

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

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

Date 22nd September 2015

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 adopt updated licensing standards for catteries.

Recommendations

- That Committee supports the adoption of the CIEH 2013 Standard in full for all new businesses, require existing business to comply with practice and procedural elements, but accept compliance with the 1999 standard for existing structures where refurbishment is not viable. Refurbishment of accommodation in line with the CIEH 2013 standard would be required if the ownership of the business changes.

Reasons

To ensure that premises licenced by the council operate to appropriate animal welfare 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 8 catteries in the borough which are a mixture of old and new premises, large and small. Details of all catteries in the borough are listed on the website
- 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. The "*Model Licence Conditions and Guidance for Cat Boarding Establishments*" was published in November 2013 (the 'CIEH 2013 Standard') (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 of the council's businesses meet or exceed the required standards for the current (1999) conditions.

2. **Issues**

2.1 Officers have undertaken detailed consultation with licence holders to establish the impact of changing licencing conditions. It has been identified that some existing businesses may not be able to comply with all the conditions of the CIEH 2013 Standard without replacing their cattery accommodation. Whilst some are already planning to refurbish their pens and enclosures, and can use the CIEH 2013 Standard as their blueprint, others will not be able to make changes without considerable expenditure potentially forcing them to cease trading.

3. **Options Considered**

3.1 Three options are now available:

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

<p><u>Advantages:</u></p> <ul style="list-style-type: none"> • No changes required by businesses 	<p><u>Disadvantages:</u></p> <ul style="list-style-type: none"> • The authority would potentially licence premises which do not meet current animal welfare standards • Premises licensed by the Council could be subject to Animal Welfare Act enforcement action • Pet owners would lose confidence in the standards of the council's licensed premises and use facilities in other districts where they believe standards are higher
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3.1.2 OPTION TWO Adopt and implement in full the CIEH 2013 Standard

<p><u>Advantages:</u></p> <ul style="list-style-type: none"> • Ensures premises to achieve current best practice • Ensures council standards align with 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 	<p><u>Disadvantages</u></p> <ul style="list-style-type: none"> • Cost of improvement may be considered unviable by some businesses causing some catteries to cease trading.
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3.1.3 OPTION THREE Adopt the CIEH 2013 Standard in full for all new businesses, require existing business to comply with practice and procedural elements, but accept compliance with the 1999 standard for existing structures where refurbishment is not viable. Refurbishment of accommodation in line with the CIEH 2013 standard would be required if the ownership of the business changes.

<p><u>Advantages:</u></p> <ul style="list-style-type: none"> • Ensures that all existing businesses can continue to operate • Provides detailed guidance for new businesses. • When businesses are sold, full compliance with CIEH 2013 standard would be required 	<p><u>Disadvantages</u></p> <ul style="list-style-type: none"> • Over time will create a dual standard with some businesses claiming 'grandfather rights' and not fully meeting modern standards..
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4. **Proposal**

4.1 Officers request Committee confirms its support for option three described above

5. **Reasons for Preferred Solution**

5.1 This is a pragmatic compromise, ensuring businesses with a proven track record of high standards of animal welfare can continue to operate, whilst ensuring that all new businesses meet current national best practice standards.

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

6.1 Considering the impact changes will have on businesses when making decisions 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 No issues have been identified.

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 Adopting revised model conditions is not a key decision.

13. **Earlier Cabinet/Committee Resolutions**

- 13.1 The council's current standard was adopted in October 1999, Minute Number 466/00 refers
- 13.2 Committee agreed in March 2014 that an impact assessment should be undertaken before deciding whether or not to adopt updated model conditions.

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>