

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE
PUBLIC PROTECTION COMMITTEE**

Date 31st March 2014

1. **HEADING** Review of Licensing Standards for Catteries
Submitted by: David Beardmore, Environmental Health Team Manager
Dog & Pest Control
- Portfolio:** Environment & Recycling
- Ward(s) affected:** All

Purpose of the Report

To seek Committees support to review licensing standards for catteries.

Recommendations

- That Committee confirms its support, in principle to updating the licensing standards, and approves further research by officers and consultation with businesses to determine its impact
- That a further report be submitted to the June Committee detailing officers' findings and a final decision made as to whether the benefits of adopting new standards outweigh any adverse impact it may have on businesses.

Reasons

To enable Committee to be properly briefed should it wish to consider revising the cattery licence standards.

1. **Background**

- 1.1 The Animal Boarding Establishments Act 1963 requires anyone who wishes to keep a boarding establishment to be licensed by the local authority and abide by the conditions of the licence.
- 1.2 The council currently licence 10 catteries in the borough and are a mixture of old and new premises, large and small. Details of all catteries in the borough are listed on our website (see background papers).
- 1.3 The council adopted its current cattery licensing standards in 1999. Since then there have been developments in the understanding of animal welfare and also the introduction of the Animal Welfare Act 2006. Therefore groups including the Chartered Institute of Environmental Health (CIEH), Cats Protection League, RSPCA and British Small Animal Veterinary Association felt it was time to revise the current standards. Their "*Model Licence Conditions and Guidance for Cat Boarding Establishments*" was published in November 2013 (see background papers)
- 1.4 Licensing standards set the criteria which officers check when determining if premises should receive a licence from the council. All the businesses licensed by the council, meet or

exceed the required standards for our current (1999) conditions but may need to make changes if standards are updated, as best practice has evolved.

2. **Issues**

2.1 Adopting updated standards will have consequences for our catteries

<u>Positives</u>	<u>Negatives</u>
<ul style="list-style-type: none">• Premises which the authority licences will operate to modern conditions• Premises will be compliant with a national modern standard, based on robust animal welfare principles• People boarding their cats can be confident that licensed premises meet a high standard.	<ul style="list-style-type: none">• To comply with new standards some expenditure may be required to update facilities• Some sites may potentially need to reduce the number of animals they board• Some businesses may decide to cease trading rather than update their facilities• Pet owners could have a reduced choice of premises

2.2 Officers consider that before making any changes it is appropriate to consult with the businesses which will be affected, identify if they would support or oppose the changes and understand the potential costs they may incur.

2.3 Such consultation will require officer time and incur costs such a travel.

2.4 Officers feel it is inappropriate to engage with businesses unless Committee are supportive to an update of best practice.

3. **Options Considered** (if any)

3.1 Two options are now available:

3.1.1 Retain existing licensing standards ('Do Nothing' option)

<u>Advantages:</u>	<u>Disadvantages:</u>
<ul style="list-style-type: none">• Consultation doesn't need to be undertaken – enabling officer resource to be targeted elsewhere• No changes required by businesses	<ul style="list-style-type: none">• The authority would potentially licence premises which no longer meet modern standards• Premises may not meet current animal welfare standards• Premises licensed by the council could be subject to Animal Welfare Act enforcement action• Pet owners loose confidence in the standards of the councils licensed premises and use facilities in other districts where they believe standards are higher

3.1.2 Investigate the impact of adopting CIEH Model Licence Conditions and Guidance for Cat Boarding Establishments

<u>Advantages:</u>	<u>Disadvantages</u>
<ul style="list-style-type: none">• Encourages premises to achieve current best practice• Ensures that licensing requirements imposed by the council follow robust national guidance, ensuring decisions are consistent and the reasoning behind them transparent• Businesses operating at a high standard are likely to attract more clients	<ul style="list-style-type: none">• Cost of improvement may be considered unviable by some businesses causing some catteries to cease trading.

4. **Proposal**

- 4.1 That Committee confirms its support, in principle, for updating licensing standards, and approves further research by officers and consultation with businesses to determine its impact.
- 4.2 That Committee receive a further report at its June meeting detailing officers findings and make a final decision as to whether the benefits of adopting new standards outweigh any adverse impact it may have on businesses.

5. **Reasons for Preferred Solution**

- 5.1 Committing resources to investigation and consultation is unnecessary and wasteful if members are not supportive, in principle, of the conditions being updated.
- 5.2 It is inappropriate to consider updating conditions, or asking members to endorse such a change, without appropriate research to justify the change

6. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- 6.1 Considering the impact changes will have on businesses this aligns with the councils stated aim to be a co-operative council.
- 6.2 Businesses operating at a higher standard are likely to attract more clients which aligns with our priority of creating a borough of opportunity

7. **Legal and Statutory Implications**

- 7.1 Any business which operates as a boarding establishment must hold a licence. The authority can set appropriate licensing conditions

8. **Equality Impact Assessment**

8.1 No issues have been identified

9. **Financial and Resource Implications**

9.1 Research, consultation and reporting will require approximately 15 hours of officer time. All required costs can be met from existing budgets.

10. **Major Risks**

10.1 Requiring inappropriate changes which have a detrimental impact on businesses would damage the councils reputation

11. **Sustainability and Climate Change Implications**

11.1 No implications have been identified.

12. **Key Decision Information**

12.1 Permission or refusal to undertake this review is not considered a key decision.

13. **Earlier Cabinet/Committee Resolutions**

13.1 Our current standard was adopted in October 1999, Minute Number 466/00

14. **Background Papers**

List of licensed catteries within Newcastle Borough

http://www.newcastle-staffs.gov.uk/environment_content.asp?id=SXD103-A780EC20

Current Standard: Newcastle Borough Council Manual For Licensed Establishments, Adopted October 1999 (Min No 466/00)

[http://www.newcastle-staffs.gov.uk/Documents/Environment/animals/Policy%20Manual%20\(colour%20print\).pdf](http://www.newcastle-staffs.gov.uk/Documents/Environment/animals/Policy%20Manual%20(colour%20print).pdf)

CIEH Model Licence Conditions and Guidance for Cat Boarding Establishments 2013

<http://www.newcastle-staffs.gov.uk/Documents/Environment/animals/Model%20licence%20conditions%20and%20guidance%20for%20cat%20boarding%202013%20pdf.pdf>