

## **LICENSING COMMITTEE**

**WEDNESDAY, 30 DECEMBER 2015**

**(CONTINUATION OF THE MEETING ADJOURNED FROM 15<sup>TH</sup> DECEMBER 2015)**

PRESENT:- Councillors Junab Ali, Abdul Amin, John Ballman, Alan Bishop, Michael Bray, John Haines, Fay Howard, Derique Montaut, Maureen Penny, Eric Shaw, Caryl Sydney-Smith, Vera Tomlinson (Chair) and Peter Watts.

Apologies for absence were received from Councillors Oliver Donachie and Kevin Small.

### **23. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting.

In accordance with the Code of Conduct Councillor Mick Bray made a non prejudicial declaration of interest in respect of Agenda Item No. 4 as he used catteries situated with the Borough (Minute 25 refers).

In accordance with the Code of Conduct Councillor Vera Tomlinson made a non prejudicial declaration of interest in respect of Agenda Item No. 5 as her Daughter-in Law as involved with Dog Breeding (Minute 26 refers).

### **24. Public Question Time**

Mr Owen (Cattery Owner) asked the Committee to consider the request from officers that his business inherit grandfather rights due to the he could not comply with the new regulations without substantially reducing the number of cats he could board. The Chair indicated that his comments would be considered as part of discussions during consideration of the agenda item.

### **25. Model Licence Conditions for Catteries**

The Council's Licensing Manager submitted a report setting out responses to the Council's consultation on Model Cattery Licence conditions and setting out proposed Model Cattery Licence conditions for catteries within the Borough.

Resolved – (1) That the model licensing conditions for catteries within the Borough, as set out in appendix 1 to the Licensing Officers report, be approved subject to:

- (a) the minimum area for up to 4 cats, as set out in paragraph A3.1 be amended to read 1.9 metres;
- (b) the minimum area for up to 4 cats, as set out in paragraph A4.6 being approved by the Chair in consultation with the Council's Licensing Manager and the Director of Law and Democratic Services;
- (c) grandfather rights being granted to the owner of "Chimneys Cattery" in line with paragraph 3.11 of the Licensing Officer's report;
- (d) paragraph A5 Fire and other emergencies being amended to include a requirement for safety certificates in respect of gas or oil boilers.

(2) That, further to (1)(b) above, the Council's Licensing Officer write to

Members of the Licensing Committee advising them of the agreed condition approved by the Chair in consultation with the Council's Licensing Manager and the Director of Law and Democratic Services.

(3) That the Council's Licensing Officer write to Members of the Licensing Committee informing them should the current proprietors of Chimneys Cattery carry out necessary refurbishment works to comply with adopted conditions.

(4) That the revised Model Licensing Conditions for Catteries within the Borough be applied to all new applications for Catteries within the Borough, together with all existing catteries with the exception of Chimneys Cattery, which further to (1)(c) above, be exempted through the grant of grandfather rights.

(In accordance with the Code of Conduct Councillor Mick Bray made a non prejudicial declaration of interest in respect of this item as he used catteries situated with the Borough.)

## **26. Proposed Conditions for Dog Day Care**

The Council's Licensing Manager submitted a report setting out responses to the Council's consultation on Model Dog Day Care Licence conditions and setting out proposed Model Dog Day Care Licence conditions within the Borough.

Resolved – (1) That the model licensing conditions for dog day care within the Borough subject to:

(a) Paragraph 3.15 of the Licensing Manager's report being amended to read:

"In section 5.8.1 to add: This should include practical experience of caring for dogs other than their own as well as a qualification in animal behaviour and first aid."

(b) Paragraph 3 of Appendix 1 (page 61 of the agenda papers) being amended to read: "The dictionary definition of 'board' means the provision of meals, with or without lodgings. Therefore, where a day care or 'crèche' is providing food and water for animals they are effectively providing board and are, to that end, a Boarding Establishment and would require a licence. However, if food and water were not provided the premises **shall** still require a licence if the primary function is to board animals. A lack of food and/or water might constitute a welfare matter."

(c) paragraph 5.10 of the policy "Fire and other emergencies" being amended to include a requirement for safety certificates in respect of gas or oil boilers.

(2) That the revised conditions for Dog Day Care, as amended, be applied to any new applications made for dog day care centers within the Borough as set out in paragraphs 3.13 to 3.18 of the Licensing Officer's report.

(In accordance with the Code of Conduct Councillor Vera Tomlinson made a non prejudicial declaration of interest in respect of this item as her Daughter-in Law as involved with Dog Breeding.)

## **27. Model Licence Conditions for Pet Shops**

The Council's Licensing Manager submitted a report setting out responses to the Council's consultation on Model Conditions for Pet Shops and setting out proposed Licence conditions for Pet Shops within the Borough.

Resolved – (1) That subject to, the Guidance "Puppies do not discriminate in where they toilet and this maintains a clean environment. A cleaning schedule or SOP should be provided" being amended and approved by the Chair, Council's Licensing Officer and Director of Law and Democratic Services, the licence conditions for Pet Shops, as set out in the Licensing Officer's report be approved

and adopted.

(2) That the revised conditions for Pet shops be applied to existing pets within the Borough together with any new applications approved the Council.