

# Model Licence Conditions for Dog Day Care Centres

**Licensing Committee**

**Date: 4<sup>th</sup> February 2016**

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Author:	Licensing Manager
Wards:	All
Locality Affected:	All
Parishes Affected:	All

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## **1. Purpose and Reasons**

- 1.1 To consider exemptions for the licence conditions for dog day care “crèches” under the Animal Boarding Establishments Act, 1963.

## **2. Recommendations**

- 2.1 It is recommended that the Committee:
- 2.1.1 Allow the exemption as detailed in paragraph 3.17, and
  - 2.1.2 Allow delegation for officers to make decisions on similar exemptions on a case by case basis for future applications in consultation with the Chair of Licensing Committee.

## **3. Detail**

- 3.1 The Council uses Model conditions for boarding establishments based on the Local Government Association guidance produced. These are for kennels and home boarding establishments and it has been recognised that these do not include specific conditions for dog day care facilities.
- 3.2 A set of conditions was drafted and tabled at the Licensing Committee meeting on the 17th September 2015. It was agreed by the Licensing Committee that a consultation exercise be carried out.
- 3.3 The results of the consultation exercise and proposed licence conditions were brought back to the Licensing Committee on 30<sup>th</sup> December 2015. Members considered all responses received and amended the proposed conditions appropriately. The amended conditions are enclosed as Appendix 1.
- 3.4 It was unanimously agreed that the revised conditions with the amendments be applied to any applications for Dog Day Care Centres.
- 3.5 An enquiry regarding opening a Dog Day Care Centre was received shortly after the conditions were agreed. It became clear that the proposals by the applicant would not fit with some of the adopted model conditions.

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

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- 3.6 Nevertheless, the proposals took into account animal welfare, security and public safety and were considered to be acceptable and in line with the outcomes that the Model Conditions were attempting to achieve.
- 3.7 Swindon Borough Council is one of the first Local Authorities to bring in specific model conditions for purpose built Dog Day Care Centres and has already been approached by other authorities regarding assistance in doing the same.
- 3.8 Being at the forefront of such proposals it is clear that minor alterations may have to be made, as enquires and circumstances not initially anticipated, are submitted.
- 3.9 Therefore it is requested that the Committee allow the exemption of the following conditions for this establishment as detailed below, as well as allowing delegation to officers in conjunction with the Chair of Licensing Committee, to make minor future exemptions on a case by case basis.
- 3.10 The exemption is proposed in part for Condition 3.1. The condition reads: *3.1 A staffing ratio of 2 staff for up to 10 dogs must be present at all times and an extra handler for every 6 dogs thereafter is required. All staff must be experienced in the handling of dogs.*
- 3.11 The proposed premises has large secure pens that would contain one dog or an occasional pair of small dogs from the same household. The dogs would be taken in turns to the communal areas both internal and external on an individual basis. The proposal does not initially propose to mix dogs from different households but recognises that in the future following a mutually agreeable documented familiarisation period this could be allowed on an occasional basis.
- 3.12 The two main staff members are both well qualified and experienced dog behaviourists. They propose opening at 08:00 and closing at 18:00 with one of them present. The second member of staff would start at 10:00 and finish at 16:00.
- 3.13 They propose owners must collect dogs by 18:00 or face a financial penalty to minimise late collections.
- 3.14 They have asked to be licensed for 10 dogs – they do have the ability to expand slightly but would increase staffing levels appropriately.
- 3.15 For the first and last two hours of each day there may only be one member of staff on site with the possibility of up to 10 dogs being on site but each secure in their pens. They therefore ask for this condition to be relaxed for that time period with the dogs being secure.

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- 3.16 Officers recommend that as the dogs are secure and separated it presents minimal risk to animals and staff and would satisfy the welfare and licensing requirements. Such a staffing ratio would be acceptable under kennels under the current conditions
- 3.17 It is proposed that if there is an exemption on the condition it is for no more than a two hour period, and that in this time, the dogs are secure in their pens with no more than three allowed in a communal area at any time. The revised condition is set out at Appendix 1.

## **3 Implications, Diversity Impact Assessment and Risk Management**

### Financial and Procurement Implications

- 4.1 There are no financial implications arising from this report as consultation on the conditions which did give rise to a financial implication has already taken place.

### Legal and Human Rights Implications

- 4.3 By providing an exception to the model conditions based on a case by case assessment of impact, there are no implications for legal or human rights..

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

- 3.6 There are no other implications associated with this report.

### Diversity Impact Assessment

- 3.7 The DIA is as the previous report.

### Risk Management

- 3.8 Failure to determine the policy or adequately consult may lead to judicial review proceedings. Commencing the consultation will avoid this.

## **4 Consultees**

- 4.6 The Board Director Resources (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

## **5 Background Papers**

- 5.1 Animal Boarding Establishments Act 1963

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5.2 Animal Welfare Act 2006

## **6 Appendices**

6.1 Appendix 1 - Revised conditions for Dog Day Care Centres