 Entire males and bitches in season or bitches due to be in season during the boarding, must not be boarded together or boarded with resident dogs. Puppies under 6 months of age must not be boarded with other dogs including resident dogs.

2. LICENCE DISPLAY

- 2.1 A copy of the licence and its associated conditions must be suitably displayed to the public in a prominent position in, on or about the premises or made available to each boarder.

3. NUMBERS OF ANIMALS

- 3.1 The maximum number of dogs to be kept at any one time is (enter number).
- 3.2 Only dogs from the same household may be boarded at any one time. Dogs must not be boarded with any cat, unless they normally live together in the same household.

- 3.3 Where there is a resident dog or cat kept at the household, written consent from the owners of the boarded dog must be gained following a trial familiarisation session.
- 3.4 The Licensee will be required to make an assessment of the risks of home boarding to include the risk to or caused by children who are likely to be at the property.

4. CONSTRUCTION

- 4.1 Dogs must live in the home as family pets. There must be no external construction of buildings, cages or runs.
- 4.2 The premises shall have its own entrance and must not have shared access e.g. communal stairs.
- 4.3 There must be adequate space, light, heat and ventilation for the dogs.
- 4.4 As far as reasonably practicable all areas/rooms within the home to which boarded dogs have access, must have no physical or chemical hazards that may cause injury to the dogs.
- 4.5 There must be sufficient space available to be able to keep the dogs separately if required.
- 4.6 If a collection and delivery service is provided, a suitable vehicle with a dog guard or cage in the rear must be provided.

5. MANAGEMENT

5.1 TRAINING

- 5.1.1 A written training policy for staff must be provided. Systematic training of staff must be demonstrated to have been carried out.

5.2 CLEANLINESS

- 5.2.1 All areas where the dogs have access to, including the kitchen etc must be kept clean and free from accumulations of dirt and dust and must be kept in such a manner as to be conducive to maintenance of disease control and dog comfort.
- 5.2.2 All excreta and soiled material must be removed from all areas used by dogs at least daily and more often if necessary. Disposal facilities for animal waste must be agreed with the Licensing Authority.
- 5.2.3 All bedding areas must be kept clean and dry.
- 5.2.4 Facilities must be provided for the proper reception, storage and disposal of all waste. Particular care should be taken to segregate clinical waste arising from the treatment and handling of dogs with infectious diseases. The final route for all such waste shall comply with current waste regulations.

- 5.2.5 Measures must be taken to minimise the risks from rodents, insects and other pests within the premises.

5.3 FOOD AND WATER SUPPLIES

- 5.3.1 All dogs shall have an adequate supply of suitable food as directed by the client.
- 5.3.2 Fresh drinking water must be available at all times (unless advised otherwise by a veterinary surgeon) and the drinking vessel cleaned daily. The water must be changed at least twice a day.
- 5.3.3 Clients must be encouraged to provide each dog with its own bedding, bowls, grooming materials etc. These items must be cleaned regularly to prevent cross-infection. The Licensee however should also be able to provide extra bedding material.
- 5.3.4 Where necessary, eating and drinking vessels must be provided, and where so, they must be capable of being easily cleansed and disinfected to prevent cross-contamination. They must also be maintained in a clean condition. Feeding bowls must be cleaned or disposed of after each meal and each dog must be provided with its own bowl.

5.4 KITCHEN FACILITIES

- 5.4.1 Airtight containers must be provided for the storage of dry foods. Uncooked food and the remains of opened tins must be stored in covered, non-metal, leak proof containers in the fridge.
- 5.4.2 All bulk supplies of food shall be kept in vermin proof containers.

5.5 DISEASE CONTROL AND VACCINATION

- 5.5.1 Adequate precautions must be taken to prevent and control the spread of infectious and contagious disease and parasites amongst the dogs, staff and visitors.
- 5.5.2 Proof must be provided that boarded and resident dogs have current vaccinations against Canine Distemper, Infectious Canine Hepatitis (Canine adenovirus), Leptospirosis (*L. canicola* and *L. icterohaemorrhagicae*) and Canine Parvovirus and other relevant diseases. The course of vaccination must have been completed at least four weeks before the first date of boarding or in accordance with manufacturer instructions. A record that this proof has been supplied must be kept on-site throughout the period that the dog is boarded.
- 5.5.3 Advice from a veterinary surgeon must be sought in case of signs of disease, injury or illness. Where any dog is sick or injured, any instructions for its treatment, which have been given by a veterinary surgeon, must be strictly followed.

- 5.5.4 A well-stocked first-aid kit suitable for use on dogs must be available and accessible on site.
- 5.5.5 The Licensee must be registered with a veterinary practice that can provide 24-hour help and advice. The clients own veterinary practice must be known and consulted if necessary.
- 5.5.6 Precautions must be taken to prevent the spread of fleas, ticks, intestinal parasites and other parasites in both boarded and resident dogs. Proof must be maintained of all routine and emergency treatment for parasites.
- 5.5.7 The premises shall be regularly treated for fleas and parasites with a veterinary recommended product.
- 5.5.8 Veterinary advice must be sought in relation to cleaning substances so that they or their fumes cannot be harmful to an animal.

5.6 ISOLATION AND CONTAGIOUS DISEASE OUTBREAK.

- 5.6.1 Dogs showing signs of any disease or illness shall be isolated from any other dogs until veterinary advice is obtained. There must be sufficient facilities within the licensed premises to ensure effective separation of any sick animal.
- 5.6.2 The Licensee must inform the Licensing Authority on the next working day if a dog develops an infectious disease.
- 5.6.3 Following an episode of infectious disease during any stay, the premises must undergo a reasonable quarantine period before new boarders are admitted. This period will be specified by the Licensing Authority as agreed with their authorised veterinary surgeon.
- 5.6.4 The Licensing Authority must be informed of any animal death on the premises. The Licensee must make arrangements for the body to be stored at a veterinary surgeons premises until the owners return.

5.7 REGISTER

- 5.7.1 A register must be kept of all dogs boarded. The information kept must include the following:

- Date of arrival
- Name of dog, any identification system such as microchip number, tattoo
- Description, breed, age and gender of dog
- Name, address and telephone number of owner or keeper
- Name, address and telephone number of contact person whilst boarded
- Name, address and telephone number of dog's veterinary surgeon
- Anticipated and actual date of departure
- Proof of current vaccinations, medical history and requirements
- Health, welfare nutrition and exercise requirements

- 5.7.2 Such a register is to be available for inspection at all times by an officer of Licensing Authority, veterinary surgeon.
- 5.7.3 The register must be kept readily available for a minimum of 2 years and kept in such a manner as to allow an authorised officer easy access to such information.
- 5.7.4 If medication is to be administered, this must be recorded.
- 5.7.4 Where records are computerised, a back-up copy must be kept. The register must also be available to key members of staff of the establishment at all times.

5.8 SUPERVISION

- 5.8.1 A fit and proper person with relevant experience must always be present to exercise supervision and deal with emergencies whenever dogs are boarded at the premises. This person must not have any conviction or formal Cautions for any animal welfare related offence.
- 5.8.2 Dogs must be visited at regular intervals, as necessary for their health, safety and welfare, and must not be left unattended for longer than 3 hours at a time and then not on a regular basis.
- 5.8.3 No home where there are children under 5 years of age will be licensed.
- 5.8.4 Only people over 16 years of age are allowed to walk the dogs in public places.

5.9 EXERCISE

- 5.9.1 Dogs must be exercised in accordance with their owner's wishes. If dogs are taken off the premises, they must be kept on leads unless with the owners written permission.
- 5.9.2 There must be direct access to a suitable outside area. The area / garden must only be for use by the homeowner (not shared with other residents). The area must be kept clean.
- 5.9.3 The exercise/garden area of the premises and any other area to which the boarded dogs may have access, must be totally secure and safe. Fencing must be adequate to offer security to prevent escape and be safe, with no dangerous sharp objects or protrusions. Gates must be able to be locked.
- 5.9.4 If there is a pond, it must be covered to avoid drowning.
- 5.9.5 Dogs must wear a collar and identity tag during their time in boarding. The tag must display the name, address and telephone number of the boarding premises.
- 5.9.6 The Licensing Authority must be informed on the next working day if a dog is lost.

5.10 FIRE / EMERGENCY PRECAUTIONS

- 5.10.1 Appropriate steps must be taken for the protection of the dogs in case of fire or other emergencies.
- 5.10.2 The occupier of the property must be aware of the location of the dogs in the property at all times.
- 5.10.3 Careful consideration needs to be given to the sleeping area for dogs to ensure that they can be easily evacuated in the event of a fire, without putting the occupiers of the property at risk.
- 5.10.4 A fire warning procedure and emergency evacuation plan – including details of where dogs are to be evacuated to in the event of a fire or other emergency - must be drawn up, brought to the attention of those involved in the home boarding arrangements and/or displayed in a prominent place on the premises. The Licensee must have suitable arrangements for the temporary boarding of dogs in the event that the licensed premises is rendered uninhabitable.
- 5.10.5 Fire detection equipment must be provided in accordance with general advice given by the Fire Safety Officer. The home must have at least 2 working smoke detectors located at the top & bottom of the staircase, or other appropriate location.
- 5.10.6 All doors to rooms must be kept shut at night.
- 5.10.7 All electrical installations and appliances must be maintained in a safe condition. No dog must be left in a room with loose or trailing cables or wires.
- 5.10.8 All heating appliances must be free of risk of fire as is reasonably practicable. There must be no use of freestanding gas or oil appliances.
- 5.10.9 A relative, friend or neighbour within 5 minutes travelling time must have a spare set of keys and access to the premises in case of an emergency. These details must be made available to the Licensing Authority.

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