



Report for:	Licensing and Health & Safety Enforcement Committee
Date of meeting:	12 November 2019
PART:	I

Title of report:	Outcome of consultation on Dacorum Borough Council's draft Animal Licensing Policy
Contact:	Sally Mcdonald, Lead Licensing Officer, Corporate and Contracted Services
Purpose of report:	To advise Members of the outcome of public consultation on the above draft policy, and seek approval for formal adoption.
Recommendations	That the Committee consider the consultation response in respect of the draft policy and whether to adopt the policy, with or without any amendments.
Corporate objectives:	<p><u>Safe and Clean Environment</u> This policy sets out the principles for licensing activities involving animals, in line with current legislation, which will ensure the legal and safe operation of licensed businesses.</p> <p><u>Dacorum Delivers</u> The policy refers to how the Council will administer recent legislative changes in respect of animal licensing.</p>
Implications:	<p><u>Financial and Value for Money</u> Having a policy is not a requirement for this area of licensing, and maintaining a policy requires occasional officer resources. However, the purpose of the policy is to ensure that the Council's approach to this licensing regime is clear and transparent, which should reduce unnecessary customer contact, by signposting to the policy which will be available on the Council's website.</p>
Consultees:	This report presents the outcome of public consultation on the proposed policy.
Background papers:	Draft Animal Licensing Policy 2019 – version 1

Glossary of acronyms and any other abbreviations used in this report:	DWA – Dangerous Wild Animals
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1. BACKGROUND

- 1.1. On 10 September 2019, the Committee agreed that the draft Animal Licensing policy should go out for consultation. The Consultation took place between 13 September and 25 October 2019.

2. PUBLIC CONSULTATION RESPONSES

- 2.1. Current licence holders, DEFRA, internal departments and a number of neighbouring authorities were advised directly of the consultation, and it was also publicised on the Council's website.
- 2.2. During the consultation period one response was received, which does not specifically refer to the content of the policy, rather the differences in the way local authorities administer the regulations. This e-mail, and the licensing authority's subsequent response is set out at Annex A.
- 2.3. The draft policy is set out at Annex B.

3. RECOMMENDATION

- 3.1. That Members note the content of the response to public consultation, and consider the formal adoption of the policy with or without further amendment.

**ANNEX A
CONSULTATION RESPONSE AND REPLY**

From: petreliefuk@gmail.com **On Behalf Of** Pet Relief
Sent: 13 September 2019 09:16
To: Sally Mcdonald
Subject: Re: Dacorum Borough Council's draft Animal Licensing Policy 2019

Sally,

Please can you let me know if the guidance from DEFRA as stated in 1.20 has changed since its first introduction last year. All the queries we had were with this guidance. After contacting a number of similar businesses to ours it would appear that some councils have been less stringent on the DEFRA guidance than others. It would appear to be a bit of a postcode lottery on what star rating is giving for very similar boarding arrangements.

Regards, Paul Cooper

From: Sally Mcdonald
Sent: 13 September 2019 10:40
To: 'Pet Relief'
Subject: RE: Dacorum Borough Council's draft Animal Licensing Policy 2019

Good morning Paul

Thank you for your enquiry.

There was one minor change to the DEFRA guidance on 1st December 2018, which created a definition between 'commercial day care' and day care in the home environment – this change meant that providing day care for dogs in the home means meeting the same conditions as for home boarding – the most significant of which is that dogs being boarded as day care only now require a 'designated room' as per condition 13.2 of the regulations. There have been no further changes to the guidance since.

In answer to your reference about the difference between authorities in the absence of case law, or further information from DEFRA about how the guidance should be applied, it then comes down to each licensing authority to interpret how applications are dealt with and subsequent star ratings awarded. In fact, when Defra have been approached in regards to the issue of consistency, the response from them has been that local authorities must interpret the legislation and guidance, and seek their own legal advice when arriving at any decisions as to how this should be applied.

This Council has taken an approach when risk rating and awarding star ratings that is thorough and carefully assesses the information presented both at application stage and during the inspection, but cannot comment about how other authorities carry out their animal licensing functions.

Kind regards

S A Mcdonald

Sally Mcdonald
Lead Officer – Licensing
Corporate and Contracted Services
Dacorum Borough Council

ANNEX B
DRAFT ANIMAL LICENSING POLICY 2019