

Meeting LC m 10:11
Date: 12 April 2011

South Somerset District Council

Draft Minutes of a meeting of the **Licensing Committee** held at **the Council Offices, Brympton Way Yeovil** on **Tuesday 12 April 2011**

(10.00 am - 11.30 am)

PRESENT:

Members:

Dave Bulmer	Keith Ronaldson
Tony Fife	Alan Smith
John Hann	Martin Wale
Roy Mills	William Wallace
Nigel Mermagen (Chairman)	

Officers:

Anne Herridge	Committee Administrator
Nigel Marston	Licensing Manager
Rachel Lloyd	Licensing Officer

Others:

Mrs Lee Dancy	Managing Director of Barking Mad
Robert Schuler	Barking Mad Franchisee

NB: *Where an executive or key decision is made, a reason will be noted immediately beneath the Committee's resolution.*

25. Minutes (Agenda Item 1)

The minutes of the Licensing Committee held on 8 February 2011, copies of which had been circulated, were approved as a correct record and signed by the chairman of that meeting, Cllr Nigel Mermagen.

26. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Cllrs David Recardo, Peter Roake, and Lucy Wallace.

27. Declarations of Interest (Agenda item 3)

There were no declarations of interest.

28. Public Participation (Agenda item 4)

Questions/comments from members of the public

There were no members of the public present at the meeting.

29. Licensing of premises carrying on boarding, sale and breeding of animals or keeping dangerous wild animals, riding establishments and zoos. (Agenda Item 5)

The Licensing Officer explained that the report as shown in the agenda was an overview of the type of licenses issued for establishments with animals. She explained that the Animal Boarding Establishments Act 1963 regulates boarding of dogs and cats in all types of premises (including private dwellings). A licence is not required for boarding other types of animals.

There are 34 premises licensed within South Somerset for boarding of dogs and cats, 23 of the premises are 'traditional' kennels and catteries and 11 premises are licensed for home boarding (the dogs live in the home as a family pet) and/or dog day care.

The officer highlighted several points from the agenda report under the headings:

- Breeding of dogs;
- Dangerous Wild Animals;
- Pet Shops;
- Riding Establishments;
- Zoos and;
- Enforcement.

She then encouraged questions from members of the committee and responded to those questions in the following manner:

- There were not any 'puppy farms' in the SSDC area;
- There had been investigations into insinuations that a bitch was having too many litters in any one year;
- Those concerned in a complaint were informed when a complaint had been made against them during the visit;
- There is a Schedule attached to the Dangerous Wild Animals Act 1976 that specifies the animals that need to be licensed;
- Relevant planning application consultation papers were reviewed by the Licensing Service if appropriate;
- Llama's were not included in the current legislation, but had to be registered by DEFRA.

The officer was thanked for the in-depth report.

NOTED

Lead Officer: Rachel Lloyd, Licensing Officer

Contact Details: rachel.lloyd@southsomerset.gov.uk (01935) 462134

30. Animal Home Boarding Licences (Agenda Item 6)

The chairman introduced Mrs Lee Dancy, Managing Director of Barking Mad, and the representative Robert Schuler, he explained the committee procedure to them both.

The Licensing Manager presented the report as shown in the agenda and explained that SSDC had received a letter concerning the level of the current fee for home boarding, and questioned the necessity of the requirement for an inspection of the premises by a veterinary surgeon. A copy of the letter from Mrs Dancy had been appended to the report.

The Officer explained that the Animal Boarding Establishments Act 1963 regulated the boarding of dogs and cats in any premises (including a private dwelling) the Council had been issuing home boarding establishment licences since 2005. Home boarding had become increasingly popular in recent years as it was thought to be less stressful for dogs to go into another home environment rather than into a kennel.

The Council had adopted separate conditions for home boarding establishments.

Currently a veterinary surgeon was asked to inspect any premises which would be used for dog or cat boarding to ensure that the premises was suitable, the cost of this inspection was passed back to the applicant.

The SSDC Home Boarding Fees were currently £101.00 and had already been set for the financial year 2011/12 any amendment would not be effective until the financial year 2012/13. The Licensing Manager explained how the charge was currently calculated. An example of the calculation had been included in the report. It appeared that the current fee did not cover the costs and would probably need to be reviewed as part of a council wide review of fees and charges. A comparison of other Local Authority fees (Appendix B) had been made and it appeared that the fees charged by SSDC were average.

The officer suggested that members approve the recommendations as shown in the report.

In response to a members' questions the officer conceded that no complaints regarding home boarding licences had been received in South Somerset but costs had to be built in the charge to cover costs should a complaint be filed. Some authorities base their fees on the number of applicable animals but the majority just charge the one fee unless specified.

Mrs Lee Dancy was invited to address the committee.

She introduced herself as the Managing Director of 'Barking Mad' and the author of the letter appended to the report. She gave a brief history of Barking Mad; it had been in existence for 11 years and provided a home from home environment for dogs, to provide an alternative to using kennels. They had a number of retired people as host families who for one reason or another no longer had dogs living with them, but enjoyed looking after them for short periods, everyone that they employed was strictly vetted.

She felt the current fees were set too high, she had found the breakdown of the charge as shown in the report useful. She went on to explain that Barking Mad carried out inspections instead of the licensing officers, and sent one renewal reminder for all hosts. Travel to homes was worked out as efficiently as possible to reduce the mileage, the inspection time had reduced considerably as all current host families already met the criteria.

Mrs Dancy felt that the fees charged across the country varied considerably and a cap on the charges should be considered, Barking Mad only dealt with 2 of the Local Authorities listed in the table. East Devon was her best local example, as that authority had realised that it was unnecessary to use a veterinarian, and no complaints had been received in the East Devon area. She asked members to consider reducing the fees to £50.00 and dispense with the use of a vet.

Robert Schuler the representative from Barking Mad then told members that he had been with the firm for 4 1/2 years, the area that he covered comprised of 40 host families. He had previously worked for the RSPCA.

In response to questions from members Mrs Dancy replied that:

- SSDC were currently the only council who used the services of a veterinarian, host families only had 1 dog at a time therefore the risk of disease was very low;
- She confirmed that the first visit was the most important as it took longer than the renewal, but she felt that as SSDC had never received a complaint, the £61.28 allocated for complaints was a bit steep;
- Barking Mad had never received any complaints against any host family;
- Inspection of boarding kennels normally took longer than a home boarding inspection but the fee charged by SSDC was the same;
- Their home inspections were carried out in line with LACORS conditions, if Barking Mad thought any host family was unsuitable they would turn them down before any veterinarian visited;
- If any problems occurred whilst a dog was with a host family the area rep would be contacted for advice;
- The firm had taken a while to register with SSDC due to administration issues within the authority and was out of their hands.

During discussion the following comments by members were made:

- The vet visit appeared to be unnecessary;
- Suggested that if a complaint was not made in the first year then perhaps it could be reduced over subsequent years;
- Home boarding should be encouraged as the host families were better regulated than overflow houses that were used when kennels were full;
- A business like Barking Mad was easier and more cost effective to deal with rather than numerous individuals.

In summing up, the Licensing Manager said that Barking Mad were a very responsible firm, the Licensing service had no issues with them. The fee did need to cover any unknown costs and it currently did not cover all overheads, but he would be quite happy if members wished to recommend the removal of a veterinary inspection.

The Licensing Manager, Licensing Officer, Mrs Dancy and Mr Schuler left the room whilst members remained to discuss the recommendations.

Members were all unanimous that the veterinary inspections could be scrapped, but further discussion took place regarding the fees, some concern was raised that a proportion of the fees was needed to cover the possibility of a complaint. It was then unanimously decided to reduce the fees to £75.00 from financial year 2012/2013.

The Licensing Manager, Licensing Officer, Mrs Dancy and Mr Schuler returned to the meeting and were advised of the following recommendation.

RESOLVED:

- 1) That members approved an amendment to the council's policy for home boarding by removing the requirement for a veterinary inspection to be carried out before granting a home boarding establishment licence where only 1 dog or dogs from the same family are boarded.
- 2) That home boarding fees be reduced to £75.00 for applications received from the financial year 2012/13.

(Voting: Unanimous)

Lead Officer: Nigel J Marston, Licensing Manager
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31. Update on the Licensing Service (Agenda Item 7)

The Licensing Manager advised that a recent appeal made by a street trader in Crewkerne had been deferred last week to a later date, there was a potential prosecution on a trader in Yeovil town that should be completed by the end of May 2011. There were no other updates.

Lead Officer: Nigel J Marston, Licensing Manager
Contact Details: nigel.marston@southsomerset.gov.uk or (01935) 462150

32. Licensing Committee Forward Plan (Agenda Item 8)

More items would be place on the forward plan after the local elections had taken place.

RESOLVED:

that members commented upon and noted the proposed Licensing Committee Forward Plan as attached at Appendix A.

Head of Service: Nigel Marston, Licensing Manager
Lead Officer: Anne Herridge, Committee Administrator
Contact Details: anne.herridge@southsomerset.gov.uk or (01935) 462570

33. Next Meeting (Agenda Item 9)

Members noted that the next scheduled meeting of the Licensing Committee would take place on Tuesday 14 June 2011 at 10.00 am at the Council Offices, Brympton Way Yeovil and not 7 June as reported in the agenda.

Anne Herridge Committee Administrator, Legal and Democratic Services SSDC
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Chairman