

Minutes of a meeting of the **LICENSING COMMITTEE** held in the Meeting Room 1, Council Offices, Priory Road, Spalding, on Wednesday, 28 February 2024 at 6.30 pm.

**PRESENT**

A Harrison (Chairman)  
J Tyrrell (Vice-Chairman)

D Ashby  
A C Beal  
M D Booth  
A Casson

M Geaney  
R A Gibson  
J L King  
I Sheard

A Spencer  
J Whitbourn

In Attendance: The Group Manager – Public Protection, the Licensing and Business Support Team Leader and the Democratic Services Officer.

Apologies for absence were received from or on behalf of Councillors H J W Bingham, N Chapman and M Hasan

**5. MINUTES**

Consideration was given to the minutes of the meeting held on 1 November 2023.

**AGREED:**

That the minutes be signed as a correct record.

**6. DECLARATIONS OF INTEREST**

There were none.

**7. ANIMAL WELFARE LICENSING POLICY**

Consideration was given to the report of the Assistant Director – Regulatory which sought approval of the draft Animal Welfare Licensing Policy prior to its publication for consultation.

The Group Manager – Public Protection introduced the policy and highlighted the following points:

- The policy was intended to help manage the framework for monitoring animal welfare licensing regulations.
- There were details within the policy that went beyond the requirements of the Animal Welfare Licensing Regulations 2018.
- Currently, SHDC had the following number of licensed premises: 31 dog breeders, 9 boarding establishments (catteries/kennels), 2 home boarders, 3 riding establishments, 5 pet shops, 6 for exhibitions of animals and 1 for dangerous wild animals.

**LICENSING COMMITTEE - 28 February  
2024**

- Exhibition of animals was brought under SHDC's remit from LCC in 2018.
- Members were being asked to provide feedback prior to the policy going out for a twelve-week consultation period.
- The policy would be brought back to the Licensing Committee following consultation for final approval.

Members made the following comments:

- Members asked whether SHDC had a licenced zoo in the district.
  - Officers confirmed that there was one zoo licence
- Members queried what the difference was between boarding and home boarding.
  - Officer confirmed that home boarding under the regulations was for dogs only and took place within the home. The number of dogs that could be home boarded at a particular location depended on the size of the property.
- Members queried the degree of discretion to depart from the policy.
  - Officers stated that it was normal to add this into a policy as often the legislation is open to interpretation.
- Members asked whether a licence was required to keep a horse.
  - Officers confirmed this was not required.
- Members questioned whether the Council paid vet fees in advance when determining an application for a licence.
  - Officers confirmed that the regulations dictated that the applicant was responsible for the payment of the vet fee.
  - It was also noted that dependent on arrangements with each vet, the Council may pay the fee and then reclaim this cost from the applicant.
- Members asked whether a licence was required at Ayscoughfee for the aviary.
  - Officers stated that the legislation did not cover aviaries in municipal parks and therefore a licence was not required.
- Members asked how often licensing officers were retrained in respect of animal welfare.
  - Officers confirmed that a statutory qualification was required for animal welfare inspectors. Currently SHDC had 1 trained officer, and another was undertaking the qualification.
  - Officers were not aware of any refresher training, but this would be considered if they were made aware of refresher training as part of officer's professional development.
- Members requested that a specific training session on Animal Welfare Panels be held for all Committee members.
  - Officers stated that training provided for members on Licensing Panels and Panels of the Committee of the Licensing Authority focussed primarily on taxi and Licensing Act 2003 activities, but the principles were generic to all types of Panel hearings.
  - Should an Animal Welfare Panel Hearing be required, the members of that particular panel could be given training to cover the specific requirements.

**LICENSING COMMITTEE - 28 February  
2024**

- Members asked whether certification of training for pet shop staff was required to be seen during inspections.
  - Officers confirmed that this was the case and when applying for a licence there was an extensive list of requirements for documentation.
  - It was noted that an increased level of training for staff would increase the star rating of that premises.
- Members queried whether import certificates were requested when inspecting a dog breeder breeding dogs with cropped ears.
  - Officers confirmed that import certificates were requested and would be kept on the application file.
  - A vet would also accompany the inspecting officer in these cases.
- Members asked what action would be taken if dogs were found with cropped ears.
  - Officers stated that it would need to be determined whether a criminal investigation was required.
- Members questioned what evidence was looked for in the case of a single dog breeding more litters than allowed.
  - Officers confirmed that the trained officer carrying out the inspection, along with the vet, would look for signs of this.
  - Any concerns would be followed up and investigated.
- Members asked what would happen if various breeds of dog were noticed during an inspection.
  - Officers explained that if other animal were spotted at the premises, an explanation would be required as to why they were not included in the application.
- Members queried what could be done about ownership of very large snakes and dangerous lizards.
  - Officers responded that this was difficult as the Dangerous Wild Animals Act was very specific as to the species it covered.
- Members asked whether reports from the public were investigated.
  - Officers confirmed that every report is referenced and followed up.
  - It would need to be established if evidence provided is credible and whether concerns needed to be raised with the Police or RSPCA.
- Members were surprised that there were only 9 licenced catteries in the district.
  - Officers responded that the breeding of cats was not licensable.
- Members asked whether officers were actively looking at the sale of dogs on social media.
  - Officers stated that this was not always possible under RIPA and could appear as covert operations. Complaints would however be followed up if required.
- Members questioned whether there was a duty for pet shops to pass on the details of snakes and lizards sold.
  - Officers confirmed that there was a requirement for the shop to keep a record, but the Council did not expect to be notified of every sale.
- Members asked whether a pet shop would advise an owner of the need for a licence for a dangerous snake.

**LICENSING COMMITTEE - 28 February  
2024**

- Officers stated that a pet shop would need to see evidence of a licence before proceeding with a sale.
- Members asked how often inspections took place once a licence was granted.
  - Officers responded that there were different regimes for different types of licences.
  - It was also dependent on the star rating a premises had, e.g., if it was a 1-star premises there would be an inspection during the year and another at the point of renewal.
- Members questioned how often the policy would be reviewed.
  - Officers confirmed that it would be reviewed every three years.
- Members asked whether this policy would be implemented across the Partnership.
  - Officers responded that the policies would be similar across the three councils as they would contain the same general principles.
- Members queried whether applicants were required or encouraged to sign up for the DBS checking service.
  - Officers confirmed that they encouraged all applicants to sign up for the checking service after completing their initial check.
- Members asked whether checks would be carried out on the suitability of an executor who takes over a licence upon the death of a licence holder.
  - Officers stated that temporary arrangements would only last for three months.
  - Once this period had expired, the licence holder would be expected to apply for a new licence and suitability checks would be undertaken at that stage.
- Members asked if there was a central register of licence holders.
  - Officers responded that there was not a central register, but questions could be asked of other councils if an application required it.
- Members questioned whether it was ensured that there was an adequate distance between kennels and catteries if located on the same premises.
  - Officer confirmed that the distance was checked for welfare and security reasons.
- Members asked if a visit was undertaken at a kennel/cattery before a licence was granted.
  - Officers confirmed this was the case.
- Members asked if paperwork was required to be returned if a licence was removed.
  - Officers stated that paperwork was required to be returned and this would be chased if it was not received.
- Members queried if photos were taken at inspections as evidence.
  - Officers confirmed pictures were taken and retained on file.
- Members asked whether outside runs without lids on at kennels were recommended.
  - Officers responded that inspectors always encouraged facilities to improve in areas such as this.
  - If a facility did not want to install those improvements, they could be conditioned to not have a certain breed of animal there.

**LICENSING COMMITTEE - 28 February  
2024**

- Members asked what action would be taken if a premises had allowed an animal to escape.
  - Officers confirmed that an assessment would be undertaken to determine circumstances and they would look to reconsider the licence, if necessary.
- Members expressed concern that grooming premises were not required to have a licence.
  - Officers responded to say that the Animal Welfare Act did still apply even where there was no licence and there was a process to deal with these cases via the Police if welfare issues.

**AGREED:**

That the Licensing Committee approves the draft policy for consultation.

**8. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT.**

There were none.

(The meeting ended at 7.25 pm)

(End of minutes)