

# Proposed conditions for Dog Day Care

Licensing Committee Date:

15<sup>th</sup> December 2015

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Author:	Kathryn Ashton – Licensing Manager
Wards:	All
Locality Affected:	All
Parishes Affected:	All

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## 1. Purpose and Reasons

- 1.1 To consider the responses to the Dog Day Care “crèches” Model Licence Conditions Consultation exercise and to recommend approval of licence conditions for adoption.

## 2. Recommendations

### That Committee:

- 2.1 Approve the recommended licence conditions for adoption as detailed in Appendix 5. The revised conditions to apply to any new applications made for day care centres within the Borough.
- 2.2 Agree for the results of the consultation exercise to be brought back to Committee for consideration with a view to formal adoption of conditions

## 3. Detail

- 3.1 The Council currently uses Model conditions for boarding establishments based on the Local Government Association guidance produced. These are for kennels and home boarding establishments
- 3.2 It has been recognised that these do not include specific conditions for dog day care facilities.
- 3.3 A set of conditions were drafted and tabled at the Licensing Committee meeting on the 17th September. These are attached as Appendix 1.
- 3.4 It was agreed by the Licensing Committee that a consultation exercise be carried out and that the results of the consultation exercise and proposed licence conditions be brought back for consideration and adoption with any amendments as considered necessary.
- 3.5 The consultation document was posted on the Council web site, and copies were also sent to all currently licensed boarding establishments in the district. These are attached as Appendix 2.
- 3.6 The responses received are detailed in Appendix 3
- 3.7 All responses have been acknowledged and all enquiries have been clarified as to the purpose and extent of the consultation.

Further information on the subject of this report can be obtained from Kathryn Ashton, Licensing Manager on 01793 466113 or by email: [kashton@windon.gov.uk](mailto:kashton@windon.gov.uk)

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- 3.8 A summary of responses are detailed in Appendix 4
- 3.9 Responses received are positive on the whole although some queries have been raised. After considering all responses the recommendation to members would be as follows:
- 3.10 Although they did not put in a formal response, several of our home boarding licensees asked if these conditions would apply to them as they carry out day care (as well as overnight boarding).
- 3.11 To clarify an additional section has been added to the introduction: These conditions are intended for purpose built Dog Day Care Centres. Although day care may be carried out at a home boarding facility these conditions may not be appropriate for such a site and the relevant Model Licence Conditions for Home Boarding premises should be used.
- 3.12 Further specific conditions are available for Kennels.
- 3.13 The Licensing Department can be contacted on 01793 466080 or [licensing@swindon.gov.uk](mailto:licensing@swindon.gov.uk) for clarification as to which Model Conditions are fitting for the premises.
- 3.14 In section 1.8 to add: As part of the emergency plan in 5.10.3, consideration must be made for the non-collection of dogs and appropriate measure considered for the overnight placement of unclaimed dogs.
- 3.15 In section 3.6 To ensure separation of dogs from different households in secure areas if have to be left unattended momentarily. Following risk assessment by licensee this may be relaxed with written permission from owners. This would be reviewed on annual inspections and if any issues identified the concession will be removed. NB see 5.8.2 a fit and proper person should always be in attendance
- 3.16 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 behaviour and first aid.
- 3.17 To add: 5.8.7 Only people of 16 years of age or over may have access to the day care centre facilities
- 3.18 To remove: 5.10.5 All doors to rooms should be kept shut at night in normal circumstances. This may be at Licensee's discretion following risk assessment
- 3.19 Section 4.6 to remove the words "at night"

### **4. Alternative Options**

- 4.1 The Licensing Committee could choose not to adopt the proposed conditions for dog day care establishments. However should this be the case there would be no specific conditions to apply to such premises.

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### **5. Implications, Diversity Impact Assessment and Risk Management**

#### Financial and Procurement Implications

- 5.1 There are no direct financial implications arising from the report. Any future consultation will be undertaken within approved budgets.

#### Legal and Human Rights Implications

- 5.2 Legal and Human Rights considerations have been taken fully into account in compiling this report. It is considered that the recommendations of this report are compatible with Convention Rights as they fully in accord with the requirements of relevant legislation. The Council is required to comply with the statutory provisions referred to in the report, which the adoption of this policy \ regime will ensure it does. All other legal and human rights implications have been considered in the preparation of this report.

#### All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

#### Diversity Impact Assessment

- 3.20 A DIA has not been undertaken.

### **4. Consultees**

- 4.1 The Director of Law and Democratic Services (Monitoring Officer) is consulted in respect of all reports.

### **5. Background Papers**

- 5.1 Animal Boarding Establishments Act 1963  
5.2 Animal Welfare Act 2006

### **6. Appendices**

- 6.1 Appendix 1: Proposed conditions for Dog Day Care Centres  
6.2 Appendix 2: List of consultees  
6.3 Appendix 3: Responses received  
6.4 Appendix 4: Summary of consultations received and officer responses  
6.5 Appendix 5: Revised conditions for Dog Day Care Centres