

Open

Licensing and Environmental Committee

Agenda

10.30am
Monday, 8th December 2014
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Licensing and Environmental Committee

Members of Committee:

Chairman: Councillor P B Harrison
Vice-Chairman: Councillor G C Yarranton

Councillor J Aston	Councillor G W Ballinger
Councillor R Bishop	Councillor A R Clent
Councillor P Dyke	Councillor J A Hart
Councillor P V Hayward	Councillor V Higgs
Councillor J Holden	Councillor M B Kelly
Councillor N Knowles	Councillor M Price
Councillor D R Sheppard	

Information for Members of the Public:

Part I of the Agenda includes items for discussion in public. You have the right to request to inspect copies of Minutes and reports on this Agenda as well as the background documents used in the preparation of these reports.

Part II of the Agenda (if applicable) deals with items of "Exempt Information" for which it is anticipated that the public may be excluded from the meeting and neither reports nor background papers are open to public inspection.

There are particular circumstances when the Ethics and Standards Committee may exclude the public, which are in addition to those available at meetings of the Council, its Cabinet and Committees etc. These apply when the Ethics and Standards Committee considers the following:

Information relating to a particular chief officer, former chief officer or applicant to become a chief officer of a local probation board within the meaning of the Criminal Justice and Court Services Act 2000.

Information which is subject to any obligation of confidentiality.

Information which relates in any way to matters concerning national security.

Declaration of Interests by Members – interests of members in contracts and other matters

Declarations of Interest are a standard item on every Council and Committee agenda and each Member must provide a full record of their interests in the Public Register.

In addition, alongside the Register of Interest, the Members Code of Conduct ("the Code") requires the Declaration of Interests at meetings. Members have to decide first whether or not they have a disclosable interest in the matter under discussion.

Please see the Members' Code of Conduct as set out in Section 14 of this constitution for full details.

Disclosable Pecuniary Interest (DPI) / Other Disclosable Interest (ODI)

DPI's and ODI's are interests defined in the Code of Conduct that has been adopted by the District.

If you have a DPI (as defined in the Code) in a matter being considered at a meeting of the Council (as defined in the Code), the Council's Standing Orders require you to leave the room where the meeting is held, for the duration of any discussion or voting on that matter.

If you have an ODI (as defined in the Code) you will need to consider whether you need to leave the room during the consideration of the matter.

For further information:

If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Louisa Bright, Committee and Member Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732763 or email louisa.bright@wyreforestdc.gov.uk

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Wyre Forest District Council

Licensing and Environmental Committee

Monday, 8th December 2014

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1 - Open to the press and public

Agenda item	Subject	Page Number
1.	Apologies for Absence	
2.	Appointment of Substitute Members To receive the name of any Councillor who is to act as a substitute, together with the name of the Councillor for whom he/she is acting.	
3.	Declarations of Interests by Members In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered. Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
4.	Minutes To confirm as a correct record the Minutes of the meeting held on the 6th October 2014.	6
5.	Review of Standard Licence Conditions Applicable to Animal Welfare Licences To receive a report from the Director of Worcestershire Regulatory Services on behalf of Wyre Forest District Council on the review of standard licence conditions applicable to Animal Welfare Licences.	8
6.	Licensing Act 2003 - Review of Statement of Licensing Policy To receive a report from the Director of Worcestershire Regulatory Services on behalf of Wyre Forest District Council on a review of the Statement of Licensing Policy.	75

7.	To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	
8.	<p>Exclusion of the Press and Public</p> <p>To consider passing the following resolution:</p> <p>“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in the paragraph 1 of Part 1 of Schedule 12A to the Act”.</p>	

Part 2 - Not open to the Press and Public

9.	To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	
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WYRE FOREST DISTRICT COUNCIL

LICENSING AND ENVIRONMENTAL COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

6TH OCTOBER 2014 (10.30AM)

Present:

Councillors: P B Harrison (Chairman), G C Yarranton (Vice-Chairman), G W Ballinger, R Bishop, A R Clent, P Dyke, J A Hart, P V Hayward, V Higgs, J Holden, M B Kelly, N Knowles, M Price and D R Sheppard.

Observers:

There were no members present as observers.

LIC.7 Apologies for Absence

Apologies for absence were received from Councillor J Aston.

LIC.8 Appointment of Substitutes

No substitutes were appointed.

LIC.9 Declaration of Interests

No declarations of interest were made.

LIC.10 Minutes

Decision: The minutes of the meeting held on 4th August 2014 be confirmed as a correct record and signed by the Chairman.

LIC.11 Exclusion of the Press and Public

Decision: Under Section 100A(4) of the Local Government Act, 1972 the press and public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of "Exempt Information" as defined in paragraphs 7 of Part I of Schedule 12A of the Act.

Members were invited to declare the existence of any interests at this point.

LIC.12 Application for the Grant of a Hackney Carriage Private Hire Driver's Licence

It was noted by the Committee that the applicant was not in attendance and the report was heard in his absence.

The Committee received a report from the Director of Worcestershire Regulatory Services (WRS) on behalf of Wyre Forest District Council that asked Members to consider an application for the grant of a Hackney Carriage/Private Hire Driver's Licence.

The Technical Officer - Licensing (WRS) led Members through the report and drew their attention to the conviction and penalty points which the applicant had failed to declare on the application form. These had been revealed on examination of the applicants DBS Disclosure, counterpart driving licence and DVLA mandate.

Members were advised that during a previous conversation with the Licensing Officer, the applicant had failed to comment or give an explanation as to why the previous conviction and penalty points had not been declared on the application form.

The Technical Officer – Licensing also confirmed that the applicant had acknowledged receipt of a copy of the committee papers and was fully aware of the date, time and location of the hearing. The applicant had not sent any notification stating they were unable to attend the hearing.

The Technical Officer - Licensing left the meeting at this point, (11.00am), for Members to deliberate their decision. The Solicitor and the Committee and Member Services Officer stayed in the meeting whilst the Committee reached their decision.

Councillor P Dyke left the meeting at this point, (11.04am).

Decision:

Having carefully considered the application to grant a Hackney Carriage/Private Hire Driver's Licence to the applicant the Committee has decided that the application to grant a Hackney Carriage/Private Hire Driver's Licence to the applicant be refused on the grounds that the applicant did not appear to the Committee, with due consideration of the Council's "Guidelines relating to the Relevance of Convictions", to be "a fit and proper person" to hold such a Licence as, on the evidence put in front of the Committee, the applicant has not shown to the Committee any reason that he is a trustworthy open and honest person to hold such a Licence and in light of:

- 1. the applicant's conviction for Failing to Notify Change of Circumstances affecting entitlement to benefit/other payment on 10 December 2012 being an offence involving dishonesty;**
- 2. the failure to disclose all incidents relating to criminal convictions in the applicant's Driver Licence Application dated 24 July 2014 showing to the Committee an intention to deceive;**
- 3. having been convicted or having received a caution on more than one occasion for offences over a number of years, the applicant has shown a pattern for committing criminal offences; and**
- 4. the Committee's concern about the applicant's caution dated 26 July 2012 for the Misuse of Drugs Act 1971.**

There being no further business, the meeting ended at 11.20am.

WYRE FOREST DISTRICT COUNCIL
LICENSING AND ENVIRONMENTAL COMMITTEE
8TH DECEMBER 2014

**REVIEW OF STANDARD LICENCE CONDITIONS
 APPLICABLE TO ANIMAL WELFARE LICENCES**

OPEN	
DIRECTOR:	Director of Worcestershire Regulatory Services on behalf of Wyre Forest District Council
CONTACT OFFICER:	Niall McMenamin – 01527 548282 niall.mcmenamin@worcsregservices.gov.uk
APPENDICES:	Appendix 1 – Draft Standard Conditions for Pet Shop Licences Appendix 2 – Draft Standard Conditions for Dog Boarding Establishments (Kennels) Appendix 3 – Draft Standard Conditions for Cat Boarding Establishments (Catteries) Appendix 4 – Draft Standard Conditions for Dog Boarding Establishments (Home Boarding) Appendix 5 – Draft Standard Conditions for Animal Boarding Establishments (“Day Care” premises) Appendix 6 – Draft Standard Conditions for Dangerous Wild Animal Licences Appendix 7 – Draft Standard Conditions for Riding Establishment Licences Appendix 8 – Draft Standard Conditions for Dog Breeding Establishment Licences Appendix 9 – Draft Standard Conditions for Zoo Licences

1. PURPOSE OF REPORT

1.1 Wyre Forest District Council issue a number of licences under legislation aimed at securing the welfare of animals. The pieces of legislation concerned allow the Council to attach conditions to any licences issued and the Committee are asked in this report to approve standard conditions to attach to the various types of licences.

2. RECOMMENDATION

The Committee is asked to RESOLVE;

- I. **To approve the draft standard conditions attached at Appendices 1 to 9 to be attached to future licences issued by the Council under relevant legislation.**
- II. **To delegate authority to the Director of Economic Prosperity and Place to amend these standard conditions as appropriate in the circumstances of an individual case by altering, omitting**

or adding conditions as recommended by a veterinary practitioner or veterinary surgeon appointed in accordance with the relevant legislation to inspect the premises subject to the licence application.

3. BACKGROUND

3.1 Wyre Forest District Council is responsible for issuing licences under the following pieces of legislation:

Legislation	Regulated Activity
Pet Animals Act 1951	Keeping a pet shop
Animal Boarding Establishments Act 1963	Keeping a boarding establishment for other people's cats or dogs
Dangerous Wild Animals Act 1976	Keeping a dangerous wild animal
Riding Establishments Acts 1964 and 1970	Keeping a riding establishment
Breeding of Dogs Act 1973	Keeping a breeding establishment for dogs
Zoo Licensing Act 1981	Operating a zoo

3.2 Each of the above pieces of legislation contains provisions that allow the Council to attach appropriate conditions to any licence issued with a view to securing objectives set out in the relevant Act of Parliament.

3.3 Usually the Council would attach standard conditions to each type of licence it issues. However the Council can also amend the standard conditions as appropriate in the circumstances of an individual case by altering, omitting or adding conditions to the standard conditions when dealing with each individual case.

3.4 Amendment of the standard conditions would be considered on the recommendation of a veterinary practitioner or veterinary surgeon appointed in accordance with the relevant legislation to inspect the premises subject to the licence application.

3.5 A review of the standard conditions that are attached by the Council to each type of licence has been undertaken by officers in order to ensure

the Council is issuing licences in accordance with the most up to guidance and best practice. There has been updated model guidance and conditions in relation to some licence types since the implementation of the Animal Welfare Act 2006.

- 3.6 This review is being undertaken by Worcestershire Regulatory Services on behalf of all of the District Councils across the County with a view to ensuring consistency of standards across Worcestershire.
- 3.7 Following the conclusion of this review, the Committee are being asked to approve an updated set of standard conditions to attach to licences issued under the various licensing regimes.

4. KEY ISSUES

Pet Shop Licences

- 4.1 Section 1(3) of the Pet Animals Act 1951 states that when issuing a licence to a person to keep a pet shop the local authority shall specify such conditions in the licence as appear to the local authority necessary or expedient in the particular case for securing all or any of the objects below:
 - (a) that animals will at all times be kept in accommodation suitable as respects size, temperature, lighting, ventilation and cleanliness;
 - (b) that animals will be adequately supplied with suitable food and drink and (so far as necessary) visited at suitable intervals;
 - (c) that animals, being mammals, will not be sold at too early an age;
 - (d) that all reasonable precautions will be taken to prevent the spread among animals of infectious diseases;
 - (e) that appropriate steps will be taken in case of fire or other emergency.
- 4.2 Appendix 1 contains draft standard conditions to attach to licences issued under the Pet Animals Act 1951. These are based on the contents of the Chartered Institute of Environmental Health (CIEH) publication "Model Conditions for Pet Vending Licensing 2013".

Animal Boarding Establishment Licences

- 4.3 Section 1 (3) of the Animal Boarding Establishments Act 1963 states that when issuing a licence to a person to keep an animal boarding establishment the local authority shall specify such conditions in the licence as appear to the local authority necessary or expedient in the particular case for securing all or any of the objects below:
 - (a) that animals will at all times be kept in accommodation suitable as respects construction, size of quarters, number of occupants,

exercising facilities, temperature, lighting, ventilation and cleanliness;

- (b) that animals will be adequately supplied with suitable food, drink and bedding material, adequately exercised, and (so far as necessary) visited at suitable intervals;
- (c) that all reasonable precautions will be taken to prevent and control the spread among animals of infectious or contagious diseases, including the provision of adequate isolation facilities;
- (d) that appropriate steps will be taken for the protection of the animals in case of fire or other emergency;
- (e) that a register be kept containing a description of any animals received into the establishment, date of arrival and departure, and the name and address of the owner, such register to be available for inspection at all times by an officer of the local authority, veterinary surgeon or veterinary practitioner.

- 4.4 Animal boarding establishment licences are not only required by boarding kennels and catteries, but also by those that offer “home boarding” and “day care” facilities for dogs or cats. As these types of businesses are very different, it is not felt that a single set of standard conditions for animal boarding establishment licences is appropriate.
- 4.5 Appendix 2 contains draft standard conditions to attach to licences issued under the Animal Boarding Establishments Act 1963 for dog boarding establishments (kennels). These are based on “Model Licence Conditions and Guidance Notes for Dog Boarding Establishments” published by the Pet Care Trade Association in 2011.
- 4.6 Appendix 3 contains draft standard conditions to attach to licences issued under the Animal Boarding Establishments Act 1963 for cat boarding establishments (catteries). These are based on the CIEH publication “Model Licence Conditions and Guidance for Cat Boarding Establishments 2013”.
- 4.7 Appendix 4 contains draft standard conditions to attach to licences issued under the Animal Boarding Establishments Act 1963 for premises used for the home boarding of dogs. These are based on model standard conditions produced by LACORS in 2005 as updated in 2009.
- 4.8 Both DEFRA and the Feline Advisory Bureau believe that the home boarding of cats should not be encouraged and therefore no standard conditions for this activity have been produced.
- 4.9 Appendix 5 contains draft standard conditions to attach to licences issued under the Animal Boarding Establishments Act 1963 for premises providing day care facilities for cats or dogs. These are based on standard conditions produced by Birmingham City Council for premises of this nature in their area.

Dangerous Wild Animals Licences

4.10 Section 1 (7) of the Dangerous Wild Animals Act 1976 states that subject to subsection (6) of this section, a local authority may, in granting a licence under this Act, specify such conditions of the licence as it thinks fit.

4.11 Section 1 (6) states:

Subject to subsections (2) to (5) of this section, a local authority may grant or refuse a licence under this Act as it thinks fit, but where it decides to grant such a licence it shall specify as conditions of the licence -

- (a) conditions that, while any animal concerned is being kept only under the authority of the licence,—
 - (i) the animal shall be kept by no person other than such person or persons as is or are specified (whether by name or description) in the licence;
 - (ii) the animal shall normally be held at such premises as are specified in the licence;
 - (iii) the animal shall not be moved from those premises or shall only be moved from them in such circumstances as are specified in the licence;
 - (iv) the person to whom the licence is granted shall hold a current insurance policy which insures him and any other person entitled to keep the animal under the authority of the licence against liability for any damage which may be caused by the animal; and
 - (v) the terms of any such policy shall be satisfactory in the opinion of the authority;
- (b) conditions restricting the species (whether one or more) of animal, and number of animals of each species, which may be kept under the authority of the licence;
- (c) a condition that the person to whom the licence is granted shall at all reasonable times make available a copy of the licence to any person entitled to keep any animal under the authority of the licence;
- (d) such other conditions as in the opinion of the authority are necessary or desirable for the purpose of securing the objects specified in paragraphs (c) to (f) of subsection (3) of this section.

4.12 Appendix 6 contains draft standard conditions to attach to licences issued under the Dangerous Wild Animals Act 1976. There is no recent

guidance on standard conditions for such licences and so these are based on standard conditions commonly attached by other authorities when issuing such licences.

Riding Establishment Licences

- 4.13 Section 1 (4) of the Riding Establishments Act 1964 states that when granting a licence under this Act the local authority shall specify such conditions in the licence, if granted by them, as appear to the local authority necessary or expedient in the particular case with reference to the need for securing—
- (i) that paramount consideration will be given to the condition of horses and that they will be maintained in good health, and in all respects physically fit and that, in the case of a horse kept for the purpose of its being let out on hire for riding or a horse kept for the purpose of its being used in providing instruction in riding, the horse will be suitable for the purpose for which it is kept;
 - (ii) that the feet of all animals are properly trimmed and that, if shod, their shoes are properly fitted and in good condition;
 - (iii) that there will be available at all times, accommodation for horses suitable as respects construction, size, number of occupants, lighting, ventilation, drainage and cleanliness and that these requirements be complied with not only in the case of new buildings but also in the case of buildings converted for use as stabling;
 - (iv) that in the case of horses maintained at grass there will be available for them at all times during which they are so maintained adequate pasture and shelter and water and that supplementary feeds will be provided as and when required;
 - (v) that horses will be adequately supplied with suitable food, drink and (except in the case of horses maintained at grass, so long as they are so maintained) bedding material, and will be adequately exercised, groomed and rested and visited at suitable intervals;
 - (vi) that all reasonable precautions will be taken to prevent and control the spread among horses of infectious or contagious diseases and that veterinary first aid equipment and medicines shall be provided and maintained in the premises;
 - (vii) that appropriate steps will be taken for the protection and extrication of horses in case of fire and, in particular, that the name, address and telephone number of the licence holder or some other responsible person will be kept displayed in a prominent position on the outside of the premises and that instructions as to action to be taken in the event of fire, with

particular regard to the extrication of horses, will be kept displayed in a prominent position on the outside of the premises;

- (viii) that adequate accommodation will be provided for forage, bedding, stable equipment and saddlery.

4.14 Appendix 7 contains draft standard conditions to attach to licences issued under the Riding Establishments Act 1964. There is no recent guidance on standard conditions for such licences and so these are based on standard conditions commonly attached by other authorities when issuing such licences.

Dog Breeding Licences

4.15 Section 1 (4) of the Breeding of Dogs Act 1973 states that when granting a licence under this Act the local authority shall specify such conditions in the licence, if granted by them, as appear to the local authority necessary or expedient in the particular case with reference to the need for securing—

- (a) that the dogs will at all times be kept in accommodation suitable as respects construction, size of quarters, number of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness;
- (b) that the dogs will be adequately supplied with suitable food, drink and bedding material, adequately exercised, and visited at suitable intervals;
- (c) that all reasonable precautions will be taken to prevent and control the spread among dogs of infectious or contagious diseases;
- (d) that appropriate steps will be taken for the protection of the dogs in case of fire or other emergency;
- (e) that all appropriate steps will be taken to secure that the dogs will be provided with suitable food, drink and bedding material and adequately exercised when being transported to or from the breeding establishment;
- (f) that bitches are not mated if they are less than one year old;
- (g) that bitches do not give birth to more than six litters of puppies each;
- (h) that bitches do not give birth to puppies before the end of the period of twelve months beginning with the day on which they last gave birth to puppies; and

- (i) that accurate records in a form prescribed by regulations are kept at the premises and made available for inspection there by any officer of the local authority, or any veterinary surgeon or veterinary practitioner, authorised by the local authority to inspect the premises.

4.16 Appendix 8 contains draft standard conditions to attach to licences issued under the Breeding of Dogs Act 1973. These are based on CIEH's 2014 publication "Model Licence Conditions and Guidance for Dog Breeding".

Zoo Licences

4.17 Section 5(2A) of the Zoo Licensing Act 1981 requires local authorities to ensure every licence always contains appropriate conditions to ensure the zoo gives effect to the requirements in section 1A of the Act. Section 1A requires the zoo operators to implement conservation measures in their zoos.

4.18 In addition to the requirement to attach licence conditions implementing the measures in section 1A, section 5 also gives the local authority discretion to attach any condition deemed necessary or desirable for the proper conduct of the zoo during the period of the licence.

4.19 Section 9 of the Zoo Licensing Act 1981 states that "after consulting such persons on the list and such other persons as he thinks fit, the Secretary of State may from time to time specify standards of modern zoo practice, that is, standards with respect to the management of zoos and the animals in them".

4.20 The latest edition of the Secretary of State's Standards of Modern Zoo Practice was published in 2012.

4.21 Appendix 9 contains draft standard conditions to attach to licences issued under the Zoo Licensing Act 1981. These are based on guidance contained within DEFRA's 2012 publication "Zoo Licensing Act 1981 : Guide to the Act's Provisions".

Generally

4.22 The Committee are asked to approve the standard conditions detailed in Appendices 1 – 9 to be attached to licences issued under the relevant pieces of legislation.

4.23 Additionally the Committee are asked to delegate authority to the Head of Worcestershire Regulatory Services to amend these standard conditions as appropriate in the circumstances of an individual case by altering, omitting or adding conditions as recommended by a veterinary practitioner or veterinary surgeon appointed in accordance with the relevant legislation.

5. FINANCIAL IMPLICATIONS

- 5.1 Applicants for licences are required to pay fees when making their applications. These fees are charged on a cost recovery basis.
- 5.2 The Cost of implementing and attaching new conditions on all Animal licences issued by the Council will be met by existing recourses.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 The legal implications are set out in the report.

7. RISK MANAGEMENT

- 7.1 Failure to attach relevant conditions based on the most up to date guidance and best practice could have an adverse impact on animal welfare and leave the Council open to legal challenge.

8. EQUALITY IMPACT ASSESSMENT

- 8.1 There are no issues over Equality Impact Assessment.

9. CONCLUSION

- 9.1 Approval of the standard conditions detailed in Appendices 1 – 9 which are to be attached to all Animal Welfare licences issued by the Council will ensure that the Council is issuing licences in accordance with the most up to guidance and best practice.
- 9.2 To ensure consistency of standards across Worcestershire this review is being undertaken by Worcestershire Regulatory Services on behalf of all of the District Councils across the County.

10. CONSULTEES

- 10.1 Solicitor to the Council, Legal Services.

11. BACKGROUND PAPERS

- 11.1 Model Conditions for Pet Vending Licensing 2013 - Chartered Institute of Environmental Health.

Model Licence Conditions and Guidance Notes for Dog Boarding Establishments - Pet Care Trade Association in 2011.

Model Licence Conditions and Guidance for Dog Breeding - Chartered Institute of Environmental Health.

Secretary of State's Standards of Modern Zoo Practice 2012.

Zoo Licensing Act 1981: Guide to the Act's Provisions - DEFRA 2012.

Wyre Forest District Council

Draft Standard Conditions - Pet Shop Licences

General Conditions

1.0 Licence Display

- 1.1 The licence or a copy of the licence must be suitably displayed to the public in a prominent position

2.0 Accommodation

- 2.1 Animals must at all times be kept in accommodation designed to prevent escape and an environment suitable to their species and condition with respect to behavioural needs, situation, size, temperature, ventilation, and cleanliness. All accommodation must avoid drafts and overexposure to direct sunlight and must be kept in good repair.
- 2.2 Ventilation must be provided to all interior areas without the creation of excessive, localized draughts. Ventilation is important as an aid to disease control and aims to decrease smell accumulation and prevent excessive humidity of the atmosphere.
- 2.3 If animals are displayed outdoors, they must have protection appropriate to their species
- 2.4 In order to control the spread of disease, and to prevent injury, housing must be constructed of non-porous materials or be appropriately treated. Junctions between all sections need to be fully cleanable.
- 2.5 Animals must be kept in housing which minimises stress from other animals or the public. Signage must be in place to deter public interference.
- 2.6 All animals for sale must be readily accessible and easy to inspect by staff.
- 2.7 Accommodation must be cleaned as often as necessary to maintain good hygiene standards
- 2.8 Where accommodation is on a tiered system, water, food or droppings must not be allowed to enter the lower housing
- 2.9 All accessories provided for environmental enrichment in the accommodation must be appropriate for the species.

3.0 Exercise Facilities

- 3.1 Suitable and sufficient exercise facilities must be available where appropriate.

4.0 Register of Animals

- 4.1 A purchase register must be maintained for all animals detailing their source and identification where appropriate.

- 4.2 A sales register must be maintained for:
- Dogs
 - Cats
 - Psittacines
 - Species contained in the Schedule to the Dangerous Wild Animals Act 1976

4.3 Animals under veterinary treatment must be identifiable.

5.0 Stocking Numbers and Densities

5.1 No animals other than those specified in the licence, may be stocked.
(Animals are defined as any vertebrate animals; invertebrates are exempted from the regulations)

5.2 Please refer to the attached schedules for individual species for more details.

5.3 Where appropriate, all animals must be housed in social groups of suitable size.

6.0 Health Disease and Acclimatisation

6.1 All animals for sale must be in good health

6.2 Any sick or injured animal must receive appropriate care and treatment without delay. These must only be treated by appropriately competent staff or veterinary surgeons.

6.3 Provision must be made for the isolation of sick/injured/infectious animals and those that might reasonably be expected to be carrying serious infectious diseases.

6.4 Any animal with an abnormality which would materially affect its quality of life, must not be offered for sale. When in doubt, veterinary advice should be sought.

6.5 All reasonable precautions must be taken to prevent the outbreak and spread of disease.

6.6 No animal which is suffering from, or could reasonably be suspected of having come into contact with any other animal suffering from any infectious or contagious disease or which is infested with parasites, shall be brought into or kept on the premises unless effectively isolated.

6.7 All necessary precautions must be taken to prevent harbourage, or the introduction to the premises, of rodents, insects and other pests.

7.0 Food and Drink

7.1 Animals must be supplied with adequate amounts of food and drink, appropriate to their needs at suitable intervals, All food must be suitable for the species concerned.

7.2 Food and Drink receptacles must be appropriate to the species, constructed and positioned to minimise faecal and urine contamination and spillage. Receptacles must be cleaned out at regular intervals.

8.0 Food Storage

- 8.1 All food, excluding live foods intended for feeding to animals on the premises, must be stored in impervious closed containers.
- 8.2 The containers and equipment used for feeding must be kept in a clean and sound condition.

9.0 Observation

- 9.1 All animals must be attended to at regular intervals, except where defined in the schedule, at least once daily, and appropriate to the individual animal.

10.0 Disposal of Waste

- 10.1 All excreta and soiled bedding for disposal must be kept in a hygienic manner and stored in impervious containers with close fitting lids - away from direct sunlight.

11.0 Transportation to the Premises

- 11.1 When receiving animals, the licensee must make reasonable effort to ensure that they are transported in a suitable manner.
- 11.2 Any animals received or consigned shall be transported according to the regulations laid down in current legislation.
- 11.3 Animals must be transported or handed to purchasers in suitable containers

12.0 Sale of Animals

- 12.1 No mammal shall be sold un-weaned or, if weaned, at an age at which it should not have been weaned.
- 12.2 In the case of non-mammals, they must be capable of feeding themselves.

13.0 Dangerous Wild Animals as defined by the Dangerous Wild Animals Act 1976

- 13.1 When dangerous wild animals are kept, the cages must be of a secure construction appropriate to the species and kept locked.
- 13.2 The local authority must be notified in the event that the pet shop wishes to offer for sale, any animal on the Schedule to the Dangerous Wild Animals Act.

14.0 Pet care advice, staff training and knowledge

- 14.1 New applicants must have a qualification or be registered with a recognized body such as City & Guilds. They must have suitably progressed in 12 months and have completed the qualification within 2 years.
- 14.2 The licensee must ensure that the purchaser is informed of the correct care of the animal covering feeding, housing, handling, husbandry, accessories and veterinary care.

Agenda Item No. 5 Appendix 1

- 14.3 Appropriate reference materials on the care of each species must always be available for use by staff.
- 14.4 Staff members must be able to provide suitable advice to purchasers and answer questions as required by them. No animal should be stocked or sold unless the staff or at least one member of staff on call is familiar with the care and welfare of the animals stocked and has a recognised qualification and/or suitable experience/training.
- 14.5 The licensee must be able to demonstrate appropriate staff training is carried out and that staff are competent in pet shop management and animal handling.

15.0 Fire and other emergency precautions

- 15.1 Suitable emergency precautions and written procedures must exist and be made known to all staff, including arrangements for evacuation of animals.
- 15.2 Entrances and exits must be clear of obstructions at all times.
- 15.3 Suitable fire fighting, prevention and detection equipment must be provided, maintained, regularly serviced and sited as advised by the local fire protection/prevention officer and approved by the local authority.
- 15.4 The licensee, or a designated key holder, must at all times be within reasonable travelling distance of the premises and available to attend in case of emergency.
- 15.5 A list of key holders must be logged with the local police and local authority
- 15.6 In the interests of animal welfare, the following notice must be displayed prominently at the front of the premises: "In case of an emergency dial 999".
- 15.7 When pet shops are sited within other premises, the licensee or key holders must have access at all times to the premises containing the animals
- 15.8 All electrical installations and appliances must be maintained in a safe condition.
- 15.9 There must be an effective contingency plan for essential heating, ventilation and aeration/filtration systems, as appropriate.

Schedule A – Conditions Relating to the Sale of Dogs

- A.1 Puppies must be weaned before leaving the mother.
- A.2 The minimum kennel size must be:
- For a batch of small breed puppies – max 6 pups – 1.5m² for sleeping, plus 2m² for exercise
 - For a batch of medium breed puppies – max 4 pups – 2m² for sleeping, plus 2m² for exercise
 - For a batch of large breed puppies – max 2 pups – 2m² for sleeping, plus 2m² for exercise

These are minimum requirements, for larger batches the size of the pens should be adjusted pro-rata accordingly. Ideally the puppies should have free access to the exercise area at all times. Any covered pens should have a minimum height of 1.8m or removable covers to allow adequate access by staff for cleaning. These are minimum standards and meeting the correct size of pens alone is not a defence if the welfare of the animals is in question.

- A.3 Extreme temperatures must be avoided.
- A.4 General bedding must include an adequate amount of absorbent material.
- A.5 Any soiled material must be removed at least four times a day or as required to ensure the puppy does not have to lie in a soiled area.
- A.6 A specific lying place must be provided lined with soft material
- A.7 Puppies must be fed at least four times daily, at appropriate intervals.
- A.8 Puppies must have frequent, quality contact time with staff.
- A.9 Batches of puppies must not be mixed until they have been on the premises for seven days or have shown no sign of infectious disease for seven days.
- A.10 Ideally, single puppies must not be left alone in a kennel, but where they are, special attention should be paid to specific human interaction. When they are mixed they should be of similar size, age and temperament and there should be good supervision of mixing.
- A.11 There must be environmental enrichment in all kennels.

Schedule B – Conditions Relating to the Sale of Cats

- B.1 Kittens must be weaned before leaving the mother.
- B.2 The minimum pen floor area for a batch of up to 4 kittens, up to 12 weeks of age, must be 1 m², with a minimum height of 0.6m (for example, 0.6m x 1 x 1) No dimension must be less than 0.6m. Any shelving or platforms must be in addition to the minimum floor area. Each additional kitten must have 0.25m² additional floor space.
- B.3 Extreme temperatures must be avoided.
- B.4 Disposable or washable bedding must be provided and kept clean.
- B.5 A litter tray and appropriate litter must be available at all times and cleaned and disinfected at least once daily with an appropriate disinfectant which is safe for use with cats and cleaned as appropriate. The disinfectant should be anti-viral and used in accordance with manufacturers' instructions, as some disinfectants are toxic to cats.
- B.6 Kittens must be fed at least four times daily, at appropriate intervals.
- B.7 Batches must not be mixed and if several batches are kept in one area then the pen must have solid sides.
- B.8 Kittens must have frequent, quality contact time with staff.
- B.9 There must be environmental enrichment in all cages such as toys, climbing frames and platforms.

Schedule C – Conditions Relating to the Sale of Rabbits

- C.1 Rabbits must be correctly sexed and housed in same sex groups.
- C.2 The minimum enclosure size must be 0.4m² for up to 4 standard juvenile rabbits and a height of 0.4m. 0.5m² for up to 2 giant breed juvenile rabbits and a height of 0.5m. These are minimum requirements, for larger batches, larger breeds or adult rabbits the size of the pens should be adjusted pro-rata accordingly.
- C.3 There must be environmental enrichment in all enclosures. A hiding place must be provided.
- C.4 Extreme temperatures must be avoided.
- C.5 Rabbits must be provided with a suitable substrate and bedding material in sufficient amounts.
- C.6 Visibly soiled substrate and bedding must be removed daily. The pen should be thoroughly cleaned and disinfected before introducing a new animal.
- C.7 If batches are mixed you must ensure all animals are free from obvious parasitic infection.
- C.8 Rabbits must have a constant supply of fresh hay and water, and be offered an appropriate amount of dry food for the breed and age. Feed dishes should be suitable to ensure feed does not get contaminated by urine or faeces.
- C.9 Animals must be provided with an appropriate diet and any new feeds must be introduced slowly.

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Schedule D – Conditions Relating to the Sale of Other Small Mammals

- D.1 All small mammals must be correctly sexed and housed in single sex groups unless a solitary species (or sold as a breeding pair),
- D.2 Animals must at all times be kept in suitably sized accommodation
- D.3 Animals must be provided with a suitable substrate in sufficient amounts.
- D.4 Animals must be provided with a suitable bedding material in sufficient amounts.
- D.5 Animals must be provided with places to hide. Accessories and enrichment should be provided, suitable to the species.
- D.6 Suitable food and drink receptacles must be provided and positioned to avoid faecal contamination.
- D.7 All rodents must be fed a suitable diet, ad lib and have free access to hay where required.
- D.8 All rodents must be fully weaned on admission.

Minimum Accommodation Requirements – Small Rodents

Area is square metres:

No. of Animals	1-4	5	6	7	8	9	10	Minimum Cage Height (m)	Minimum Cage Depth (m)
Mice, Hamsters, Gerbils	0.068	0.079	0.09	0.100	0.113	0.124	0.135	0.30	0.25
Rats	0.135	0.157	0.18	0.202	0.225	0.247	0.27	0.30	0.28
Guinea Pigs, Degus	0.225	0.263	0.3	0.338	0.375	0.413	0.45	0.30	0.30
Chinchillas	0.25	0.375	0.5	0.625	0.75	0.875	1.0	0.45	0.45
Chipmunk	0.25	0.375	0.5	0.625	0.75	0.875	1.0	0.90	0.45

Schedule E – Conditions Relating to the Sale of Ferrets

- E.1 Ferrets must be at least eight weeks old
- E.2 Ferrets must be housed with batch companions
- E.3 Ferrets must be housed in groups or pairs of either sex. Adult hobs (males) require individual accommodation.
- E.4 Batches of ferrets must not be mixed.
- E.5 The minimum pen floor area for a litter of up to 4 ferrets, up to 12 weeks of age, must be 1 m², with a minimum height of 0.6m. No dimension must be less than 0.6m. Any shelving or platforms must be in addition to the minimum floor area. Each additional ferret must have 0.25m² additional floor space.
- E.6 Sleeping quarters must be draught free and dark.
- E.7 Ferrets must have suitable bedding.
- E.8 Extreme temperatures must be avoided.
- E.9 Ferret kibble must be provided at appropriate intervals.
- E.10 Water must be supplied in both a heavy based bowl and a water bottle attached to the side of the enclosure.

Schedule F – Conditions Relating to the Sale of Birds

- F.1 There must be adequate perching space for all birds at the same time. Outdoor aviaries must include sufficient sheltered and non-sheltered space. Cage size must be adequate to allow birds to open their wings fully in all directions. Cages must include appropriate environmental enrichment.
- F.2 Perches must be positioned so that birds do not defecate on each other and must be of appropriate size and shape for each species
- F.3 Ambient temperature must be appropriate for the species. Extremes of temperatures must be avoided.
- F.4 There must be adequate drinkers/feeders commensurate with the number of birds and these must be cleaned regularly. Bowls etc. must be positioned so that birds do not defecate in food/water
- F.5 Cages must be constructed from materials suitable to the type and size of birds. Materials must be safe to birds and in good repair.
- F.6 Windproof nest boxes must be provided in all outside housing and inside where appropriate.
- F.7 Flooring must be drop-through or easily washed/hosed.

Stocking Densities for Birds in Cages

Type	Length of Bird (cm)	Floor Area (m²) housing up to 4 birds	Linear cms per additional bird on either cage length or depth (see note 3)
Budgerigar		0.15	5
Canary		0.15	5
Cockatiel		0.48	7.5
Finches	Less than 12.5	0.113	5
	12.5 – 17.5	0.15	5
	More than 17.5	0.225	7.5
Parakeets and Lovebirds (see note 1)	Less than 25	0.42	7.5
	25 – 30	0.48	7.5
	More than 30	0.675	7.5
Parrots (see note 2)	Less than 30	0.225	10
	30 – 35	0.4050	15
	More than 35	0.4725	20
Chickens, Bantams or Quail		1.6	

Note 1 – It is recommended that, wherever possible, these species are displayed for sale in aviaries or flights rather than cages per se.

Note 2 – It is recommended that, wherever possible, these species are displayed for sale in aviaries or flights if more than two birds are housed together

Note 3 - The extra-linear centimetre per additional bird, is intended to refer to an increase in either width or length or a combination of the two i.e. a 20cm increase could refer to 20cm width, 20cm length or say 10cm width combined with 10cm length.

Stocking Densities for Birds in Aviaries and Flights

Type	Length of Bird (cm)	Number of Birds per "Standard" Aviary (1.8 x 0.9 x 1.8m)
Budgerigar		18
Canary		18
Cockatiel		8
Finches	Less than 12.5	24
	12.5 – 17.5	18
	More than 17.5	12
Parakeets and Lovebirds	Less than 25	10
	25 – 30	6
	More than 30	4
Parrots	Less than 30	10
	30 – 35	6
	More than 35	4
Chickens		4 (min height 0.9m)
Bantams		6 (min height 0.9m)
Quail		8 (min height 0.9m)

Schedule G – Conditions Relating to the Sale of Reptiles and Amphibians

- G.1 Stocking and density must be appropriate to the species.
- G.2 The enclosure size must be appropriate to the species and adjusted according to its size.
- G.3 Temperature, humidity, lighting and ventilation must be appropriate to the species.
- G.4 Substrate appropriate to the species must be present.
- G.5 Enrichment must be provided appropriate to the species.
- G.6 Food and water must be provided in the appropriate manner for the species.
- G.7 Hygiene: enclosures must be cleaned appropriately.
- G.8 Handling must be kept to a minimum at all times.

Schedule H – Conditions Relating to the Sale of Fish

H.1 Water quality is a key determinant of fish welfare. To assess it, levels of ammonia and nitrite must be checked first. Only if such measurements exceed the recommended standards below, or there is an unexplained problem, is there any need to proceed further.

H.2 Minimum water standards must be:

H.3 Cold Water Species

Free Ammonia	max 0.02mg/l
Nitrite	max 0.2mg/l
Dissolved Oxygen	min 6mg/l
Nitrate	max 50mg/l above ambient tap water

H.4 Tropical Freshwater species

Free Ammonia	max 0.02mg/l
Nitrite	max 0.2mg/l
Dissolved Oxygen	min 6mg/l
Nitrate	max 50mg/l above ambient tap water

H.5 Tropical Marine Species

Free Ammonia	max 0.01mg/l
Nitrite	max 0.125mg/l
Nitrate	max 100mg/l
pH	min 8.1
Dissolved Oxygen	min 4.0 mg/l

H.6 Water quality must be checked regularly and records kept of all tests. Centralised systems must be tested weekly. 10% of individually filtered tanks or vat must be tested weekly. On aquaria or vats in which visual inspection indicates unusual behaviour or deaths, water quality inspections should be undertaken.

H.7 Holding systems must be cleaned and checked regularly.

H.8 No aquatic organisms should be exposed to excessive light or heat, or lack of adequate warmth.

Wyre Forest District Council Draft Standard Conditions

Animal Boarding Establishment Licences

Dog Boarding Establishments (Kennels)

Section A – Animal Welfare

A.1.0 Need for a Suitable Diet

A.1.1 Animals must have access to fresh water at all times

A.1.2 All animals must be provided with a diet to maintain full health and vigour

A.2.0 Need for a Suitable Environment

A.2.1 All animals must be provided with an appropriate environment including shelter and a comfortable resting area.

A.3.0 Need to be Free from Pain, Injury or Disease

A.3.1 Any sick or injured animal must receive appropriate care and treatment without delay. Veterinary advice should be sought whenever necessary.

A.3.2 All animal housing and exercise areas should be in a good state of repair to prevent injuries as far as reasonably possible.

A.4.0 Need to Express Normal Behaviour Patterns

A.4.1 All animals must be provided with sufficient space to allow for normal behaviour.

A.4.2 All animals must be given the opportunity for daily interaction and stimulation.

A.4.3 All establishments must develop and implement an appropriate enrichment plan to ensure the dog is not deprived of sensory stimulation.

A.4.4 Animals housed in indoor accommodation must be let out of their accommodation at suitable and regular intervals.

A.5.0 Need to be free from Fear and Distress

A.5.1 All establishments must provide conditions and care for animals which avoid fear and distress.

Section B – Operational Management

B.1.0 Hygiene

- B.1.1 All animal accommodation, including corridors, common areas, kitchens etc must be kept clean, dry 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.1.2 All occupied accommodation must be cleaned at least once daily.
- B.1.3 All bedding must be kept clean and dry as far as reasonably possible.
- B.1.4 Upon vacation a dog unit including all fittings and bedding must be thoroughly cleaned, disinfected and dried, before another dog is placed in the unit.
- B.1.5 Facilities must be provided for the proper, storage and disposal of all waste.
- B.1.6 Measures must be taken to minimize the risks from rodents and other pests within the establishment.

B.2.0 Kitchen Facilities

- B.2.1 There should be a suitable “fit for purpose” area that is used exclusively for the storage and preparation of boarder’s meals.
- B.2.2 All animal feeds must be stored appropriately.
- B.2.3 All eating and drinking bowls must be capable of being easily cleaned and disinfected to prevent cross-contamination. They must be maintained in a clean condition.
- B.2.4 All feeding bowls must be cleaned after each meal. Drinking bowls must be cleaned at least once a day.

B.3.0 Temperature in Kennels

- B.3.1 An adequate procedure should be in place to protect dogs from extremes of temperature.
- B.3.2 Heating facilities must be available in the sleeping area of the dog unit and used according to the requirements of the individual dog.
- B.3.3 Heating appliances must not be sited in a location or manner where they may present a risk of fire, or risk to dogs.

B.4.0 Disease Control and Vaccination

- B.4.1 Adequate precautions must be taken to prevent and control the spread of disease and parasites amongst the dogs.
- B.4.2 Before admittance to the kennels verification of current vaccination or acceptable

titer levels must be obtained.

B.4.3 A first-aid kit suitable for use on dogs must be available and accessible on site.

B.4.4 A suitable range of muzzles of varying sizes and a suitable dog catching device, must be kept on site.

B.5.0 Supervision of Animals

B.5.1 A competent person must be present at all reasonable times whenever dogs are boarded at the premises.

B.5.2 Dogs must be visited at regular intervals as necessary for their health, safety and welfare.

Section C – Kennel Administration and Management

C.1.0 Display of Licence

C.1.1 A copy of the licence must be displayed to the public in a prominent position in, on or about the boarding establishment and a copy of the conditions available.

C.2.0 Staff Training

C.2.1 A written training policy must be provided. Systematic training of staff must be demonstrated to have been carried out.

C.3.0 Register

C.3.1 A register must be kept of all dogs boarded. The information kept must include the following:

- Date of arrival
- Name of dog
- Description, breed, age and gender of dog.
- Name, address & telephone number of owner or keeper.
- Name and telephone number of local contact person whilst boarded.
- Name and address and telephone number of the dog's veterinary surgeon.
- Anticipated and actual date of departure
- Nutrition requirements.
- Proof of current vaccinations, medical history and requirements.

C.3.2 Information from the register required to verify accuracy of the records must be kept 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.4.0 Identification of Kennels

C.4.1 Each kennel must be clearly marked (e.g. numbered).

C.4.2 A system must be in place to ensure that relevant information about the dog in that kennel is readily available.

C.5.0 Emergency Procedures

C.5.1 There must be a written emergency plan which must be on display and known to staff.

Section D – Construction

D.1.0 General

D.1.1 For new build – the establishment must be constructed in accordance with planning permission and building regulations

D.2.0 Layout

D.2.1 For new build – buildings should be so constructed that they offer visual stimulation and distraction to the dogs being housed where applicable.

D.2.2 The premises, buildings, grounds and perimeters must offer a safe and secure environment for boarders.

D.3.0 Walls and Partitions

D.3.1 Walls should be of smooth impervious materials, capable of being easily cleansed.

D.3.2 Junctions between vertical and horizontal sections must be sealed.

D.3.3 Internal partition walls must be of solid construction.

D.4.0 Floors

D.4.1 Floors of all buildings, individual exercise areas and kennels, must be of smooth, impervious materials, capable of being easily cleaned.

D.5.0 Ceilings

D.5.1 Ceilings must be capable of being easily cleaned.

D.5.2 For new kennels – buildings should meet building regulations or have a minimum height of 2.30m. New kennel units within these buildings should have a minimum height of 1.83m to facilitate adequate access by kennel staff.

D.6.0 Doors

D.6.1 Kennel doors must be secure and fit for purpose.

D.7.0 Windows

D.7.1 All windows must be escape proof at all times.

D.7.2 Windows should be of suitable size and placement.

D.8.0 Drainage

D.8.1 The establishment must be connected to mains drainage or an approved, localised sewage disposal system.

D.9.0 Lighting

D.9.1 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.

D.9.2 Adequate supplementary lighting must be provided throughout the establishment.

D.10.0 Ventilation

D.10.1 Ventilation must be provided to all interior areas without the creation of excessive, localised draughts in the bedding area.

D.11.0 Maintenance

D.11.1 Maintenance and repair of the whole establishment must be carried out as required to maintain a safe clean environment.

Section E – Number of Animals

E.1.0 Number of Dogs Boarded

E.1.1 The maximum number of dogs to be kept at any one time is as specified on the licence issued.

E.1.2 Each dog must be provided with a separate kennel except dogs from the same household / family may share a kennel of adequate size with the written consent of the dogs' owners.

E.1.3 Holding kennels may be provided for temporarily kennelling a dog for not more than 24 hours.

E.1.4 No animals other than dogs are to be boarded within the licenced facilities.

E.1.5 Where stray dogs are accepted by the kennels they must be kept in a separate area away from boarded dogs.

E.2.0 Kennel Sizes

E.2.1 All kennels must offer adequate floor area to allow the dog sufficient room to move without hindrance.

E.2.2 For new build kennels each kennel must be provided with a covered run.

E.2.3 Kennels and run areas must open onto secure corridors or other secure areas so that dogs are not able to escape from the premises.

E.2.4 Exercise areas must not be used as sleeping areas.

E.3.0 Exercise Facilities / Play Areas

- E.3.1 In new build – kennels must offer out of kennel exercise/play areas where appropriate in addition to the run.
- E.3.2 In new build – exercise areas must be of sufficient size to allow dogs to run free and must be a minimum of 100m² with a shortest length of 10m.
- E.3.3 An effective hygiene and cleaning procedure should be established to minimise the risk of infection.
- E.3.4 In establishments without exercise/play areas a dog walking system must be implemented.

Kennel Sizes – (For New Builds and Refurbishments)

		Sleeping	Exercise	Total
Kennel and run sizes	Dogs under 40- 55cm at the shoulder	2.5m ²	2.5m ²	5.0m ²
	Dogs over 55cm at the shoulder	3.0m ²	3.5m ²	6.5m ²

Notes on kennels sizes:

Recommended minimum widths of 1.2m

When more than one dog is boarded in the same kennel the minimum size for the kennel must be increased. It is recommended that this be by an additional 20% per dog.

When dogs of different sizes are boarded together the shoulder height of the larger dog should be used.

Wyre Forest District Council Draft Standard Conditions
Animal Boarding Establishment Licences – Catteries

SECTION A - Physical construction and integrity

A.1.0 General

- A.1.1 The cattery must be structurally sound.
- A.1.2 The cattery must be constructed of materials that are robust, safe and durable and be well maintained in good decorative order and repair.
- A.1.3 Materials used in construction or maintenance must not expose cats to any harmful chemicals.
- A.1.4 The cattery must be built in compliance with good building practice (e.g. local authority guidelines), on a concrete base with a damp proof membrane. Where Building Regulations apply these must be adhered to.
- A.1.5 There must be no sharp edges, projections, rough edges or other hazards which present risk of injury to a cat.
- A.1.6 Windows must be escape-proof at all times.
- A.1.7 Doors must have secure latches or other closing devices.
- A.1.8 All wire mesh/fencing must be strong and rigid and kept in good repair to provide an escape-proof structure
- A.1.9 Timber, if used, must be of good quality, well maintained and any scratched areas sealed or over-clad.
- A.1.10 Any storage areas must be dry and free from vermin.
- A.1.11 Electrical equipment must be installed in line with current legislation and maintained in a safe condition.

A.2.0 Drainage

- A.2.1 Waste water must not run off into adjacent pens.
- A.2.2 Adequate drainage must prevent pooling of liquids.
- A.2.3 Any drain covers in areas where cats have access must be designed and located to prevent toes/claws from being caught.

A.3.0 Safety corridor/entrance lobby

- A.3.1 There must be an escape-proof area (safety corridor/entrance lobby) at the exit of each cat unit.

- A.3.2 For catteries where there are facing units accessed by an indoor corridor, the corridor must be at least 1.2 m wide, or the doors of the units must be solid or have sneeze barriers.
- A.3.3 At the end of the safety corridor there must be a securable door through which the inside of the cattery can be viewed from the outside and this must be kept closed when not in use.
- A.3.4 The door from the cat unit to the safety corridor must be escape-proof, securable, strong enough to resist impact and scratching and kept closed at all times.
- A.3.5 The floor must be finished to produce a smooth, impervious surface which is easy to clean and disinfect. Holes or gaps between tiles or paving slabs are not acceptable.
- A.3.6 Outdoor safety corridors must be roofed.
- A.3.7 External doors/gates must be lockable and staff must have easy access to keys in case of emergency.
- A.3.8 Sufficient lighting must be provided in the safety corridor to illuminate all year round. Where practicable this should be natural light during the day.
- A.3.9 The safety corridor must not be used as an exercise area.

A.4.0 Roofing

- A.4.1 There must be a safe, secure, waterproof roof over all of the cat units (sleeping accommodation and run) and the safety corridor. For the run, materials used must be capable of filtering UV light and providing adequate shade.

Section B - Cat Units

B.1.0 General

- B.1.1 Cats from different households must not share cat units.

B.2.0 Lighting

- B.2.1 There must be adequate lighting in the cat unit.

B.3.0 Ventilation and humidity

- B.3.1 Ventilation must be appropriate all year round (both cool in hot weather and avoiding cold draughts in winter). Localised draughts in the sleeping accommodation must be avoided.

B.4.0 Interior surfaces

- B.4.1 All interior surfaces to which cats have access must be durable, smooth and impervious, capable of being cleaned and disinfected, and be kept in good decorative order and repair.

- B.4.2 Where concrete or other building blocks or bricks are used, they must be sealed to be smooth and impervious.
- B.4.3 Surfaces which are peeling, scratched, chipped or in disrepair must be repaired or resealed to an acceptable standard, or replaced.
- B.4.4 Ceilings must be capable of being easily cleaned and disinfected.
- B.4.5 Junctions between sections must be covered or sealed.
- B.4.6 Floors must be finished to produce a smooth, non-slip, solid surface and all surfaces must be capable of being easily cleaned and disinfected. (There must be no open gaps if using concrete slabs or tiling).

B.5.0 Accessing the cat unit

- B.5.1 Each unit must be designed to allow staff to access and clean all parts of the cat unit safely.
- B.5.2 The unit must have a securable, full height door for access.
- B.5.3 Each unit must be clearly marked (e.g. numbered) and a system in place which ensures that relevant information about the cat in that unit is readily available.

B.6.0 Litter trays

- B.6.1 Litter trays of a suitable size and type must be provided at all times.
- B.6.2 Each unit must have space to allow for at least 60 cm separation between the litter tray, resting place and feeding area. This allows cats to sit, rest and eat away from areas where they urinate and defecate.
- B.6.3 Trays must be impermeable, easy to clean and disinfect, or be disposable.
- B.6.4 A safe and absorbent litter material must be provided.
- B.6.5 In a multiple cat unit the number of trays must be appropriate to the number of cats.
- B.6.6 Trays must be regularly and appropriately cleaned.

B.7.0 Sleeping accommodation

Size of full height walk-in unit sleeping accommodation:

- B.7.1 The following minimum areas and dimensions must be achieved in order to give cats a suitable and appropriate comfortable space and for ease of cleaning and management.

Existing buildings, floor area and dimensions of full height walk-in sleeping accommodation			
	Minimum area	Smallest dimension must be a minimum of:	Minimum height
One cat	0.85 m ²	0.9 m (e.g. 0.90 m x 0.95 m)	1.8 m
Up to two cats	1.5 m ²	1.2 m (e.g. 1.20 m x 1.25 m)	1.8 m
Up to four cats	1.9 m ²	1.2 m (e.g. 1.20 m x 1.60 m)	1.8 m

B.8.0 Shelving or raised area for a full height walk-in unit

B.8.1 All resting areas/shelving must be large enough for each cat to lie on.

B.8.2 Facilities must be easily accessible and provide safe easy access to the shelf for elderly, ill, very young or disabled cats if required.

B.8.3 Shelving or raised areas must be made of impervious, easily cleanable materials.

B.9.0 Size of penthouse sleeping accommodation (an enclosed boxed sleeping area raised off the ground)

B.9.1 The following minimum areas and dimensions must be achieved in order to give cats a suitable and appropriate comfortable space and for ease of cleaning and management.

Existing buildings, floor area and dimensions of penthouse sleeping accommodation (box)			
	Minimum area	Smallest dimension must be a minimum of:	Minimum height of box
One cat	0.85 m ²	0.9 m (e.g. 0.90 m x 0.95 m)	1m
Up to two cats	1.1 m ²	0.9 m (e.g. 0.9 m x 1.20 m)	1m
Up to four cats	1.7 m ²	0.9 m (e.g. 0.9 m x 1.90 m)	1m

B.10.0 Temperature in sleeping accommodation

- B.10.1 There must be a means of measuring, monitoring and recording temperature (maximum and minimum temperatures) representative of the temperature in the cat sleeping accommodation.
- B.10.2 Insulation and temperature regulation in the cattery must aim to keep the ambient temperature in the cat sleeping accommodation above an absolute minimum of 10°C.
- B.10.3 There must be part of the cat's sleeping accommodation where the cat is able to enjoy a minimum temperature of 15°C –this additional heat may be in the form of a heated bed/pad etc.
- B.10.4 The cat must be able to remove itself from the source of heat.
- B.10.5 Heaters must not be sited in a manner or location where they present a risk of burning or electrocution to cats or humans, or a risk of fire.
- B.10.6 Open flame appliances must not be used.
- B.10.7 All heating equipment must be installed and maintained in a safe condition.
- B.10.8 Additional forms of heating can be in the form of heated beds, headed pads or similar but these must not be the main source of heat for the cats. Use should be tailored to the needs of individual cats.
- B.10.9 Any sockets in the sleeping accommodation must be waterproof and as far out of reach of cats as possible.

- B.10.10 There must be a policy in place for dealing with high temperatures and a means of keeping cats cool.
- B.11.0 **Bedding**
- B.11.1 There must be a clean resting place to provide comfort and warmth which is situated out of draughts.
- B.11.2 Soft bedding materials must be provided and adapted if necessary for old, young or infirm cats to help regulate their body temperature.
- B.11.3 Bedding must be made of a material that is easy to wash/disinfect, or is disposable.
- B.12.0 **Access to run**
- B.12.1 A cat must have access between the sleeping accommodation and run (e.g. a cat flap) so it can easily and safely access all parts of its unit.
- B.13.0 **Exercise run (in addition to and not including sleeping accommodation)**
- B.13.1 Any part of the run to which the cat has access must be easily cleanable and not damaged by scratching. Any replacement wood must be clad with a smooth impervious material.
- B.13.2 The floor must be finished to produce a smooth, impervious surface and all surfaces must be capable of being easily cleaned and disinfected. There must be no open gaps if using concrete slabs or tiling.
- B.13.3 Where cats have access to mesh (catteries with gaps rather than sneeze barriers), the diameter of the wire must not be less than 1.6 mm (16 gauge welded mesh). Mesh size must not exceed 25 mm in one direction and should be positioned on the inside of the framework of runs to prevent damage of uprights by cats scratching any woodwork.
- B.13.4 All exercise runs must be roofed to provide protection from the elements.
- B.13.5 Communal exercise areas must not be used.
- B.14.0 **Size of exercise run for full height walk-in unit and penthouse style unit**
- B.14.1 The following minimum areas and dimensions must be achieved in order to give cats a suitable and appropriate comfortable space and for ease of cleaning and management.

Existing buildings, floor area and dimensions of full height and penthouse exercise runs			
	Minimum area	Smallest dimension must be a minimum of:	Minimum height of box
One cat	1.65 m ²	0.9 m (e.g. 0.90 m x 1.85 m)	1m
Up to two cats	2.2 m ²	0.9 m (e.g. 0.9 m x 2.45 m)	1m
Up to four cats	2.8 m ²	1.2 m (e.g. 1.2 x 2.35 m)	1m

B.15.0 Sneeze barriers

- B.15.1 Full height, full width solid sneeze barriers must be installed between cat units.
- B.15.2 Sneeze barriers must be in place on the end walls of the exercise run at each end of the cattery block to prevent contact with animals from outside.

B.16.0 Shelving or raised areas in exercise run

- B.16.1 Shelving must be made of impervious, easily cleanable materials.
- B.16.2 There must be a shelf or facility for providing a raised area in the exercise area.
- B.16.3 All resting areas/shelving must be large enough for each cat to lie on.
- B.16.4 Extra help (e.g. steps) to provide safe easy access to the shelf for elderly, ill, very young or disabled cats must be available if required.

B.17.0 Fire and other emergencies

- B.17.1 There must be a written emergency plan (agreed by the local authority) which must be on display and known to staff and a contingency plan should the premises be destroyed or uninhabitable.
- B.17.2 Premises and activities must be risk assessed (including fire). These risk assessments must be recorded and relayed to, and understood by, all staff.

- B.17.3 Fire fighting equipment must be provided, maintained in good working order (maintenance must be evident and should show date checked) and easily accessible.
- B.17.4 Fire exits must be clearly marked and access left unrestricted.
- B.17.5 The premises must comply with current legislation with regards to electricity and gas (if connected).

Section C - Providing the cat(s) with an appropriate diet

C.1.0 Drinking

- C.1.1 Fresh water must be available at all times. Clean water must be provided daily in a clean container or changed sooner if it is visibly soiled.
- C.1.2 Food and water must be kept separate (joint feeding and water bowls must not be used).
- C.1.3 Water must be positioned well away from the litter tray, as cats will not drink if it is placed too close to a toilet site
- C.1.4 Adequate water bowls must be provided for multi-cat units.
- C.1.5 Water bowls must be non-porous and easy to clean/disinfect.

C.2.0 Eating

- C.2.1 There must be exclusive facilities, hygienically constructed and maintained, for the storage and preparation of food for the cats.
- C.2.2 Refrigeration facilities must be provided.
- C.2.3 A sink with hot and cold water must be provided for the washing of food equipment and eating and drinking vessels.
- C.2.4 Clean, safe containers must be provided for the storage of foods and must be insect and rodent proof
- C.2.5 Cats must be fed a balanced diet suitable for their age, health status, reproductive status and lifestyle.
- C.2.6 The type of food, specific diet or prescription diet is usually by agreement with the owner.
- C.2.7 Food must be unspoilt, palatable, and free from contamination.
- C.2.8 For healthy adult cats at least two meals a day must be offered at a minimum of 8 hours apart, as appropriate to the individual's requirements.
- C.2.9 Unconsumed wet or fresh food must be removed before it deteriorates, and before the next feed time. Dry food can be fed as indicated by the manufacturer.

- C.2.10 Food must not be left for excessive periods to prevent it being spoiled and attracting flies. This will vary with temperature conditions and type of food.
- C.2.11 All food must be positioned well away from the litter tray, (minimum 60cm), as cats will not eat if it is placed too close to their toilet site.
- C.2.12 One feeding bowl must be provided per cat.
- C.2.13 Food bowls must be non-porous and easy to clean and disinfect, or disposable.
- C.2.14 Food intake must be monitored daily and any problems recorded.
- C.2.15 Veterinary advice must be followed if feeding debilitated, underweight or ill cats, or those with specific dietary requirements.
- C.2.16 Cats displaying marked weight loss/gain must be evaluated by a vet and treated as necessary.

Section D - Allowing cats to express normal behaviour patterns

D.1.0 General points on cat behaviour

- D.1.1 The behaviour of individual cats must be monitored on a daily basis and abnormalities or changes noted and acted upon if necessary.
- D.1.2 Cats must be able to access different levels within the unit.
- D.1.3 Cats must be given the opportunity for play and exercise.

D.2.0 Hiding places

- D.2.1 A hiding place must be provided for cats in the sleeping accommodation

D.3.0 Play

- D.3.1 Any toys provided must be safe and be disinfected between use in the cattery, or disposed of. If provided by the owner toys must be kept within that cat's unit and used solely for that cat and returned to the owner at the end of the cat's stay.

D.4.0 Scratching

- D.4.1 Cats must be provided with suitable facilities for scratching.
- D.4.2 Any surface available for scratching must either be disinfected between use for different cats, or disposable. If provided by the owner it must be kept within that cat's unit and used solely for that cat and returned to the owner and the end of the cat's stay.

D.5.0 Noise

- D.5.1 Cats must not be exposed to excessive noise of barking boarded dogs or other excessive/continuous noise.

D.6.0 Long stay cats

- D.6.1 A Standard Operating Procedure (SOP) must be in place explaining how to ensure the health and welfare of long-term stay cats (those staying for more than 3 weeks)

Section E – Providing cats with the appropriate company

E.1.0 Feline company and interactions

- E.1.1 Cats from different units must not share exercise runs or an exercise area either at the same time or sequentially.

E.2.0 Human company and interactions

- E.2.1 Cats must always be handled humanely and appropriately to suit the requirements of the individual cat.

E.3.0 Multi-cat units

- E.3.1 For any multi-cat unit (cats from the same home) cats must be monitored and consent obtained from the owner for separating cats, should problems arise (e.g. cats fighting or 'stressed').

- E.3.2 There must be multiples of all resources (food and water bowls, litter trays and sleeping areas (warmed if required), depending on the number of cats, to ensure that some cats cannot monopolise resources and prevent the others from accessing them.

- E.3.3 A separate bed must be provided for each cat.

- E.3.4 A separate hiding place must be provided for each cat e.g. a cardboard box, igloo bed.

- E.3.5 Separate feeding bowls (not double feeders) must be provided for each cat.

- E.3.6 Several sources of water must be provided if multiple cats are housed.

Section F - Protecting cats from pain, suffering, injury and disease

F.1.0 Monitoring cats

- F.1.1 All cats must be observed regularly throughout the day. Cats must be checked daily for signs of illness and/or injury and to ensure that their needs are being met. Any signs of ill health or unusual behaviour must be recorded and advice sought without delay.

- F.1.2 The cattery proprietor or responsible person must visit the cats at regular intervals (of no more than 4 hours apart during the working day), or as necessary for the individual health, safety and welfare of each cat.

- F.1.3 Presence or absence of faeces and urine in trays must be noted daily. Any signs of abnormalities in excreta must also be noted and acted upon as appropriate.

F.1.4 Drinking and eating habits must be monitored and any problem investigated.

F.2.0 Keeping records

F.2.1 A register must be kept of all cats boarded and available to key members of staff and to local authority inspectors if requested. Records should be backed up and records kept for a minimum of 24 months. It is also useful to know if cats are insured, should problems occur.

F.2.2 The information kept must include the following:

- Date of arrival and departure.
- Name, sex, description of cat and microchip number.
- Number of cats sharing from same household.
- Name, address, phone number and email of owner (including emergency contact details).
- Name, address, email and phone number of emergency local contact (who is able to take the cat if necessary).
- Cat's veterinary surgeon.
- Cat's diet and relevant requirements.
- Cats' relevant medical history.
- Consent forms e.g. veterinary treatment, consent to share or separate cats if needed, record of baskets/toys etc left at the cattery (Check vet consent forms i.e. own vet or designated vet if not in area).
- Record of vaccination.
- Any medical treatment must be recorded and visible to prevent mis-dosing.

F.3.0 Disease control

F.3.1 Where work with rescue cats or breeding cats is also undertaken, this must be kept completely separate, and extra precautions taken to prevent the spread of disease.

F.3.2 When there is any cause for concern regarding the health status of a cat, that cat must be handled last and the unit must be cleaned after all the others.

F.3.3 Cats must remain in their assigned unit and not be moved to other units (rotation) or to a holding unit for cleaning purposes, except for moving to an isolation facility.

F.3.4 Standard operating procedures (SOPs) must be in place and followed to prevent spread of disease, and staff trained in these procedures.

F.3.5 Facilities must be provided for the proper reception, containment and disposal of all waste and meet with local authority approval.

F.3.6 Isolation facilities must be available.

F.4.0 Hygiene practices - Cleaning and disinfectant products

F.4.1 Products must be suitable to use and effective against the pathogens, (especially feline parvovirus (FIE) and ringworm)) for which the cats are at risk and under the conditions present in the environment in which they are used.

- F.4.2 Cleaning agents and disinfectants must be non-toxic to cats.
- F.4.3 The compatibility of different bactericides, fungicides and virucides (if used together and/or with a detergent) must also be taken into account. Manufacturers' recommended guidelines for use, correct dilutions and contact time for use in cleaning and disinfection products must be followed. Standing water must not be allowed to accumulate in areas around the cat units due to the possibility of pathogens residing in these moist environments.

F.5.0 Cleaning and disinfecting routines for units when cats are resident

- F.5.1 There must be cleaning and disinfection routines in place for day-to-day management of the cats and for ensuring a cat unit and all equipment is cleaned and disinfected effectively before a new cat comes in.
- F.5.2 Each unit must be supplied with its own dustpan, brush and scoop, to be used exclusively in, and kept in that unit, until departure of the cat, and then cleaned and disinfected before re-use, or disposed of prior to the next resident.
- F.5.3 Litter trays must be emptied and cleaned and disinfected at least once a day, or more frequently as necessary.
- F.5.4 Beds and bedding material must be checked daily and be maintained in a clean, dry and parasite-free condition.
- F.5.5 Drinking vessels must be changed/cleaned and disinfected at least once a day.
- F.5.6 Grooming equipment must either be cleaned and disinfected between use on different cats, or be disposable. If provided by the owner, it must only be used on that cat and must be sent home with the cat.
- F.5.7 Toys and scratch posts must be cleaned and disinfected between use for different cats, disposed of, or returned to the cat's owner (if they came in with the cat).

F.6.0 Handling cats

- F.6.1 Hygiene protocols must be observed between handling cats. Hands must be washed/disinfected or hand sprays or alcohol gel used between handling of each cat.
- F.6.2 Protective garments must be changed and laundered with an appropriate disinfectant/disposed of immediately after handling a cat with a suspected infectious disease.

F.7.0 Vaccination, fleas, worms and other parasites

- F.7.1 An up-to-date veterinary health record must be seen to ensure that cats boarded have current vaccinations against feline parvovirus (feline infectious enteritis) (FIE) and against feline respiratory viruses (feline herpes virus and feline calicivirus).
- F.7.2 Vaccination (including boosters) must have been completed, at the very least, 2 weeks before the cat's arrival in order to ensure maximum protection.

F.7.3 Homoeopathic vaccination is not acceptable as it will not protect against infectious diseases.

F.8.0 Isolation facilities

F.8.1 The area must provide separate, self contained facilities for the isolation of suspected infected cats and must have a separate entrance to the rest of the units.

F.8.2 Separate cleaning supplies and clothing must be designated for the isolation area and other cattery sections.

F.8.3 Protective clothing and footwear must be worn when handling cats in the isolation facility, and sanitation protocols adhered to, to avoid the transmission of disease. Whilst in use, the clothing should be kept in the isolation unit and not be removed other than for cleaning and disinfection.

F.8.4 Hands must be washed/disinfected between handling cats.

F.8.5 Separate feeding and water bowls, litter trays, litter, a dedicated safe cat basket, bedding and cleaning utensils must be stored in the isolation unit ready for immediate use.

F.8.6 Any cats in the isolation facility must be checked regularly and unless a separate person is caring for them, they should be visited after the other cats.

F.8.7 A Standard Operating Procedure (SOP) for barrier nursing and information must be provided for staff.

F.8.8 Should a cat need to be removed from its unit, it must be carried in a secure and disinfected cat carrier, and the carrier disinfected after use.

F.8.9 In emergency cases, such as admission of unvaccinated cats because of owner hospitalisation, there must be provision to be able to place these animals in isolation.

F.9.0 Veterinary treatment and health care

F.9.1 A veterinary practice must be appointed for the establishment. The name, address and telephone number of the establishment's veterinary service must be displayed in a prominent position for staff.

F.9.2 Where cats require wiping of eyes, grooming or other cleaning regimes, these must be carried out frequently enough to keep the cat clean and comfortable providing it is safe to do so.

F.9.3 When a cat is suspected of being ill or injured (staff should be trained to recognise when a cat requires veterinary care), a veterinary surgeon must be contacted for advice immediately. Any instructions for treatment given by a veterinary surgeon must be strictly followed with further advice sought if there is ongoing concern.

F.9.4 Medicines must be stored safely, securely, at the correct temperature and labelled correctly according to manufacturer's instructions. Any unused medications must be returned to the owner or prescribing vet.

F.10.0 Holding units for temporary housing

F.10.1 If, in an emergency, holding units/pens are used, they must not be sited in the reception.

F.10.2 Cats must be provided with a bed, litter tray, food and water.

F.11.0 Transportation of animals

F.11.1 Any transport legislation must be complied with.

F.11.2 Cats must be secured in durable carrying baskets any time they are transported/carried outside the cat unit (a spare cat carrier should be kept at the cattery for situations where owners do not arrive with their cat in a secure carrier).

F.11.3 All vehicles and equipment must be kept clean and disinfected after each collection or delivery.

F.11.4 Cats must not be left in vehicles except for transportation.

Wyre Forest District Council Draft Standard Conditions

Animal Boarding Establishments

Home Boarding of Dogs

1.0 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.

2.0 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.

3.0 Number of Animals

- 3.1 The maximum number of dogs to be kept at any one time is as shown on the licence.
- 3.2 Only dogs from the same household may be boarded at any one time unless the following requirements are in place:
 - Specific written consent of each household showing confirmation that they are content for their dogs to be boarded with others.
 - A mandatory, trial (documented) familiarisation session for all dogs prior to the stay.
 - Separation of dogs from different households in secure areas when they are left unattended.
 - Separate feeding of dogs to minimise the likelihood of dispute and aggression.

- 3.3 Dogs must not be boarded with any cat, unless they normally live together in the same household.
- 3.4 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.
- 3.5 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.

4.0 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.

5.0 Training

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

6.0 Cleanliness

- 6.1 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.
- 6.2 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.
- 6.3 All bedding areas must be kept clean and dry.
- 6.4 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.
- 6.5 Measures must be taken to minimise the risks from rodents, insects and other pests

within the premises.

7.0 Food and Water Supplies

- 7.1 All dogs shall have an adequate supply of suitable food as directed by the client.
- 7.2 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.
- 7.3 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.
- 7.4 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.

8.0 Kitchen Facilities

- 8.1 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.
- 8.2 All bulk supplies of food shall be kept in vermin proof containers.

9.0 Disease Control and Vaccination

- 9.1 Adequate precautions must be taken to prevent and control the spread of infectious and contagious disease and parasites amongst the dogs, staff and visitors.
- 9.2 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.
- 9.3 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.
- 9.4 A well-stocked first-aid kit suitable for use on dogs must be available and accessible on site.
- 9.5 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.

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- 9.6 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.
- 9.7 The premises shall be regularly treated for fleas and parasites with a veterinary recommended product.
- 9.8 Veterinary advice must be sought in relation to cleaning substances so that they or their fumes cannot be harmful to an animal.

10.0 Isolation and Contagious Disease Outbreak

- 10.1 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.
- 10.2 The Licensee must inform the Licensing Authority on the next working day if a dog develops an infectious disease.
- 10.3 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.
- 10.4 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.

11.0 Register

- 11.1 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
- 11.2 Such a register is to be available for inspection at all times by an officer of the Licensing Authority or an authorised veterinary surgeon.
- 11.3 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.
- 11.4 If medication is to be administered, this must be recorded.
- 11.5 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.

12.0 Supervision

- 12.1 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.
- 12.2 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.
- 12.3 No home where there are children under 5 years of age will be licensed.
- 12.4 Only people over 16 years of age are allowed to walk the dogs in public places.

13.0 Exercise

- 13.1 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.
- 13.2 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.
- 13.3 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.
- 13.4 If there is a pond, it must be covered to avoid drowning.
- 13.5 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.
- 13.6 The Licensing Authority must be informed on the next working day if a dog is lost.

14.0 Fire / Emergency Precautions

- 14.1 Appropriate steps must be taken for the protection of the dogs in case of fire or other emergencies.
- 14.2 The occupier of the property must be aware of the location of the dogs in the property at all times.
- 14.3 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.
- 14.4 A fire warning procedure and emergency evacuation plan – including details of where

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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.

- 14.5 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.
- 14.6 All doors to rooms must be kept shut at night.
- 14.7 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.
- 14.8 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.
- 14.9 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.

Wyre Forest District Council Draft Standard Conditions

Animal Boarding Establishments

Day Care - Dogs

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 It is the responsibility of the Licensee to enquire as to whether planning permission is required to undertake the business activity. 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.
- 1.4 Entire males and bitches in season or bitches due to be in season during boarding, must not be boarded together.
- 1.5 Written consent from the owner(s) of every boarded dog must be gained before it is placed in the establishment for the first time, confirming that they agree that their dog may socialise with other dogs.
- 1.6 All dogs must be kept separate from other dogs (or under individual lead control) for a period of 3 months, to establish compatibility.
- 1.7 Dogs are not permitted to be boarded overnight.

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 the premises.

3. NUMBERS OF ANIMALS

- 3.1 The maximum number of dogs to be kept at any one time is stipulated by Licence approval.

4. CONSTRUCTION

- 4.1 There must be adequate space, light, heat and ventilation for the dog(s). (Dogs should have access to an area where the temperature is at least 10 degrees C or 50 degrees F.)
- 4.2 As far as reasonably practicable all areas/rooms to which boarded dogs have access, must have no physical or chemical hazards that may cause injury to the dogs.
- 4.3 There must be sufficient space and separate pens available to be able to keep the dogs separately as required.
- 4.4 There must be a minimum of 100 square feet of floor space per dog within the building.

5. MANAGEMENT

5.1 CLEANLINESS

- 5.1.1 All areas where the dog(s) 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 the prevention of disease.
- 5.1.2 All excreta and soiled material must be removed from all areas used by the dogs as soon as possible and at least daily. Disposal facilities for animal waste must be agreed with the Licensing Authority.
- 5.1.3 All bedding areas must be kept clean and dry. Bedding should be provided for each individual dog and should be thoroughly cleaned before being used by another dog.
- 5.1.4 Measures must be taken to eliminate the risks from rodents, insects and other pests within the premises.

5.2 FOOD AND WATER SUPPLIES

- 5.2.1 All dogs, if fed on site should be fed in isolation from other dogs.
- 5.2.2 Fresh drinking water must be available at all times (unless advised otherwise by a veterinary surgeon) and the drinking vessels cleaned daily. The water must be changed at least twice per day.
- 5.2.3 Eating and drinking vessels where provided, must be capable of being easily cleansed and disinfected to prevent cross-contamination. They must also be maintained in a clean condition.

5.3 KITCHEN FACILITIES

- 5.3.1 Air tight 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.
- 5.3.2 All bulk supplies of food shall be kept in vermin proof containers.

5.4 DISEASE CONTROL AND VACCINATION

- 5.4.1 Adequate precautions must be taken to prevent the spread of infectious and contagious disease and parasites amongst the dog(s) and visitors.
- 5.4.2 Proof must be provided that boarded dog(s) 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(s) is boarded.
- 5.4.3 Advice from a veterinary surgeon must be sought in the 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.
- 5.4.4 The Licensee must be registered with a veterinary practice that can provide 24-hour help and advice. The clients own veterinary practise must be known and consulted if necessary.
- 5.4.5 Precautions must be taken to prevent the spread of fleas, ticks, intestinal parasites and other parasites in boarded dog(s).
- 5.4.6 The premises shall be regularly treated for fleas and parasites with a veterinary recommended product.

5.5 ISOLATION AND CONTAGIOUS DISEASE OUTBREAK

- 5.5.1 Any dog showing signs of any disease or illness shall be isolated from any other dog until veterinary advice is obtained. There must be sufficient facilities within the licensed premises to ensure effective separation of any sick animal.
- 5.5.2 The Licensee must inform the Licensing Authority in the next working day if a dog develops an infectious disease.

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- 5.5.3 Following any episode of infectious disease during any stay, the premises must undergo a reasonable quarantine period before any new boarders are admitted. This period will be specified by the Licensing Authority as agreed with an authorised veterinary surgeon.
- 5.5.4 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 owner returns.

5.6 REGISTER

- 5.6.1 A register must be kept of all dog(s) boarded. The information kept must include the following;
- Date of arrival
 - Name of dog, any identification system such as microchip number and / or tattoo.
 - 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
- 5.6.2 Such a register is to be available for inspection at all times by an officer of the local authority.
- 5.6.3 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.
- 5.6.4 If medication is to be administered, this must be recorded.

5.7 SUPERVISION

- 5.7.1 A fit and proper person with relevant experience must always be present to exercise supervision and deal with emergencies whenever a dog(s) is boarded at the premises. This person must not have any conviction or cautions for any animal welfare related offence.
- 5.7.2 Sufficient staff must be on site to supervise dog(s) at all times. The ratio of dogs to staff at any one time shall not **exceed 6 dogs per member of staff. Dogs must not be left unattended.**
- 5.7.3 Only people over 16 years of age are allowed to walk a dog(s) in a public place.

5.8 EXERCISE

- 5.8.1 Dog(s) must be exercised in accordance with their owner's wishes. If dog(s) are taken off the premises, they must be kept on a lead.
- 5.8.2 Dog(s) must wear a collar and identity tag during their time in boarding. The tag must display a valid name, address and telephone number of the dog's owner or of the boarding premises.
- 5.8.3 The local authority must be immediately informed if a dog is lost by telephoning and asking for licensing - 01905 822799.

5.9 FIRE/EMERGENCY PRECAUTIONS

- 5.9.1 Appropriate steps must be taken for the protection of the dog(s) in case of fire or other emergencies.
- 5.9.2 Fire fighting equipment and detectors must be provided and properly maintained.
- 5.9.3 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.
- 5.9.4 A proper emergency evacuation plan must be drawn up. This must include instructions on where and how dogs are to be evacuated to in the event of a fire or other emergency. All staff must be aware of this plan.

Wyre Forest District Council

Draft Standard Conditions - Dangerous Wild Animal Licences

1. The species and number of animals of each species which may be kept under the authority of the licence shall be restricted to those specified in the licence.
2. The animal(s) shall be kept by no person other than the person or persons specified on the licence.
3. The animal(s) shall normally be held at such premises as are specified on the licence.
4. The animal(s) shall not be moved from those premises without prior authorisation of the Council.
5. The person to whom the licence is granted shall hold a current insurance policy which insures him and any other person entitled to keep the animal(s) under the authority of the licence against liability for any damage which may be caused by the animal(s), the terms of such policy being satisfactory to the authority.
6. All entrances to the animal(s) enclosure(s) or surrounding area(s) must be secured.
7. All recommendations made by a Veterinary Surgeon authorised by the Council will be observed and implemented.
8. The animal(s) must be kept in accommodation which secures that the animal(s) will not escape, which is suitable as regards construction, size, temperature, lighting, ventilation, drainage and cleanliness, and which is suitable for the number of animals proposed to be kept in the accommodation.
9. The animal(s) shall be supplied with adequate and suitable food, drink and bedding material and be visited at suitable intervals.
10. Appropriate steps must be in place, at all times, to ensure the protection of any animal concerned in case of fire or other emergency.
11. All reasonable precautions must be taken to prevent and control the spread of infectious diseases.
12. Accommodation must be sufficient to ensure that the animal(s) can take adequate exercise.
13. A copy of the licence must be available at all reasonable times.
14. Fire fighting equipment and smoke detectors must be provided.
15. The person to whom the licence is granted shall ensure that all reasonable precautions are taken to protect public safety and ensure that no nuisance is caused to the public.
16. Animals must be maintained in a good state of health.
17. The licensee must be 18 years of age or over and not disqualified from holding a licence under the Act.

Wyre Forest District Council

Draft Standard Conditions - Riding Establishments

1. Horses must be in good health, and in all respects physically fit and, in the case of a horse kept for the purpose of its being let out on hire for riding or a horse kept for the purpose of its being used in providing instruction in riding, the horse must be suitable for the purpose for which it is kept.
2. No horse aged three years or under nor any mare heavy with foal nor any mare within three months after foaling may be let out on hire for riding or used, in return for payment, for instruction in or demonstrating riding.
3. Any riding equipment supplied for a horse let out on hire must be free from visible defect which is likely to cause suffering to the horse or accident to the rider.
4. The feet of all animals must be properly trimmed and, if shod, their shoes must be properly fitted and in good condition.
5. A horse found on inspection of the premises by an authorised officer to be in need of veterinary attention must not be returned to work until the holder of the licence has obtained at his expense and has lodged with the local authority a veterinary certificate that the horse is fit for work.
6. No horse may be let out on hire for riding or used for providing instruction in riding without supervision by a responsible person of the age of 16 years or over unless (in the case of a horse let out for hire for riding) the holder of the licence is satisfied that the hirer of the horse is competent to ride without supervision.
7. In the case of horses maintained at grass there must be available for them at all times during which they are so maintained adequate pasture and shelter and water and supplementary feeds must be provided as and when required.
8. Horses must be adequately supplied with suitable food, drink and (except in the case of horses maintained at grass, so long as they are so maintained) bedding material, and must be adequately exercised, groomed and rested and visited at suitable intervals.
9. All reasonable precautions must be taken to prevent and control the spread among horses of infections or contagious diseases and veterinary first aid equipment and medicines must be provided and maintained in the premises.
10. The construction of the riding establishment must be substantial, adequate to contain the animals, and provided with warmth and shelter in clean and hygienic conditions. There must be convenient and safe access to stalls and boxes. Stalls must be large enough to allow the animal to lie down and get up without risk of injury. Boxes must be large enough to allow the animal to turn round.
11. Yards must provide enough space for every animal kept there.
12. Lighting must be adequate to render the use of artificial lighting unnecessary in daylight hours.
13. Ventilation must provide fresh air without draughts.

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14. Drainage must be adequate to carry away liquid voided by the horses and keep the standings dry.
15. There must be provision for storage and disposal of manure and spoiled straw.
16. Adequate accommodation must be provided for forage bedding, stable equipment and saddlery.
17. The licence holder must ensure that appropriate steps will be taken for the protection and extrication of horses in case of fire and in particular, that the name, address and telephone number of the licence holder or some other responsible person are kept displayed in a prominent position at the outside of the premises and that instructions as to action to be taken in the event of fire, with particular regard to the extrication of horses, are kept displayed in a prominent position on the outside of the premises.
18. The carrying on of the business of the establishment must at no time be left in the charge of any person under 16 years of age.
19. The licence holder must hold a current insurance policy which insures against liability for any injury sustained by those who hire a horse for riding and those who use a horse in the course of receiving, in return for payment, instruction in riding and arising out of the hire or use of a horse as aforesaid and which also insures such persons in respect of any liability which may be incurred by them in respect of injury to any person caused by, or arising out of, the hire or use of a horse as aforesaid.
20. A register must be kept of all horses in the licence holders possession aged three years and under and usually kept on the premises which shall be available for inspection by an authorised officer at all reasonable times.

Wyre Forest District Council

Draft Standard Conditions - Dog Breeding Licences

Conditions Relating to Accommodation

1.0 General

- 1.1 Dogs must at all times be kept in accommodation suitable as respects construction, size of quarters, numbers of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness
- 1.2 Dogs kept in domestic premises must have free access to more than one room and every dog must be provided with continual access to a comfortable, dry, draught-free, clean and quiet place to rest.
- 1.3 Dog crates, where used (and whilst not acceptable as permanent housing) must be of sufficient size to allow each dog to be able to sit and stand at full height, step forward, turn around, stretch and lie down in a natural position and wag its tail without touching the sides of the crate and to lie down without touching another individual.

2.0 Kennel Construction

- 2.1 Where kennels are provided, within converted outbuildings, consideration must be given to cleaning, wildlife access, vermin control, natural lighting and ventilation.
- 2.2 All internal surfaces used in the construction of walls, floors, ceilings, partitions, doors and door frames must be durable, smooth and impervious, easily cleaned and disinfected. Kennels must be free from hazards and there must be no projections or rough edges liable to cause injury.
- 2.3 Sleeping areas of kennels must be insulated so as to prevent extremes of temperature.

3.0 Security

- 3.1 The construction must be such that the security of the dog is ensured. Fencing material must be safe and secure.

4.0 Walls and Partitions

- 4.1 Walls with which dogs may come into contact must be of smooth impervious materials, capable of being easily cleaned and disinfected.

5.0 Floors

- 5.1 Flooring must be of a non-slip, urine-resistant material. It must be laid in a way and at a fall that avoids the pooling of liquids. Slatted or wire mesh floors must not be used.
- 5.2 Floors of all buildings, individual exercise areas and kennels must be of smooth, impervious materials, capable of being easily cleaned and disinfected while providing sufficient grip for the animal to walk or run without sustaining injury.

6.0 Ceilings

6.1 Ceilings must be capable of being cleaned and disinfected.

7.0 Doors

7.1 Kennel doors must be strong enough to resist impact and scratching and must be capable of being effectively secured.

8.0 Windows

8.1 Windows must not pose a security risk and must be escape proof for the protection of the dog as well as the public.

9.0 Drainage

9.1 The establishment must be connected to mains drainage or an approved sewerage disposal system.

10.0 Lighting

10.1 During daylight hours light must be provided to exercise and sleeping areas so that all parts are clearly visible.

10.2 Lighting must be of sufficient standard to enable efficient working both during and after daylight hours.

10.3 Supplementary lighting, adequate to allow inspection, must be provided throughout the establishment.

11.0 Ventilation

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

12.0 Kennel Design (Size, layout and exercise facilities)

12.1 Kennels must be divided into sleeping and activity areas.

12.2 Kennels must be provided with an adequate size of sleeping area, such that dogs can stand, turn around, stretch and lie down flat in a natural position, with sufficient space for the door to open fully.

12.3 Adequate exercise areas must be provided for all kennels. How much space will depend upon the size of the dog as well as the circumstances of each breeding establishment. Dogs must be able to walk, turn around easily, wag their tails without touching the kennel sides, and lie down without touching another dog.

12.4 Kennels and runs must open onto secure corridors or other secure areas so that dogs are not able to escape from the premises.

12.5 Exercise areas must not be used as sleeping areas

- 12.6 Outdoor areas where animals exercise and interact cannot have strict temperature regulation. Dogs must not be restricted to such areas when climatic conditions may cause them distress. They must have constant access to fresh clean water, shade and shelter so they can avoid rain, wind, snow, ice or direct sunlight, etc. In adverse weather conditions, the responsible person must decide whether or not dogs are given free access to their run.
- 12.7 The run must be at least partially roofed to provide the dog with sufficient protection against all weathers.

13.0 Number of Dogs Permitted

- 13.1 The maximum number of dogs to be kept at any one time is as shown on the licence

14.0 Temperature in Accommodation

- 14.1 Heating facilities must be available in the kennel and used according to the requirements of the individual dog.
- 14.2 Devices used for heating and cooling must be safe and free from risk of burning or electrocution.
- 14.3 Manufacturer's instructions must be followed. Open flame appliances must not be used.

15.0 Cleanliness

- 15.1 All kennels, corridors, common areas, kitchens and so on must be kept clean and free from accumulations of dirt and dust so that disease control is maintained.
- 15.2 An agreed standard operating procedure must be followed.
- 15.3 Each occupied kennel must be cleaned daily at a minimum.
- 15.4 All excreta and soiled material must be removed from all areas used by the dogs as necessary.
- 15.5 All sleeping areas and bedding must be kept clean and dry.
- 15.6 Facilities must be provided for the proper reception, storage and disposal of waste.
- 15.7 Measures must be taken to minimise the risks from rodents, insects and other pests within the breeding establishment.
- 15.8 Foul waste water must be disposed of by discharge to the appropriate or an approved drainage system. Those wishing to operate an incinerator must seek advice from the Environment Agency and/or the local authority.

16.0 Whelping Facilities

- 16.1 There must be a separate whelping pen or room for each whelping bitch in which to whelp. There must be direct access to the whelping area for kennel personnel without disturbing the general kennel population. Once separated there must be increased social contact with humans.

- 16.2 Each whelping pen must be constructed of easily cleanable impervious materials. The area must be cleaned regularly and a record kept of cleaning procedures. The whelping pen must have a divider to allow the bitch to access an area where she cannot be reached by the puppies. There must be natural daylight.
- 16.3 There must be a whelping bed raised off the floor and with sides high enough to prevent new born puppies from falling out. The bed must contain sufficient bedding to ensure a soft surface for the bitch and to enable the absorption of mess resulting from whelping. The bed must be constructed of easily cleanable impervious material and must be thoroughly cleaned and disinfected between litters.
- 16.4 The whelping area must be maintained at an appropriate temperature. The bitch must be able to move away from heat spots.
- 16.5 Bitches must be adequately supervised during whelping and records kept of:
- time of birth of each puppy
 - puppies' sex, colour and weight
 - placentae passed
 - any other significant events.
- 16.6 Bitches must be allowed a minimum of four periods a day for toileting and exercise away from their puppies.

Conditions Relating to Management

17.0 General

- 17.1 Dogs must be adequately supplied with suitable food, drink and bedding material, adequately exercised, and visited at suitable intervals.
- 17.2 A fit and proper person must always be present to exercise supervision and deal with emergencies.

18.0 Numbers of staff

- 18.1 Numbers of staff must be appropriate for the breed/type and number of dogs being bred. Numbers must be sufficient to provide the level of care set out in these model conditions.
- 18.2 Sufficient adequately trained staff must be available every day to carry out all the interactions and procedures with dogs required by these conditions
- 18.3 Dogs must not be left alone for long periods and must be checked at the start and end of every working day and regularly by a member of staff at least every four hours during the day.

19.0 Environmental Enrichment and Exercise

- 19.1 Dogs must be provided with environmental enrichment and the ability to have some control over their environment.

19.2 Breeding establishments are the permanent home for some dogs and therefore provision of exercise facilities must be adequate for the long term. Dogs must not be kept permanently confined.

19.3 Arrangements must be made for the dogs to be exercised at least twice a day.

20.0 Handling and habituation

20.1 Breeding dogs must be handled and examined regularly to identify changes in health, weight and behaviour, also to ensure dogs are habituated to handling by people. This is particularly important for bitches, as fear of people will influence development of puppy behaviour.

21.0 Food and Water Supplies

21.1 All dogs must be adequately supplied with suitable food. Clean water must be available at all times and changed at least daily. Dogs must be fed a diet appropriate to their age, breed, activity level and stage in the breeding cycle. Dogs must be fed individually with separate bowls. Food must be stored in vermin-proof containers and fresh food must be refrigerated.

21.2 Eating and drinking vessels must be capable of being easily cleansed and disinfected to prevent cross contamination. They must be maintained in a clean condition and cleaned and disinfected or disposed of after each meal.

21.3 Dogs must be fed sufficiently well to maintain health.

22.0 Weaning Procedures

22.1 Puppies must start the weaning process as soon as they are capable of ingesting food on their own. The food offered must be appropriate for the stage of development of the puppies.

22.2 During lactation, the bitch must have sufficient appropriate food to satisfy the demands being made upon her.

23.0 Kitchen Facilities

23.1 Facilities, hygienically constructed and maintained, must be provided for the storage and preparation of food for the dogs.

23.2 Where fresh and cooked meats are stored, refrigeration facilities must be provided. Food contamination must be avoided.

23.4 A sink with hot and cold running water must be available for washing kitchen utensils and eating and drinking vessels.

23.5 Containers for storing foods must be provided and must be constructed and maintained to guard against insects and other pests.

23.6 Cross-contamination must be avoided.

24.0 First-Aid Kit for Dogs

- 24.1 A fully maintained first-aid kit suitable for use on dogs and puppies must be available and accessible on the premises.

25.0 Isolation Facilities

- 25.1 Veterinary advice must be sought for any animal with a potentially infectious disease.
- 25.2 Facilities for isolation must be available when required. Isolation facilities must be used where the presence of infectious disease is suspected or known.
- 25.3 Isolation facilities must be in compliance with the other licence conditions but must be physically separate from other dogs.
- 25.4 Hands must be washed after leaving the isolation facilities before handling other dogs.
- 25.5 Protective clothing, footwear and equipment, for use only in the isolation facility, must be used to reduce the spread of infection and must not be worn outside the isolation facility.
- 25.6 Complete disinfection of the isolation facilities and equipment must be carried out once vacated.

Conditions Relating to Disease Control, Vaccination and Worming

26.0 General

- 26.1 All reasonable precautions must be taken to prevent and control the spread among dogs of infectious or contagious diseases
- 26.2 Licence holders must take all reasonable steps to protect the animal from pain, suffering, injury and disease.
- 26.3 All breeding establishments must be registered with a Veterinary Practice and ensure full details are made available to the Licensing Authority.

Conditions Relating to Emergencies / Fire Prevention

27.0 General

- 27.1 There must be Emergency Evacuation and Contingency Plans in place which meets approval with the local authority, and in consultation with the local authority.

Conditions Relating to Transport

28.0 General

- 28.1 Dogs and puppies being transported to and from breeding establishments must be properly supervised to ensure compliance with the obligations under the 1973 Act.
- 28.2 All appropriate steps must be taken to ensure that the dogs will be provided with

suitable food, drink and bedding material and adequately exercised when being transported to or from the breeding establishment.

- 28.3 Bitches must not be transported in the last stages of pregnancy, ideally not from 54 days after mating, unless to a veterinary surgeon for treatment.
- 28.4 Bitches must not be transported for 48 hours after whelping unless it is to see a veterinary surgeon for treatment.
- 28.5 Whenever dogs are transported they must be fit and healthy for the intended journey. Injured and/ or diseased dogs must not be transported (except for minor illness or injury, as determined by trained and competent staff) unless they are being taken to a veterinary surgery.
- 28.6 Puppies must not be transported before eight weeks of age without their dam unless a veterinary surgeon agrees otherwise for health and/or welfare reasons, or in an emergency.

Conditions Relating to Health and Welfare of the Breeding Stock and Litters

29.0 Mating

- 29.1 Bitches must not be mated if they are less than one year old.

30.0 Maximum Number of Litters

- 30.1 Bitches must not give birth to more than six litters of puppies each in their lifetime

31.0 Twelve Months Between Litters

- 31.1 Bitches must not give birth to puppies before the end of the period of twelve months beginning with the day on which they last gave birth to puppies.

32.0 Social Contact for Dogs and Socialisation of Puppies - Adult Dogs

- 32.1 Social contact is very important, and all dogs used for breeding must be kept in an environment that allows adequate social contact with both other dogs and people.

33.0 Social Contact for Dogs and Socialisation of Puppies - Puppies

- 33.1 Puppies must be handled regularly from shortly after birth for short periods (e.g. gently picking up and examining) to habituate them to human contact and to examine them for any sign of disease and to ensure they are feeding properly.
- 33.2 From 3 weeks old puppies must be habituated to events likely to be encountered in a domestic environment.
- 33.3 To learn social skills with other dogs, puppies must be maintained as a litter or with puppies of a similar age and size.

34.0 Record Keeping

- 34.1 Accurate records in a form prescribed by regulations as shown below must be kept at

the premises and made available for inspection there by any officer of the local authority or any veterinary surgeon, authorised by the local authority to inspect the premises.

- 34.2 The Breeding of Dogs (Licensing Records) Regulations 1999 (SI 1999 No 3192) prescribe the form of records to be kept by licensed breeding establishments. These records must be accurate and kept on the premises and made available to local authority inspectors or any veterinary surgeon authorised by the local authority.
- 34.3 A record must be kept by every licensed dog breeder for each breeding bitch providing the name of the bitch, date of birth, address where she is kept, breed, description, date of mating and details of sire. Licensed dog breeders must also keep a record of any litters, including the sex of the puppies, date of birth, weight, description and total number in the litter. The record must also show the details of sale, namely the date of sale, name and address of who was supplied and the status of the purchaser (ie, private owner or pet shop).

Wyre Forest District Council

Draft Standard Conditions - Zoo Licences

1.0 Conservation Matters

The operator of the Zoo must ensure that the following measures are implemented in the Zoo:

- 1.1 Promoting public education and awareness in relation to the conservation of biodiversity, in particular by providing information about the species of wild animals kept in the Zoo and their natural habitats.
- 1.2 Accommodating and keeping the animals in a manner which meets the standards set out in the Secretary of State's Standards of Modern Zoo Practice.
<https://www.gov.uk/government/publications/secretary-of-state-s-standards-of-modern-zoo-practice>
- 1.3 Preventing the escape of animals and putting in place measures to be taken in the event of any escape or unauthorised release of animals.
- 1.4 Preventing the intrusion of pests and vermin into the premises of the Zoo.
- 1.5 Keeping up-to-date records of the Zoo's collection of animals, including records of the numbers of different animals; acquisitions, births, deaths, disposals and escapes of animals; the causes of any such deaths; and the health of the animals.
- 1.6 Participation in at least one of the following:
 - Research from which conservation benefits accrue to species of wild animals.
 - Training in relevant conservation skills.
 - The exchange of information relating to the conservation of species of wild animals.
 - Where appropriate, breeding of wild animals in captivity.
 - Where appropriate, the repopulation of an area with, or the reintroduction into the wild of, wild animals.
- 1.7 The zoo operator must keep information to show how it has complied with condition 1.6 and supply it to the local authority upon request.

2.0 Insurance

- 2.1 Within one month of the date of the licence and one month of the date of renewal of the policy, where applicable, a copy of the zoo's current public liability insurance policy and of subsequent renewals thereof, to be sent to the Licensing Authority.

3.0 Stock List

- 3.1 A copy of the zoo's annual stock list, as defined in Section 9 of the Secretary of State's Standards of Modern Zoo Practice, must be forwarded to the Licensing Authority by 1 April of the year following that to which it relates.

4.0 Hazardous Animals

- 4.1 The Licensing Authority to be notified in writing at least one month in advance of the proposed addition of any animal listed in category 1 of the Hazardous Animal Categorisation (see Appendix 12 of the Secretary of State's Standards of Modern Zoo Practice), which is from a taxonomic family of which Category 1 species have not previously been kept in the zoo.

5.0 Temporary Removal of Animals from the Zoo

- 5.1 The licensee/s to notify the Licensing Authority before the temporary removal from the zoo (other than for veterinary attention or inter-zoo movements) of any animal listed in category 1 of the Hazardous Animal Categorisation of the Secretary of State's Modern Zoo Practice.
- 5.2 Such notification to be given as early as possible and, in any case, no later than twelve hours before the removal, unless the zoo operator and Licensing Authority mutually agree a shorter period.
- 5.3 When giving notification, details of the destination and method of transportation of the animal and of the arrangements for its well-being, as well as for the safety of the public whilst it is away from the zoo, to be provided.

6.0 Escapes

- 6.1 In the event of any non-domestic animal escaping from the confines of the zoo, notification shall be made to the Licensing Authority as soon as possible, and, in any case, not later than twenty-four hours following the escape.

Notes

- N.1 These conditions are attached to the licence without prejudice to the application, where relevant, of the Secretary of State's Standards of Modern Zoo Practice specified in accordance with the powers conferred under Section 9 of the Zoo Licensing Act 1981.
- N.2 The grant of this Licence does not imply that the requirements of any other legislation have been met.
- N.3 The zoo licence or a copy of it is required to be displayed publicly at each public entrance to the zoo.

WYRE FOREST DISTRICT COUNCIL

LICENSING AND ENVIRONMENTAL COMMITTEE

8TH DECEMBER 2014

LICENSING ACT 2003 - REVIEW OF STATEMENT OF LICENSING POLICY

OPEN	
DIRECTOR:	Director of Worcestershire Regulatory Services on behalf of Wyre Forest District Council.
CONTACT OFFICER:	Niall McMenamin – 01527 548282 niall.mcmenamin@worcestershire.gov.uk
APPENDICES:	Appendix 1 – Draft Revised Statement of Licensing Policy

1. PURPOSE OF REPORT

- 1.1 To ask Members to consider any responses received during the consultation on a draft revised Statement of Licensing Policy and to recommend to Council that the revised Statement of Licensing Policy attached at Appendix 1 be approved and published with effect from 11th December 2014.

2. RECOMMENDATION

The Committee is asked to RESOLVE:

To recommend to Council that the revised Statement of Licensing Policy attached at Appendix 1 be approved and published with effect from 11th December 2014.

3. BACKGROUND

- 3.1 Wyre Forest District Council's existing Statement of Licensing Policy was published on 7th January 2011.
- 3.2 Section 5 of the Licensing Act 2003 (as amended by the Police Reform and Social Responsibility Act 2011) requires Licensing Authorities to review Statements of Licensing Policy every five years, and therefore a reviewed Statement must be approved and published no later than 7th January 2016.
- 3.3 The Police Reform and Social Responsibility Act 2011 took effect after the current Statement of Licensing Policy was published on 7th January 2011. Therefore whilst the current Statement of Policy states that it was due for review by January 2014, the Council are not legally required to review their Statement of Licensing Policy for another two years. However it is felt desirable to review the Policy at this stage as a result of the large number of changes to the legislation and statutory guidance since the existing Policy was published.

4. KEY ISSUES

- 4.1 The policy has been completely redrafted and is based on a template provided by the Local Government Association. It is intended that a Statement of Licensing Policy based on this template will be adopted by all of the licensing authorities in Worcestershire.
- 4.2 The legislative changes reflected in the policy include:
- The introduction of the Licensing Authority as a Responsible Authority
 - The introduction of the relevant Health Body as a Responsible Authority
 - The removal of the vicinity test
 - The reduction of the evidential burden on Local Authorities
 - The changes made to Temporary Events Notices
 - The power to suspend licences for non payment of fees
 - The power to introduce Early Morning Restriction Orders and a Late night Levy
 - The Live Music Act 2012
 - Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013
- 4.3 Section 5 (3) of the Licensing Act 2003 also makes it a requirement that before determining or revising its Policy for a five year period, a Licensing Authority must consult with the following Relevant Parties:
- (a) the Chief Officer of Police for the Licensing Authority's area;
 - (b) the Fire Authority for that area;
 - (c) such persons as the Licensing Authority considers to be representative of holders of Premises Licences issued by that Authority;
 - (d) such persons as the Licensing Authority considers to be representative of holders of Club Premises Certificates issued by that Authority;
 - (e) such persons as the Licensing Authority considers to be representative of holders of personal licences issued by that Authority; and
 - (f) such other persons as the Licensing Authority considers to be representative of businesses and residents in its area.
- 4.4 On 4th August 2014 the Licensing Committee considered a draft revised Statement of Licensing Policy and approved it for the purpose of consultation with all relevant parties.
- 4.5 The consultation was commenced on 15th August 2014 and lasted for a period of twelve weeks. The consultation was carried out via the Council's website and the following were all contacted directly to draw attention to the consultation:
- The Chief Officer of West Mercia Police.

- Hereford and Worcester Fire and Rescue Service.
- All other responsible authorities under the Licensing Act 2003.
- Various bodies that represent the licensed trade.
- Wyre Forest District Councillors.
- Parish Councils.

4.6 During the 12 week consultation period no responses were received by the Council.

4.7 The finalised version of the Statement of Licensing Policy, which can be seen at Appendix 1 is the version that officers ask the Committee to recommend to Council for approval and publication with effect from 11th December 2014.

5. FINANCIAL IMPLICATIONS

5.1 The cost of the consultation exercise was met by existing budgets held by Worcestershire Regulatory Services.

6. LEGAL AND POLICY IMPLICATIONS

6.1 The Council has a statutory duty to have a Statement of Licensing Policy and to keep its Policy under review. It is important that the Statement of Licensing Policy provides an open and transparent policy regarding the Council's functions under the Licensing Act 2003. The Statement of Licensing Policy forms an essential part of the decision making process for licensing applications.

7. RISK MANAGEMENT

7.1 If the Statement of Licensing Policy is not reviewed and updated, the decisions taken by the Council under the Licensing Act 2003 could be subject to legal challenge.

8. EQUALITY IMPACT ASSESSMENT

8.1 There are no issues over Equality Impact Assessment.

9. CONCLUSION

9.1 The consultation exercise has allowed residents, businesses and all of the Responsible Authorities the opportunity to comment on how licensing is administered in the district and to assess whether changes are required.

10. CONSULTEES

10.1 Solicitor to the Council, Legal Services.

11. BACKGROUND PAPERS

11.1 Existing Statement of Licensing Policy.



Wyre Forest District Council

(Draft)
Statement of
Licensing Policy
2014 – 2019

Licensing Act 2003

Wyre Forest District Council,
Finepoint House,
Kidderminster,
Worcestershire,
DY11 7WF
01562 732928

www.wyreforestdc.gov.uk

Revised with effect from 11th December 2014

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1.0 Introduction

- 1.1 Wyre Forest District is situated in North West Worcestershire and comprises the three distinctive riverside towns of Kidderminster, Bewdley and Stourport-on-Severn as well as surrounding countryside. It covers an area of 75 square miles. In 2011, the population totalled 98,000 (2011 census).
- 1.2 Kidderminster is the main business and commercial centre in the district offering industrial, shopping, offices and leisure facilities. Kidderminster is famous for carpet manufacture and is still closely associated with the carpet industry; though since the 1970 the industry has been in decline leaving the town in a process of economic diversification. In more recent years the town centre underwent an extensive £60 million river and canal side redevelopment providing retail and leisure facilities. Kidderminster is also the terminus of the Severn Valley Railway. The national tourist attraction, West Midland Safari Park, lies between the towns of Kidderminster and Bewdley.
- 1.3 Stourport-on-Severn is a popular tourist town. It was uniquely created as a canal port in 1766, when the canal Navigation Act for Worcestershire received Royal Assent. The Georgian Market Town of Stourport has benefited from significant tourism and today continues to be a thriving market town and a successful visitor attraction.
- 1.4 Bewdley is a small riverside town built along the banks of the River Severn. It contains many fine Georgian buildings, has an award-winning museum and is also a popular tourist attraction.
- 1.5 This Statement of Licensing Policy is intended to provide information and guidance to licence applicants, responsible authorities and interested parties on the general approach that the Council will take to licensing.
- 1.6 The Council's aim is to facilitate well-run and managed premises with licence holders displaying sensitivity to the impact of the premises on local residents. The objective of the licensing process is for a unified system of regulation of licensable activities so that such activities are carried out in a way that ensures public safety, but is not detrimental to residents, and does not give rise to a loss of amenity.
- 1.7 The Licensing Authority has a duty under Section 17 of the Crime and Disorder Act 1998 to exercise its functions with due regard to the likely effect of those functions, and the need to do all it reasonably can to prevent crime and disorder (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area.

2.0 Licensing Objectives and Aims

2.1 The Licensing Act 2003 provides a clear focus on the promotion of four key licensing objectives. As a licensing authority Wyre Forest District Council will always seek to carry out its licensing functions with a view to promoting these four objectives.

The licensing objectives are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

2.2 Each objective is of equal importance. There are no other statutory licensing objectives, so the promotion of the four objectives is the paramount consideration at all times.

2.3 However, the licensing authority recognises that the legislation also supports a number of other key aims and purposes. It is recognised that these are also vitally important and should be aims for everyone involved in licensing work.

They include:

- Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
- Giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
- Recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
- Providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
- Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may impact upon them.

3.0 Scope of the Licensing Authority's Functions

3.1 As a licensing authority the Council is responsible for the authorisation of 'licensable activities'. The licensable activities that are required to be authorised under the Act are as follows:

- The sale by retail of alcohol,
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club,
- the provision of regulated entertainment, and
- the provision of late night refreshment

3.2 The licensing authority is responsible for four different types of authorisation or permission, as follows:

- Premises licence – to use premises for licensable activities.
- Club premises certificate – to allow a qualifying club to use premises for qualifying club activities.
- Temporary event notice – to carry out licensable activities on a temporary basis for an event.
- Personal licence – to allow a person to sell or authorise the sale of alcohol from premises in respect of which there is a premises licence.

4.0 Purpose of the Statement of Licensing Policy

- 4.1 This statement of policy has been prepared and updated in accordance with the latest amended provisions of the 2003 Act and the latest revised guidance issued under section 182 of the Act. The statement sets out the principles the licensing authority will generally apply to promote the licensing objectives when making decisions on applications made under the Act.
- 4.2 The main purpose of this policy is to provide clarity to applicants, responsible authorities and other persons on how the licensing authority will determine applications for the supply of alcohol, the provision of regulated entertainment and the provision of late night refreshment and also to provide a basis for all licensing decisions taken by the licensing authority. It will also inform elected Members of the parameters within which licensing decisions can be made.
- 4.3 This policy sets out the process the licensing authority will adopt in dealing with licence applications with particular regard to the various types of premises and permissions and the various conditions that can be attached to licences if relevant representations are made. It also highlights the Council's undertaking to avoid duplication with other statutory provisions and its commitment to work in partnership with other enforcement agencies.
- 4.4 When carrying out its licensing functions the Council will always have regard to this statement of policy and the Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003.
- 4.5 The licensing authority may depart from this policy or the Guidance if the individual circumstances of any case merit such a decision in the interests of promoting the four licensing objectives. Whenever the licensing authority takes a decision to depart from this policy or the Guidance, clear reasons will be given.
- 4.6 The Licensing Authority has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it can to prevent Crime and Disorder in the District.
- 4.7 The statement of policy took effect on **DATE** and will be kept under review. A revised statement of policy will be published no later than **DATE**.

5.0 General Principles

- 5.1 Every application received by the licensing authority will be considered on its own individual merits.
- 5.2 If an application for a premises licence or club premises certificate has been made lawfully and there have been no representations from responsible authorities or other persons, the licensing authority must grant the application, subject only to conditions that are consistent with the operating schedule and any relevant mandatory conditions.
- 5.3 The licensing authority will aim to carry out its licensing functions in a way that promotes tourism, increases leisure and culture provision and encourages economic development within the District.
- 5.4 However the licensing authority will also always try and balance the needs of the wider community, local community and commercial premises, against the needs of those whose quality of life may be adversely affected by the carrying on of licensable activities, particularly within residential areas.
- 5.5 In particular the licensing authority will attempt to control any potential negative impacts from the carrying on of licensable activities, such as increased crime and disorder, anti-social behaviour, noise, nuisance, risks to public safety and harm to children.
- 5.6 The licensing authority's aim is to facilitate well run and managed premises with licence holders displaying sensitivity to the impact of the premises on local residents.
- 5.7 The licensing authority acknowledges that licensing law is not the primary mechanism for the general control of anti-social behaviour by individuals once they are beyond the direct control of the individual, club or business holding the authorisation concerned. As a matter of policy, however, the licensing authority expects every holder of an authorisation to take all reasonable steps to minimise the impact of their activities and anti-social behaviour by their patrons within the immediate surroundings of their premises.
- 5.8 "Need" concerns the commercial demand for another pub, restaurant or hotel and is a matter for the planning authority and for the market. Need is not a matter that the licensing authority can consider in carrying out its licensing functions.

6.0 Applications for Premises Licences and Club Premises Certificates

- 6.1 The relevant application forms and associated documents can be obtained from the licensing authority's website or from licensing officers during normal office hours.
- 6.2 Along with the application form, applicants must also submit an operating schedule and plans of the premises to which the application relates. The licensing authority would like any plans submitted to be drawn to a recognised scale, i.e. 1:50 or 1:100, or 1:150, or 1:200. The plans should also be clear and legible in all material respects, i.e. they must be accessible and provides sufficient detail for the licensing authority to be able to determine the application, including the relative size of any features relevant to the application. This should include details and the location of any fire safety equipment provided at the premises. The licensing authority does not require plans to be professionally drawn as long as they clearly show all the prescribed information.
- 6.3 Through their operating schedule, applicants will be expected to demonstrate the positive steps that they will take to promote the four licensing objectives.

Operating Schedules

- 6.4 The operating schedule is a key document and, if prepared comprehensively, will form the basis on which premises can be licensed without the need for additional extensive conditions. All applicants for the grant or variation of a premises licence or club premises certificate are required to provide an operating schedule as part of their application. The licensing authority expects an operating schedule to indicate the positive steps that the applicant proposes to take to promote the licensing objectives.
- 6.5 In completing an operating schedule, applicants are expected to have regard to this statement of licensing policy and to demonstrate suitable knowledge of their local area when describing the steps that they propose to take in order to promote the licensing objectives.
- 6.6 The licensing authority will provide general advice on the drafting of operating schedules and applicants are strongly recommended to discuss their operating schedules with the licensing authority and other responsible authorities prior to submitting them.
- 6.7 The complexity and detail required in the operating schedule will depend upon the nature and use of the premises concerned. For premises such as a public house where regulated entertainment is not provided, only a relatively simple document may be required. However for an operating schedule accompanying an application for a major entertainment venue or event, it will be expected that issues such as public safety and the prevention of crime and disorder will be addressed in detail.
- 6.8 The operating schedule must be set out on the prescribed form and include a statement of the following:
- Full details of the licensable activities to be carried on at and the intended use of the premises;

- The times during which the licensable activities will take place;
- Any other times when the premises are to be open to the public;
- Where the licence is only required for a limited period, that period;
- Where the licensable activities include the supply of alcohol, the name and address of the individual to be specified as the designated premises supervisor;
- Whether alcohol will be supplied for consumption on or off the premises or both;
- The steps which the applicant proposes to promote the licensing objectives.

6.9 For some premises, it is possible that no measures will be appropriate to promote one or more of the licensing objectives, for example, because they are adequately covered by other existing legislation. It is however important that all operating schedules should be precise and clear about the measures that are proposed to promote each of the licensing objectives.

Guidance on Completing an Operating Schedule

6.10 The following guidance is intended to assist applicants by setting out considerations that they should have in mind when drawing up their operating schedules. The guidance is designed to alert applicants to any matters that responsible authorities are likely to consider when deciding whether to make representations on an application or whether to call for a review.

(a) Prevention of Crime and Disorder

6.11 Licensed premises, especially those offering late night/early morning entertainment, alcohol and refreshment for large numbers of people, can sometimes be a source of crime and disorder problems.

6.12 The licensing authority will expect operating schedules, where appropriate, to satisfactorily address these issues from the design of the premises through to the daily operation of the business.

6.13 The licensing authority will normally look to the police as the main source of advice on crime and disorder and therefore applicants are recommended to seek advice from West Mercia Police in relation to what steps they can take to promote the prevention of crime and disorder.

6.14 In addition when planning and preparing operating schedules applicants are advised to take into account local planning and transport policies, tourism, cultural and crime and disorder reduction strategies as appropriate.

6.15 In addition to the requirements for the licensing authority to promote the licensing objectives, it also has a duty under Section 17 of the Crime and Disorder Act 1988 to do all it can to prevent crime and disorder in the District.

- 6.16 When considering all licence applications the licensing authority will take into account the measures proposed to deal with the potential for, and the prevention of, crime and disorder having regard to all circumstances of the application. Applicants should include information on these issues within the operating schedule for the premises.
- 6.17 In particular, the licensing authority will consider the actions, which are appropriate for the premises that the applicant has taken, or is proposing to take with regard to the following:
- i) the ability of the person in charge of the premises to monitor the premises at all times that it is open; although this does not mean that the designated premises supervisor has to be present at all times.
 - ii) the training given to staff regarding crime prevention measures for the premises;
 - iii) physical security features installed in the premises (e.g. position of cash registers, CCTV, toughened drinking glasses etc.);
 - iv) management attitudes (e.g. responsible pricing promotions, willingness to stagger trading, willingness to limit sales of bottles or canned alcohol for immediate consumption and preventing the sale of alcohol to people who are drunk);
 - v) any other measure as may be appropriate (e.g. participation in local Pubwatch and/or Shopwatch schemes or 'Behave or be Banned' schemes (BOBS), restrictions on 'happy hours', music wind-down policies);
 - vi) the measures employed to prevent the consumption or supply of illegal drugs, including any search procedures and entry policies;
 - vii) where the premises are subject to age restrictions, the procedures in place to conduct age verification checks;
 - viii) the likelihood of any violence, public order or policing problems if the licence is granted.
 - ix) the employment of door safety staff licensed by the Security Industries Association (SIA)
- 6.18 Applicants for late night entertainment and alcohol premises should show that they can comply with the Home Office Guidance 'Safer Clubbing' in relation to the control of illegal drugs on their premises. They should agree a protocol with the licensing authority and West Mercia Police on the handling of illegal drugs found on their premises.
- 6.19 The licensing authority in setting its policies and practices considering applications for licensed premises will have due regard to the current Crime and Disorder Strategy for the Area. Regard will be had to the relatively low crime levels in the area and any disproportionate effects likely to be perceived by residents and members of the public due to nuisance, anti-social behaviour and disorder arising or likely to arise as the result of granting a licence.

(b) Public Safety

- 6.20 The Licensing Act 2003 covers a wide range of premises that require licensing including cinemas, nightclubs, public houses, village and community halls, schools, cafes, restaurants and fast food outlets/takeaways. Each of these types of premises present a mixture of risks, some of which may be common to most premises whilst others will be unique to specific operations. Risk assessments must reflect the local nature of risks applying to each event and or venue.

The licensing authority will expect operating schedules, where appropriate, to satisfactorily address these public safety issues. Applicants are encouraged to seek advice from licensing authority officers and the Fire Safety Section of Hereford and Worcester Fire and Rescue Service.

6.21 Where an inspection is required for premises the licensing authority will try where possible to reduce inconvenience, confusion and inconsistency by co-ordinating inspections and visits with the fire authority, police, building control and environmental health officers, as appropriate.

6.22 The identification of a safe capacity limit for premises ensures that persons can be evacuated safely from premises in cases of emergency and may be one means of promoting the Act's public safety objective. The design and layout of premises are important factors when determining a safe occupant capacity. Other factors that may influence safe occupancy limits and may need to be considered when assessing the appropriate capacity for premises or events include:

- the nature of the premises or event
- the nature of the licensable activities being provided
- the provision or removal of such items as temporary structures, such as a stage, or furniture
- the number of staff available to supervise customers both ordinarily and in the event of an emergency
- the age spectrum of the customers
- the attendance by customers with disabilities, or whose first language is not English
- availability of suitable and sufficient sanitary facilities
- nature and provision of facilities for ventilation

6.23 The licensing authority encourages applicants for premises licences that provide regulated entertainment (or any other premises providing a licensable activity where occupant capacity may be a public safety issue) to seek advice regarding safe occupancy levels from the Fire Safety Section of Hereford and Worcester Fire and Rescue Service.

Where the licensing authority's discretion has been engaged following receipt of a relevant representation and it believes it is appropriate for reasons of public safety to impose a condition identifying an occupancy limit, the licensing authority will not normally seek to impose an occupancy limit different to that identified by the Fire Authority if this differs from the figure set in the applicant's Fire Risk Assessment.

(c) Prevention of Public Nuisance

6.24 Licensed premises, especially those operating late at night and in the early hours of the morning, can sometimes cause a range of nuisances impacting on people living, working or sleeping in the area surrounding the premises.

6.25 The licensing authority is keen to protect the amenity of residents and businesses within the area surrounding a licensed premises that are affected by the carrying on of licensable activities at that premises.

6.26 In addition, the licensing authority is aware of the importance of the licensed trade to the local economy and its culture and leisure aspirations. The licensing

authority will, therefore, try and work together with all affected parties, statutory agencies and licensed businesses to ensure a mutually beneficial co-existence.

- 6.27 When considering all licence applications, the licensing authority will take into account the adequacy of measures proposed to deal with the potential for nuisance and/or anti-social behaviour having regard to all the circumstances of the application.
- 6.28 In particular the licensing authority will consider the action that is appropriate for the premises that the applicant has taken or is proposing with regard to the following:
- i) prevention of noise and vibration escaping from the premises, including music, noise from ventilation equipment, and human voices. Such measures may include the installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices;
 - ii) The structural suitability of the premises to provide the licensable activities sought including for example matters such as whether the premises benefits from double glazing and lobbied doors.
 - iii) preventing disturbance by customers arriving at or leaving the premises, particularly between 11.00 pm and 7.00 am;
 - iv) preventing queuing by pedestrians or vehicular traffic, or if some queuing is inevitable, ensuring the queues are diverted away from neighbouring premises, or are otherwise managed, to prevent disturbance or obstruction;
 - v) ensuring staff leave the premises quietly;
 - vi) arrangements for parking by patrons and staff, and the effect of the parking on local residents;
 - vii) provision for public transport (including taxis and private hire vehicles) for patrons;
 - viii) whether licensed taxis or private hire vehicles are likely to disturb local residents;
 - ix) whether routes to and from the premises on foot, by car or other services pass residential premises;
 - x) the installation of any special measures where licensed premises are, or are proposed to be, located near sensitive premises such as nursing homes, hospitals, hospices or places of worship;
 - xi) the use of gardens and other open-air areas;
 - xii) the location of external lighting, including security lighting that is installed;
 - xiii) other appropriate measures to prevent nuisance, such as the employment of registered door supervisors or the use of CCTV;
 - xiv) preventing the consumption or supply of illegal drugs, including search procedures;
 - xv) whether the premises would lead to increased refuse storage or disposal problems, or additional litter (including fly posters and illegal placards) in the vicinity of the premises;
 - xvi) the history of previous nuisance complaints proved *to have taken place* at the premises, particularly where statutory notices have been served on the present licensees.
- 6.29 The licensing authority is keen to stress, however, that as well as the licensing function there are other mechanisms for addressing issues of unruly behaviour that occur away from licensed premises. These include:

- planning controls;
- powers to designate parts of the District as places where alcohol may not be consumed publicly and the confiscation of alcohol in these areas;
- police powers to close some premises for up to 24 hours in extreme cases of disorder or excessive noise;
- police enforcement of the law with regard to disorder and anti-social behaviour;
- the power of responsible authorities or interested parties to request a review of the licence;
- enforcement action against those selling alcohol to people who are already drunk.

(d) Protection of Children from Harm

- 6.30 The licensing authority recognises that there are a range of activities for which licences may be sought meaning that children can be expected to visit many of these premises, often on their own, for food and /or other entertainment.
- 6.31 The Licensing Act 2003 does not prevent children having free access to any licensed premises. The licensing authority recognises that limitations may have to be considered where it is deemed necessary to protect children from harm. The following are examples of premises that may raise concerns:
- where there have been convictions for serving alcohol to minors, or with a reputation for under-age drinking;
 - with a known association with drug taking or dealing;
 - where there is a strong element of gambling on the premises;
 - where entertainment of an adult or sexual nature is provided;
 - where there is a presumption that children under 18 should not be allowed (e.g. to nightclubs, except when under 18 discos are being held).
- 6.32 The licensing authority expects personal licence holders to *seek* to ensure alcohol is not served to children under the age of 18, except in limited conditions allowed for by law. The licensing authority recommends that the only way to verify a person's proof of age is with reference to the following:-
- passport
 - a photocard driving licence issued in a European Union country;
 - a Proof of Age Standards Scheme card;
 - a Citizen Card, supported by the Home Office (details from www.citizencard.net);
 - an official identity card issued by HM Forces or by a European Union country bearing the photograph and date of birth of the bearer.
- 6.33 When deciding whether to limit the access of children to premises the licensing authority will judge each application on its own merits and a range of conditions may be imposed depending on the circumstances. To assist with this the licensing authority will consult with West Mercia Police and the Worcestershire Safeguarding Children Board if practical or other agencies as the licensing authority consider appropriate.
- 6.34 Where concerns have been identified in respect of individual premises and it is felt

that access to the premises by children should be restricted the options available include:

- limitations on the hours when children may be present;
- age limitations for persons under 18;
- limitations or exclusion when certain activities are taking place;
- full exclusion of persons under 18 when certain licensable activities are taking place;
- limitation of access to certain parts of the premises for under 18s;
- a requirement for an accompanying adult to be present.

- 6.35 However these options are not exhaustive and other options may be considered as the Council considers appropriate. The licensing authority also commends the adoption of the Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks by prospective licensees where the licence applies to the sale of alcohol.
- 6.36 The Licensing Act details a number of offences that are designed to protect children in licensed premises and the licensing authority will work closely with the Police and Trading Standards Services to ensure appropriate and effective enforcement is undertaken, especially in relation to the sale and supply of alcohol to children.
- 6.37 The Licensing Authority will not impose any conditions that specifically require the access of children to the premises.
- 6.38 Where no conditions or restrictions are imposed, the issue of access for children remains a matter of discretion for individual licensees or clubs subject to any relevant provisions in law.
- 6.39 Films cover a vast range of subjects, some of which deal with adult themes and/or contain, for example scenes of horror or violence that may be considered unsuitable for children with certain age ranges. Where a premises is used for film exhibitions, the licensing authority will normally impose conditions restricting access only to persons who meet the required age limit in line with any certificate granted by the British Board of Film Classification or the licensing authority itself.
- 6.40 The Licensing Authority will expect licensees to ensure that age restrictions for film exhibitions are properly complied with.
- 6.41 In considering applications, the licensing authority will take into account any evidence that age restrictions for film exhibitions are not being properly observed.
- 6.42 Many children attend or take part in an entertainment arranged especially for them, for example children's shows, dance and drama or school productions. Specific additional arrangements may need to be operated to ensure their safety. For example:
- an adult member of staff to be stationed at each and every exit from any level and to the outside and subject to there being a minimum of one member of staff to fifty children or part thereof.
 - no child is to be permitted in the front row of any balcony unless they are supervised by an adult.

7.0 Representations

- 7.1 When an application is made for the grant, variation or review of a premises licence or club premises certificate, representations about the application can be made by responsible authorities or other persons.
- 7.2 Representations must be made to the licensing authority within the statutory period of 28 days beginning on the day after the relevant application is received by the licensing authority. Representations must be made in writing
- 7.3 Representations can be made either in support of an application or to express objections to an application being granted. However the licensing authority can only accept “relevant representations.” A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives.
- 7.4 An example of a representation that would not be relevant would be a representation from a local businessperson about the commercial damage that competition from a new licensed premises would do to their own business. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be a relevant representation.
- 7.5 In other words, representations should relate to the impact of licensable activities carried on from premises on the licensing objectives.
- 7.6 For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation.
- 7.7 Whilst the licensing authority expects representations to be evidence based, there is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and it is recognised that in fact this would not be possible for new premises.

(a) Representations from Responsible Authorities

- 7.8 Responsible authorities are a group of public bodies that must be fully notified of applications and that are entitled to make representations to the licensing authority in relation to the application for the grant, variation or review of a premises licence or club premises certificate. A full list of contact details for the responsible authorities is provided on the licensing authority’s website.
- 7.9 Whilst all responsible authorities may make representations regarding applications for licences and club premises certificates and full variation applications, it is the responsibility of each responsible authority to determine when they have appropriate grounds to do so.
- 7.10 The licensing authority recognises that every responsible authority can make representations relating to any of the four licensing objectives. However the licensing authority would normally expect representations about the promotion of

individual licensing objectives to come from the most relevant responsible authority with expertise in that particular area. For example the licensing authority would expect representations about the prevention of crime and disorder to come primarily from the police and representations about the prevention of public nuisance to come primarily from environmental health.

- 7.11 The licensing authority recognises that the police should be its main source of advice on matters relating to the promotion of the crime and disorder licensing objective, but also may be able to make relevant representations with regards to the other licensing objectives if they have evidence to support such representations.
- 7.12 The licensing authority will accept all reasonable and proportionate representations made by the police unless it has evidence that do so would not be appropriate for the promotion of the licensing objectives. However the licensing authority will still expect any police representations to be evidence based and able to withstand scrutiny at a hearing.
- 7.13 The licensing authority recognises Worcestershire Safeguarding Children Board as being the body that is competent to advise it on the licensing objective of the protection of children from harm.
- 7.14 The licensing authority recognises that, although public health is not a licensing objective, health bodies may hold information which other responsible authorities do not, but which would assist the licensing authority in exercising its functions.
- 7.15 For example, drunkenness can lead to accidents and injuries from violence, resulting in attendances at emergency departments and the use of ambulance services. Some of these incidents will be reported to the police, but many will not. Such information might be relevant to the public safety objective and in some cases the crime and disorder objective.
- 7.16 As a result of the Police Reform and Social Responsibility Act 2011, the licensing authority is also now a responsible authority and can therefore make representations if it deems it appropriate to do so.
- 7.17 However the licensing authority will not normally act as a responsible authority on behalf of other parties (for example, local residents, local councillors or community groups) although there are occasions where the authority may decide to do so.
- 7.18 Such parties can make relevant representations to the licensing authority in their own right, and the licensing authority expects them to make representations themselves where they are reasonably able to do so.
- 7.19 The licensing authority also expects that other responsible authorities should intervene where the basis for the intervention falls within the remit of that other responsible authority. Each responsible authority has equal standing under the 2003 Act and may act independently without waiting for representations from any other responsible authority.
- 7.20 In cases where a licensing authority is also acting as responsible authority in relation to the same process, the licensing authority will seek to achieve a separation of responsibilities within the authority to ensure procedural fairness and eliminate conflicts of interest. This will be achieved by allocating the different responsibilities to different licensing officers or other officers within the local

authority to ensure a proper separation of responsibilities.

(b) Representations from Other Persons

- 7.21 Relevant representations about applications can also be made by any other person, regardless of their geographical position in relation to the relevant premises. However the licensing authority will usually give greater weight to representations that are made by people who can demonstrate that they would be directly affected by the carrying on of licensable activities at the premises concerned.
- 7.22 The licensing authority will also reject as invalid, any representations from other persons that are deemed to be frivolous or vexatious. A representation might be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause. Frivolous representations are essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.
- 7.23 Decisions as to the validity of representations will normally be made by officers of the licensing authority. In borderline cases, the benefit of the doubt about any aspect of a representation will be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.
- 7.24 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the authority's corporate complaints procedure. A person may also challenge such a decision by way of judicial review.
- 7.25 Where a notice of a hearing is given to an applicant, the licensing authority is required to provide the applicant with copies of the relevant representations that have been made.
- 7.26 The licensing authority will normally provide copies of the relevant representations to the applicant in full and without redaction. However in exceptional circumstances, where a person satisfies the licensing authority that they have genuine reasons to fear intimidation or violence if their personal details, such as name and address, are divulged to the applicant, the copies of the representations may be redacted accordingly.
- 7.27 In such circumstances the licensing authority will still provide some details to the applicant (such as street name or general location within a street), so that the applicant can fully prepare their response to any particular representation.
- 7.28 Alternatively persons may wish to contact the relevant responsible authority or their local Councillor with details of how they consider that the licensing objectives are being undermined so that the responsible authority can make representations on their behalf if appropriate and justified.
- 7.29 Further guidance on making representations is provided on the licensing authority's website.

8.0 Licensing Hours

- 8.1 The licensing authority recognises the variety of premises for which licences will be sought and that fixed and artificially early closing times in certain areas can lead to peaks of disorder and disturbance on the streets when people tend to leave licensed premises at the same time.
- 8.2 When determining what licensing hours are appropriate for a premises the licensing authority will always consider each application on its own merits and will not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application. The licensing authority will take into account requests for licensable hours in the light of:
- environmental quality;
 - residential amenity;
 - the character or function of a particular area; and
 - the nature of the proposed activities to be provided at the premises.
- 8.3 Consideration may be given to imposing stricter restrictions on licensing hours when it is appropriate to control noise and disturbance from particular licensed premises, such as those in mainly residential areas.
- 8.4 In accordance with established practice, the licensing authority encourages applicants, to include measures of good practice in their operating schedules such as a policy of prohibiting new persons from being admitted to their premises after 11.00 pm in order to reduce the risk of disorder and disturbance to members of the public late at night, where this is appropriate to the premises concerned.
- 8.6 Generally the licensing authority will consider licensing shops, stores and supermarkets to sell alcohol for consumption off the premises during the normal hours they intend to open for shopping purposes. There may, however, be instances where it is considered that there are good reasons for restricting those hours, for example, where police representations are made in respect of isolated shops known to be the focus of disorder and public nuisance.

9.0 Conditions on Licences and Certificates

9.1 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The licensing authority will ensure any conditions that are imposed on a premises licence or club premises certificate:

- Are appropriate for the promotion of the licensing objectives;
- Are precise and enforceable;
- Are unambiguous and clear in what they intend to achieve;
- Do not duplicate other statutory requirements or other duties or responsibilities placed on the business by other legislation;
- Are tailored to the individual type, location and characteristics of the premises and events concerned;
- Are not standardised and may therefore be unlawful if it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
- Do not replicate offences set out in the 2003 Act or other legislation;
- Are proportionate, justifiable and capable of being met, (for example, whilst beer glasses may be available in toughened glass, wine glasses may not);
- Do not seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- Are written in a prescriptive format.

9.2 Although the licensing authority may use standardised forms of wording in conditions to cover commonly arising situations and circumstances, “blanket conditions” will not be applied to licences and specific conditions may be drawn up and applied to meet local need and circumstances.

10.0 Reviews

- 10.1 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority or any other person, may apply to the licensing authority for a review of the licence or certificate because of a problem arising at the premises in connection with any of the four licensing objectives.
- 10.2 In every case the application for review must relate to particular premises for which a licence or certificate is in force and must be relevant to the promotion of the licensing objectives.
- 10.3 Any responsible authority under the 2003 Act may apply for a review of a premises licence or club premises certificate. Therefore, the relevant licensing authority may apply for a review if it is concerned about licensed activities at premises and wants to intervene early without waiting for representations from other persons.
- 10.4 However, the licensing authority will not normally act as a responsible authority in applying for reviews on behalf of other persons, such as local residents or community groups. These individuals or groups are entitled to apply for a review for a licence or certificate in their own right if they have grounds to do so.
- 10.5 The licensing authority also expects other responsible authorities to intervene where the basis for the intervention falls within the remit of that other authority. For example, the police should take appropriate steps where the basis for the review is concern about crime and disorder. Likewise, where there are concerns about noise nuisance, it is expected that environmental health will make the application for review.
- 10.6 Where responsible authorities have concerns about problems identified at premises, the licensing authority considers it good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns.
- 10.7 A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. The licensing authority believes that co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation.
- 10.8 If the application for a review has been made by a person other than a responsible authority (for example, a local resident, residents' association, local business or trade association), before taking action the licensing authority will first consider whether the complaint being made is relevant, frivolous, vexatious or repetitious.
- 10.9 A review application might be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause. Frivolous applications are essentially categorised by a lack of seriousness. Frivolous applications would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.
- 10.10 The licensing authority considers a repetitious ground for review to be one that is identical or substantially similar to:

- a ground for review specified in an earlier application for review made in relation to the same premises licence or certificate which has already been determined; or
- representations considered by the licensing authority when the premises licence or certificate was granted; or
- representations which would have been made when the application for the premises licence was first made and which were excluded then by reason of the prior issue of a provisional statement; and, in addition to the above grounds, a reasonable interval has not elapsed since that earlier review or grant.

- 10.11 The licensing authority is aware of the need to prevent attempts to review licences merely as a further means of challenging the grant of the licence following the failure of representations to persuade the licensing authority on an earlier occasion.
- 10.12 The licensing authority believes that more than one review originating from a person other than a responsible authority in relation to a particular premises should not normally be permitted within a 12 month period on similar grounds save in compelling circumstances or where it arises following a closure order.
- 10.13 The exclusion of a complaint on the grounds that it is repetitious does not apply to responsible authorities which may make more than one application for a review of a licence or certificate within a 12 month period.
- 10.14 Guidance on applying for a review of a licence or certificate, along with the necessary forms, can be found on the licensing authority's website.

11.0 Minor Variations

- 11.1 Variations to premises licences or club premises certificates that could not impact adversely on the licensing objectives are subject to a simplified 'minor variations' process. Under this process, the applicant is not required to advertise the variation in a newspaper or circular, or copy it to responsible authorities. However, they must display it on a white notice (to distinguish it from the blue notice used for full variations and new applications).
- 11.2 Minor variations will generally fall into four categories: minor changes to the structure or layout of premises; small adjustments to licensing hours; the removal of out of date, irrelevant or unenforceable conditions or addition of volunteered conditions; and the addition of certain licensable activities. In all cases the overall test is whether the proposed variation could impact adversely on any of the four licensing objectives.
- 11.3 On receipt of an application for a minor variation, the licensing authority will consider whether the variation could impact adversely on the licensing objectives. Decisions on minor variations will normally be delegated to licensing officers who will look at each application on its own individual merits.
- 11.4 In considering the application, the officer will consult relevant responsible authorities if there is any doubt about the impact of the variation on the licensing objectives and they need specialist advice, and take their views into account in reaching a decision.
- 11.5 The officer will also carefully consider any relevant representations received from other persons that are received within a period of ten working days from the 'initial day', that is to say, the day after the application is received by the licensing authority.
- 11.6 The officer will then determine the application and will contact the applicant within 15 working days, beginning on the first working day after the authority received the application, with effect either that the minor variation is granted or the application is refused.

12.0 Cumulative Impact

- 12.1 The licensing authority recognises that the cumulative impact of a number of late night entertainment premises (including cafes) in some areas may result in an increase of people either walking through, or congregating in, streets during the night. This may in turn have a number of undesirable consequences, for example;
- an increase in crime against property and/or persons;
 - an increase in noise causing disturbance to residents;
 - traffic congestion and/or parking problems;
 - littering and fouling.
- 12.2 This may result in the amenity of local residents in some areas being placed under pressure, as it will not always be possible to attribute a particular problem to customers of particular premises. This means that, whilst enforcement action may be taken to ensure conditions are complied with, this may not resolve all the problems.
- 12.3 Where there is evidence that a particular area of the District is already suffering adverse effects from the concentration of late night premises, when determining any further application for premises within the area identified the licensing authority will take into account:
- the character of the surrounding area;
 - the impact of the licence on the surrounding area, both individually and cumulatively with existing licences; and
 - the nature and character of the proposed operation.
- 12.4 There is currently insufficient evidence to adopt a special policy within this statement. The following steps must be followed before a special policy is considered:
- identification of concern about crime and disorder or public nuisance;
 - consideration of whether it can be demonstrated that crime and disorder and nuisance are arising and are caused by the customers of licensed premises, and if so identifying the area from which problems are arising and the boundaries of that area; or the risk factors are such that the area is reaching a point when a cumulative impact is imminent;
 - consultation with those specified by section 5(3) of the 2003 Act as part of the general consultation required in respect of the whole statement of licensing policy;
 - subject to that consultation, inclusion of a special policy about future premises licence or club premises certificate applications from that area within the terms of this Guidance in the statement of licensing policy;
 - publication of the special policy as part of the statement of licensing policy required by the 2003 Act.

13.0 Enforcement and Complaints

- 13.1 Once licensed, it is essential that premises are maintained and operated so as to ensure the continued promotion of the licensing objectives and compliance with the specific requirements of the Licensing Act 2003. The licensing authority will monitor premises and take any appropriate enforcement action to ensure compliance. Only complaints linked to a licensing objective will be investigated.
- 13.2 The licensing authority's general approach to enforcement will be to target problem and high-risk premises which require greater attention, while providing a lighter touch for low risk premises or those that are well run. Principles of risk assessment and targeted inspections (in line with the recommendations of the Hampton review) will prevail and inspections will not be undertaken routinely but when and if they are judged necessary. This should ensure that resources are used efficiently and are more effectively concentrated on problem premises.
- 13.3 In most cases a graduated form of response will be taken to resolve issues of non-compliance, although it is recognised that in serious cases a prosecution or application for review are the appropriate means of disposal.
- 13.4 All decisions and enforcement actions taken by the licensing authority will be in accordance with the Council's Corporate Enforcement Policy and the principles of consistency, transparency and proportionality set out in the Regulator's Compliance Code.
- 13.5 The licensing authority will continue to employ officers to investigate allegations of unlicensed activities and to ensure that licence conditions are complied with, and will seek to work actively with West Mercia Police and other relevant partners in enforcing licensing legislation.
- 13.6 The licensing authority is happy to investigate complaints against licensed premises of any description. In the first instance, complainants will be encouraged to raise the complaint directly with the licensee or business concerned.
- 13.7 Where a person has made a complaint then the licensing authority may initially arrange a mediation meeting to try and address, clarify and resolve the issues of concern. This process will not override the right of any person to ask the licensing authority to review a licence or certificate or for any licence/certificate holder to decline to participate in a mediation meeting.

14.0 Integrating Strategies and Partnership Working

- 14.1 The Council regards its licensing function as the most appropriate tool in ensuring that the licensing objectives are promoted and will avoid, as far as is possible, any duplication with other regulatory regimes and legislation.
- 14.2 Licensing Committee, when appropriate, will be informed of relevant county and local strategies. The report may include information relating to:
- Local crime prevention strategies;
 - Needs of the local tourist economy;
 - Any cultural strategy for the area;
 - Employment issues in the area;
 - Any relevant planning matters so as to ensure the clear distinction between licensing and planning functions, and
 - Local relevant partnerships and their objectives.

15.0 Equal Opportunities

- 15.1 The Equality Act 2010 places a legal obligation on the licensing authority to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

- 15.2 The licensing authority will look to discharge this duty by making arrangements where appropriate to provide information in a format that meet the requirements of those with special needs such as large type, audio information and information in foreign languages. Specific needs will be dealt with on an individual basis.

16.0 Administration, Exercise and Delegation of Functions

- 16.1 One of the major principles underlying the Licensing Act 2003 is that the licensing functions contained within the Act should be delegated to an appropriate level so as to ensure speedy, efficient and cost effective service delivery.
- 16.2 The licensing authority will be involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them. Appreciating the need to provide an efficient service to all parties involved in the licensing process, the Committee has delegated certain decisions and functions and has established a number of Sub-Committees to deal with those matters.
- 16.3 In addition, it is expected that many of the decisions and functions will be largely administrative with no perceived areas of contention and, in the interests of efficiency and effectiveness, these are delegated to officers. Attached at Appendix A to this licensing policy is a table of delegated functions setting out the agreed delegation of decisions and functions to the Council's Licensing Committee, Sub-Committees and officers.
- 16.4 These delegations are without prejudice to officers referring an application to a Sub-Committee or the Licensing Committee if considered appropriate in the circumstances of the case.

17.0 Relationship with Planning

- 17.1 Planning permission, building control approval and licensing regimes will be properly separated to avoid duplication and inefficiency. The planning and licensing regimes involve consideration of different (albeit related) matters. Licensing committees are not bound by decisions made by a planning committee, and vice versa.
- 17.2 There is no legal basis for the licensing authority to refuse a licence application because the relevant premises does not have planning permission, or where there are conditions on the relevant planning permission.
- 17.3 There are circumstances when as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law.

18.0 Temporary Event Notices

- 18.1 The Licensing Act 2003 provides for certain occasions when small scale events (for no more than 499 people at a time and lasting for no more than 168 hours) do not need a licence providing that advance notice is given to the licensing authority, police and environmental health. The police and environmental health can only object to a Temporary Event Notice if the event is likely to undermine the licensing objectives.
- 18.2 The law states that for a standard temporary event notice, at least ten working day's notice must be given but the licensing authority recommends that, wherever possible, at least two month's notice be given to hold these events, to allow it to help organisers plan their events safely. Any longer period than this may mean that organisers do not have all the details available at the time of submitting the notice, and any lesser time means that planning may be rushed and haphazard.
- 18.3 Organisers of temporary events are strongly advised to contact the licensing authority for advice at the earliest opportunity when planning events. Where necessary discussions will be held with the police to avoid any unnecessary objections being made that may arise from misunderstandings or confusion as to what is being proposed.
- 18.4 Since 25 April 2012 it has been possible for individuals to serve a very limited number of "late" temporary event notices each year, providing that these are served on all relevant parties at least five working days before the day on which the event is due to begin.
- 18.5 However event organisers should be aware that a late temporary event notice can be prevented by a single objection from the police or environmental health and there is no right to a hearing in such circumstances.
- 18.6 Therefore late temporary event notices should normally only be served in exceptional circumstances, such as when an event has to be postponed and rearranged at short notice due to adverse weather conditions. The licensing authority does not expect late temporary event notices to be served simply on the basis that the event organiser has been disorganised in addressing the licensing arrangements for their event.

19.0 Live Music Act 2012 and other Entertainment Licensing Deregulation

- 19.1 The Live Music Act 2012 came into force on 1st October 2012 and is designed to encourage more performances of 'live' music. The Act removes the licensing requirements for:
- amplified 'live' music between 8am and 11pm before audiences of no more than 200 people on premises authorised to sell alcohol for consumption on the premises
 - amplified 'live' music between 8am and 11pm before audiences of no more than 200 people in workplaces not otherwise licensed under the 2003 Act (or licensed only for the provision of late night refreshment)
 - unamplified 'live' music between 8am and 11pm in all venues
 - the provision of entertainment facilities
- 19.2 Where licensable activities continue to take place on premises any licence conditions relating to 'live' music will be suspended, but it will be possible to impose new, or reinstate existing, conditions following a review.
- 19.3 When considering whether an activity constitutes the provision of regulated entertainment each case will be treated on its own merits. There will inevitably be a degree of judgement as to whether a performance is live music or not, so organisers are encouraged to check with the licensing authority if in doubt.
- 19.4 There was a further deregulation of entertainment licensing in June 2013 when the Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013 came into force on 27 June 2013. The effect of the order is that no authorisation is required for the following activities to the extent that they take place between 08:00-23:00 on any day:
- a performance of a play in the presence of any audience of no more than 500 people
 - an indoor sporting event in the presence of any audience of no more than 1000 people
 - a performances of dance in the presence of any audience of no more than 500 people

20.0 Sexual Entertainment Venues

- 20.1 The Council may adopt a policy in relation to sex establishments, including sexual entertainment venues under the Local Government (Miscellaneous Provisions) Act 1982, as amended by the Policing and Crime Act 2009. This policy may include standard conditions attached to such licences. Where there are similar conditions attached to licences under both regulatory regimes, the more onerous will apply.
- 20.2 There is an exemption under the Local Government (Miscellaneous Provisions) Act 1982 that allows premises to provide sexual entertainment no more than 11 times per year and no more frequently than monthly. Any concerns related to the provision of occasional sexual entertainment may still lead to a review of the relevant premises licence or club premises certificate and the imposition of conditions.
- 20.3 Any premises that wants to provide sexual entertainment under the exemption must still be authorised under the Licensing Act 2003 for the performance of dance and the playing or recorded music.

21.0 Early Morning Alcohol Restriction Orders (EMROs)

- 21.1 The power to introduce an EMRO enables a licensing authority to prohibit the sale of alcohol for a specified time period between the hours of 12am and 6am in the whole or part of its area, if it is satisfied that this would be appropriate for the promotion of the licensing objectives.
- 21.2 EMROs are designed to address recurring problems such as high levels of alcohol-related crime and disorder in specific areas at specific times; serious public nuisance; and other instances of alcohol-related anti-social behaviour which is not directly attributable to specific premises.
- 21.3 Before introducing an EMRO the licensing authority must be satisfied that it has sufficient evidence to demonstrate that its decision is appropriate for the promotion of the licensing objectives. This requirement will be considered in the same manner as other licensing decisions, such as the determination of applications for the grant of premises licences. The licensing authority will consider evidence from partners, including responsible authorities and local Community Safety Partnerships, alongside its own evidence, to determine whether an EMRO would be appropriate for the promotion of the licensing objectives.
- 21.4 The licensing authority will normally only consider the use of EMROs as a last resort in dealing with recurring problems and will always consider the potential burden that would be imposed on premises licence holders as well as the potential benefits in terms of promoting the licensing objectives.
- 21.5 It is recognised that there are other measures that could be taken instead of making an EMRO which include:
- introducing a special policy on cumulative impact;
 - reviewing licences of specific problem premises;
 - encouraging the creation of business-led best practice schemes in the area; and
 - using other mechanisms set out in the Secretary of State's Guidance to Licensing Authorities under Section 182 of the Licensing Act 2003.
- 21.6 The licensing authority is not currently satisfied that it is appropriate to make any EMROs.

22.0 Late Night Levy

- 22.1 The late night levy is a power, conferred on licensing authorities by provision in Chapter 2 of Part 2 of the Police Reform and Social Responsibility Act 2011. This enables licensing authorities to charge a levy to persons who are licensed to sell alcohol late at night in the authority's area, as a means of raising a contribution towards the costs of policing the late-night economy.
- 22.2 The levy is a power and the Government has recognised that some licensing authorities will not consider that it is appropriate to exercise it.
- 22.3 At the present time this licensing authority does not have a large number of premises which are licensed to sell alcohol during the late night supply period.
- 22.4 The decision to introduce the levy is for the licensing authority to make. However the licensing authority will keep the need for a levy under review in consultation with the chief officer of police and police and crime commissioner ("PCC") for the police area.
- 22.5 When considering whether to introduce a levy the licensing authority notes that any financial risk (for example lower than expected revenue) rests at a local level and this will be fully considered prior to making any decision about local implementation.
- 22.6 The licensing authority will decide whether or not it believes it has a viable proposal to introduce the levy before incurring the costs of the formal consultation process.
- 22.7 If the licensing authority decides to give further consideration to the introduction of a levy in the future, it will do so in accordance with the relevant regulations and with reference to any relevant guidance issued by the Home Office.
- 22.8 Any decision to introduce, vary or end the requirement for the levy will be made by the full Council. Other decisions in relation to the introduction and administration of the levy would be delegated to the Licensing Committee.

23.0 Suspension of Licences and Certificates for Non-Payment of Annual Fees

- 23.1 As a result of powers introduced under the Police Reform and Social Responsibility Act 2011, the licensing authority must suspend premises licences and club premises certificates if the holder of the relevant authorisation fails to pay their annual fee.
- 23.2 However, this does not apply immediately if the payment was not made before or at the time of the due date because of an administrative error, or because the holder disputed liability for the fee before or at the time of the due date. In either of these cases, there is a grace period of 21 days. This period will be used by the licensing authority to contact the licence or certificate holder in attempt to resolve the dispute or error. If the dispute or error is not resolved during this 21-day period, the licence or certificate will be suspended.
- 23.3 When suspending a licence or certificate a notice of suspension will be given in writing to the licence or certificate holder. The police and any other relevant responsible authorities will also be notified of the suspension at the same time.
- 23.4 A premises licence or certificate that has been suspended does not have effect to authorise licensable activities. However, it can for example be subject to a hearing or, in the case of a premises licence, an application for transfer. The licence will nevertheless only be reinstated when the outstanding fee has been paid. Formally, the debt is owed by the holder who held the licence at the time it was suspended. However, it may be more likely in practice that the new holder will actually make the payment.
- 23.5 Once payment has been received a written acknowledgement will be given to the licence/certificate holder and the suspension will be lifted. The police and any other relevant responsible authorities will be notified that the suspension has been lifted at the same time.

Appendix A - Table of Delegated Functions

Matter to be dealt with	Full Committee	Sub Committee	Officers
Application for personal licence		If the police give an objection notice	If no objection notice is given by the police.
Application for premises licence/club premises certificate		If relevant representations are made	If no relevant representations are made
Application for provisional statement		If relevant representations are made	If no relevant representations are made
Application to vary premises licence/club premises certificate		If relevant representations are made	If no relevant representations are made
Application to vary designated personal licence holder		If the police give an objection notice	If no objection notice is given by the police.
Application for the mandatory alcohol condition under the Licensing Act 2003 requiring a Designated Premises Supervisor in respect of a premises licence to be disapplied		If a police representation is made	All other cases
Decision whether to consult other responsible authorities on minor variation application			All cases
Determination of minor variation application			All cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If the police give an objection notice	If no objection notice is given by the police.
Application for interim authority		If the police give an objection notice	If no objection notice is given by the police.

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Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint or objection is irrelevant, frivolous, vexatious etc			All cases
Decision for licensing authority to act in their capacity as a responsible authority			All cases
Acknowledgement of receipt of a temporary events notice			All cases
Determination of a police or environmental health objection to a temporary event notice		All cases	
Decision to suspend a licence or certificate for non-payment of the annual fee.			All cases