



# Licensing Committee

Mon 3 Nov  
2014  
7.00 pm

Committee Room 2  
Town Hall  
Redditch

**REDDITCH** BOROUGH COUNCIL

*making  
a  
difference*

[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

# Access to Information - Your Rights

---

The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000, has further broadened these rights, and limited exemptions under the 1985 Act.

Your main rights are set out below:-

- Automatic right to attend all Council and Committee meetings unless the business would disclose confidential or “exempt” information.
- Automatic right to inspect agenda and public reports at least five days before the date of the meeting.
- Automatic right to inspect minutes of the Council and its Committees (or summaries of business undertaken in private) for up to six years following a meeting.
- Automatic right to inspect lists of background papers used in the preparation of public reports.
- Access, upon request, to the background papers on which reports are based for a period of up to four years from the date of the meeting.
- Access to a public register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc.
- A reasonable number of copies of agenda and reports relating to items to be considered in public must be made available to the public attending meetings of the Council and its Committees etc.
- Access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned.
- Access to a summary of the rights of the public to attend meetings of the Council and its Committees etc. and to inspect and copy documents.
- In addition, the public now has a right to be present when the Council determines “Key Decisions” unless the business would disclose confidential or “exempt” information.
- Unless otherwise stated, all items of business before the Executive Committee are Key Decisions.
- (Copies of Agenda Lists are published in advance of the meetings on the Council's Website:  
**[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)**

---

**If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact**

**Pauline Ross  
Democratic Services**

**Town Hall, Walter Stranz Square, Redditch, B98 8AH  
Tel: 01527 881406  
e.mail: [p.ross@bromsgroveandredditch.gov.uk](mailto:p.ross@bromsgroveandredditch.gov.uk)**

# Welcome to today's meeting.

## Guidance for the Public

---

### **Agenda Papers**

The **Agenda List** at the front of the Agenda summarises the issues to be discussed and is followed by the Officers' full supporting **Reports**.

### **Chair**

The Chair is responsible for the proper conduct of the meeting. Generally to one side of the Chair is the Democratic Services Officer who gives advice on the proper conduct of the meeting and ensures that the debate and the decisions are properly recorded. On the Chair's other side are the relevant Council Officers. The Councillors ("Members") of the Committee occupy the remaining seats around the table.

### **Running Order**

Items will normally be taken in the order printed but, in particular circumstances, the Chair may agree to vary the order.

**Refreshments** : tea, coffee and water are normally available at meetings - please serve yourself.

### **Decisions**

Decisions at the meeting will be taken by the **Councillors** who are the democratically elected representatives. They are advised by **Officers** who are paid professionals and do not have a vote.

### **Members of the Public**

Members of the public may, by prior arrangement, speak at meetings of the Council or its Committees. Specific procedures exist for Appeals Hearings or for meetings involving Licence or Planning Applications. For further information on this point, please speak to the Democratic Services Officer.

### **Special Arrangements**

If you have any particular needs, please contact the Democratic Services Officer.

Infra-red devices for the hearing impaired are available on request at the meeting. Other facilities may require prior arrangement.

### **Further Information**

If you require any further information, please contact the Democratic Services Officer (see foot of page opposite).

### **Fire/ Emergency instructions**

If the alarm is sounded, please leave the building by the nearest available exit – these are clearly indicated within all the Committee Rooms.

If you discover a fire, inform a member of staff or operate the nearest alarm call point (wall mounted red rectangular box). In the event of the fire alarm sounding, leave the building immediately following the fire exit signs. Officers have been appointed with responsibility to ensure that all visitors are escorted from the building.

**Do Not stop to collect personal belongings.**

**Do Not use lifts.**

**Do Not re-enter the building until told to do so.**

The emergency **Assembly Area** is on **Walter Stranz Square**.



# Licensing

## Committee

Monday, 3rd November, 2014

7.00 pm

Town Hall

### Agenda

#### Membership:

|        |                             |                              |
|--------|-----------------------------|------------------------------|
| Cllrs: | Pattie Hill<br>(Chairman)   | Gay Hopkins<br>Wanda King    |
|        | Alan Mason (Vice-<br>Chair) | Rachael Smith<br>David Thain |
|        | Roger Bennett               | John Witherspoon             |
|        | Natalie Brookes             |                              |
|        | Andrew Fry                  |                              |

|   |  |
|---|--|
| <b>1. Apologies</b>   | To receive the apologies of any Member who is unable to attend this meeting.   |
| <b>2. Declarations of Interest</b>  | To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.  |
| <b>3. Minutes</b><br>(Pages 1 - 6)  | To confirm as a correct record the minutes of the meeting of the Licensing Committee held on 28th July 2014.<br><br>(Minutes attached)   |
| <b>4. Site Management Agreement between Public Fundraising Regulatory Association and Redditch Borough Council</b><br><br>(Pages 7 - 16)<br><br>Steve Jordan, Head of Regulatory Services | To receive a report on the final site management agreement between the Public Fundraising Regulatory Association (PFRA) and Redditch Borough Council.<br><br><b>All Wards</b>  |
| <b>5. Draft Scrap Metal Licensing Policy and Guidelines</b><br><br>(Pages 17 - 38)<br><br>Steve Jordan, Head of Regulatory Services   | To consider a report detailing the draft scrap metal licensing policy and guidelines for the purpose of consultation with residents, scrap metal dealers and stakeholders (as detailed at paragraph 3.11 in the report).<br><br><b>All Wards</b> |

# Licensing

Committee

Monday, 3rd November, 2014

|   |   |
|---|---|
| <p><b>6. Review of Standard Licence Conditions Applicable to Animal Welfare Licences</b></p> <p>(Pages 39 - 108)</p> <p>Steve Jorden, Head of Regulatory Services</p> | <p>To consider a report on the review of standard licence conditions to attach to various types of licences issued by the Council under relevant legislation for animal welfare licences.</p> <p><b>All Wards</b></p> |
| <p><b>7. Implications of the Deregulation Bill - Hackney Carriage and Private Hire Policies - verbal update</b></p>   | <p><b>All Wards</b></p>   |
| <p><b>8. Licensing Committee Work Programme</b></p> <p>(Pages 109 - 110)</p> <p>Steve Jorden, Head of Regulatory Services</p>   | <p>To consider the Committee's Work Programme for the current municipal year 2014/2015.</p> <p><b>All Wards</b></p>   |

## 9. Exclusion of the Public

Should it be necessary, in the opinion of the Chief Executive, to consider excluding the public from the meeting in relation to any items of business on the grounds that exempt information is likely to be divulged, it may be necessary to move the following resolution:

**“that, under S.100 I of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following matter(s) on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs (*to be specified*) of Part 1 of Schedule 12 (A) of the said Act, as amended.”**

These paragraphs are as follows:

Subject to the “public interest” test, information relating to:

- Para 1 – any individual;
- Para 2 – the identity of any individual;
- Para 3 – financial or business affairs;
- Para 4 – labour relations matters;
- Para 5 – legal professional privilege;
- Para 6 – a notice, order or direction;
- Para 7 – the prevention, investigation or prosecution of crime;

may need to be considered as ‘exempt’.







# Licensing Committee

Monday, 28 July 2014

## MINUTES

### Present:

Councillor Pattie Hill (Chair), Councillor Alan Mason (Vice-Chair)  
Councillors Natalie Brookes, Andrew Fry and John Witherspoon

### Officers:

K Barnett, D Etheridge and A May

### Committee Services Officer:

P Ross

The Chair welcomed new Licensing Committee Members and A May, Licensing Officer, Worcestershire Regulatory Services to the meeting.

### 1. APOLOGIES

Apologies for absence were received on behalf of Councillors Gay Hopkins and David Thain.

### 2. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 3. MINUTES

**RESOLVED that**

**the minutes of the meeting of the Licensing Committee held on 7th April 2014 be confirmed as a correct record and signed by the Chair.**

.....  
Chair

**4. LICENSING ACT 2003 - REVIEW OF STATEMENT OF LICENSING POLICY**

Following on from the meeting held on 7th April 2014 the Committee considered a report which detailed the responses received during the consultation on the draft revised Statement of Licensing Policy.

The Senior Licensing Practitioner, Worcestershire Regulatory Services (WRS) presented the report and in doing so drew Members' attention to the two responses received during the consultation, as detailed at Appendices 1 and 2 to the report.

The first response received, as detailed at Appendix 1 to the report, was sent on behalf of the Musicians' Union. The Musicians' Union was keen to ensure that the Council's Statement of Licensing Policy did not impose unnecessary burdens on licensed venues which would discourage their use for live music and therefore deny opportunities to working musicians. In response to the comments made by the Musicians' Union, Members were informed that the Statement of Policy acknowledged the deregulation of live music and other entertainment in chapter 19. The Statement of Licensing Policy made it clear at paragraph 5.1, that every application received would be treated on its own merit. Paragraph 5.3 stated that the authority would aim to carry out its licensing functions in a way that promoted tourism, increased leisure and culture provision and encouraged economic development within the Borough.

Chapter 9 in the Statement of Licensing Policy detailed that any conditions attached to licences would be tailored to the individual type, location and characteristics of the premises and events concerned. In summary officers believed that the Statement of Licensing Policy gave a fair balance between enabling the provision of live music and promoting the licensing objectives. Therefore, the comments received from the Musicians' Union would not be included in the Statement of Licensing Policy.

The second response received, as detailed at Appendix 2 to the report, was from Hereford and Worcester Fire and Rescue Service (HWFR). HWFR had suggested some minor amendments to paragraph 6.2 of the draft revised Statement of Licensing Policy, relating to the requirements on plans submitted with applications. The minor amendments suggested had been incorporated into the final version of the Statement of Licensing Policy, as detailed at Appendix 3 to the report.

Members were informed that the final version of the Statement of Licensing Policy, as detailed at Appendix 3 to the report, if

approved by Council, would be published with effect from 1st October 2014.

The Senior Licensing Practitioner, WRS responded to Members' questions with regard to advice from licensing officers to potential applicants. Applicants could seek advice on their applications from Redditch Borough Council and WRS websites, by phone call and at licensing surgeries.

The Senior Licensing Practitioner, WRS responded to Councillor A Fry in respect of how the consultation was conducted. Members were informed that the consultation process had been carried out via email, letter and the Council's website. The costs incurred would have included his time and minimal postage costs all accountable to WRS.

Further discussion followed with regard to the Home Office Guidance 'Safe Clubbing' and the employment of door safety staff licensed by the Security Industries Association (SIA).

**RECOMMENDED that**

**The outcome of the consultation exercise be noted and that the Statement of Licensing Policy, as detailed at Appendix 3 to the report, be approved and adopted as from 1st October 2014.**

**5. LICENSING ANNUAL REPORT**

The Committee received the Licensing Annual Report 2013/2014 which detailed the activities under the Licensing Act 2003, Gambling Act 2005 and other aspects of Licensing delivered by Worcestershire Regulatory Services on behalf of Redditch Borough Council.

The Senior Licensing Practitioner, WRS introduced the report and in doing so informed Members of the number of new licenses issued and granted by Redditch Borough Council during 2013/2014. Four new premises applications and one Temporary Event Notice had been determined by Licensing Sub-Committee (Premises) Members, as the objections raised to these applications had not been mediated out.

The report also detailed the number of premises which had continued to be licensed by Redditch Borough Council under the Gambling Act 2005. The number of licensed Hackney Carriage vehicles, Private Hire vehicles, drivers and operators.

# Licensing Committee

Monday, 28 July 2014

---

Members were pleased to see that an update had been provided detailing the number of all new Hackney Carriage and Private Hire vehicle applicants and existing drivers who had undertaken the disability awareness training conducted by Worcestershire County Council and introduced in January 2014. At the Licensing Committee meeting held on 11th November 2013 and following the findings of the "Access for Disabled People Task Group", Members had resolved to make disability awareness training a mandatory requirement for Hackney Carriage and Private Hire vehicle drivers in the Borough; with the exception of those drivers who could demonstrate to the Council's satisfaction that they had undertaken equivalent disability awareness training.

Further discussion took place on the number of betting premises, whereby Members raised concerns with regard to a national proliferation in betting premises opening. The Senior Licensing Practitioner, WRS informed the Committee that the London boroughs had seen a proliferation in betting premises opening, this was not a problem in the Borough. Members were further informed that there was a code of practice that premises had to adhere to under the Gambling Act 2005.

The Senior Licensing Practitioner, WRS responded to Members' questions with regard to mobile scrap metal dealers and the requirement to display their licence on the windscreen of their vehicle. The Senior Licensing Practitioner agreed with Members that residents may not be aware of this requirement. It was suggested that further publicity to inform residents to look for the displayed licences would be useful and to encourage residents to report unlicensed scrap metal dealers to WRS licensing officers. It was also suggested that the publicity could be used to inform residents to contact licensed mobile scrap metal dealers to collect direct from their premises instead of leaving scrap metal on driveways. This may discourage unlicensed scrap metal dealers from collecting door to door. The Senior Licensing Practitioner informed the Committee that some unlicensed scrap metal dealers were now using transit vans, which made it difficult for the police to see what was being carried.

Councillor A Fry took the opportunity to thank officers for a good, concise informative report.

## **RESOLVED that**

**The contents of the Licensing Annual Report 2013/2014 be noted.**

# Licensing Committee

Monday, 28 July 2014

---

## 6. LICENSING COMMITTEE WORK PROGRAMME

The Committee noted the Licensing Committee Work Programme for 2014/2015.

The Senior Licensing Practitioner, WRS provided the Committee with a brief verbal update on the Face to Face Fundraising – Site Management Agreement with the Public Fundraising Regulatory Association (PRFA). Members were informed that a further planned visit from PFRA would be carried out in August 2014. The final Site Management Agreement would be presented to the next meeting of the Licensing Committee.

The Senior Licensing Practitioner, WRS responded to questions from Members with regard to Animal Welfare and the Deregulation Bill.

Further discussion took place on the Deregulation Bill “Taxi” clauses and the proposals to deregulate certain existing rules with regard to permitting unlicensed drivers to drive licensed private hire vehicles whilst not in use as a licensed vehicle and Hackney Carriage and Private Hire Driver licenses lasting for three years instead of the current period of one year. Members were informed that the next event for the Deregulation Bill “Taxi” would be the Committee Stage in the House of Lords on 21st October 2014.

### **RESOLVED that**

**The Licensing Committee Work Programme 2014/2015 be noted.**

The Meeting commenced at 7.00 pm  
and closed at 8.00 pm



REDDITCH BOROUGH COUNCIL

LICENSING COMMITTEE

3<sup>rd</sup> November 2014SITE MANAGEMENT AGREEMENT BETWEEN PUBLIC FUNDRAISING REGULATORY ASSOCIATION AND REDDITCH BOROUGH COUNCIL

|                              |   |
|------------------------------|---|
| Relevant Portfolio Holder    | Councillor Yvonne Smith                                   |
| Portfolio Holder Consulted   | Yes   |
| Relevant Head of Service     | Steve Jordan – Head of Worcestershire Regulatory Services |
| Ward(s) Affected             | All   |
| Ward Councillor(s) Consulted | N/A   |
| Non-Key Decision             |   |

**1. SUMMARY OF PROPOSALS**

- 1.1 Officers from Worcestershire Regulatory Services and Redditch Borough Council have been engaging with representatives of the Public Fundraising Regulatory Association with a view to establishing an agreement to regulate the working days and areas of charity street fundraisers in Redditch Town Centre.
- 1.2 The agreement has now been finalised and this report provides Members with the details of what the agreement includes.

**2. RECOMMENDATIONS**

**Members are asked to RESOLVE;**

**That the contents of the site management agreement between the Public Fundraising Regulatory Association and Redditch Borough Council be noted.**

**3. KEY ISSUES****Financial Implications**

- 3.1 Engagement with the Public Fundraising Regulatory Association has been carried out using existing resources from within Redditch Borough Council and Worcestershire Regulatory Services.

**Legal Implications**

- 3.2 The regulation of charitable street collections within Redditch falls under the Police, Factories, etc (Miscellaneous Provisions) Act 1916, which empowers the licensing authority to make regulations with respect to the place where and the conditions under which street collections may be permitted within its area.

There is no legislation which specifically regulates the activities of Face-to-Face Direct Debit Charitable Street Collectors. In the absence of any formal regulation what is being proposed is an agreement to establish guidelines for voluntary

regulation through the Council working with the Public Fundraising Regulatory Association (PFRA).

### **Service / Operational Implications**

#### **3.3 Background**

On 12th March 2013, the Executive Committee received the final report of the Redditch Market Task Group. This group was commissioned to carry out a review by the Council's Overview and Scrutiny Committee in November 2011. The review was precipitated by concern that the market was not performing to its full potential. This in turn was having a negative impact to the town centre economy and its general image.

One of the recommendations contained in the Redditch Market Task Group's final report was that the Council should engage with the PFRA with a view to reaching an agreement to regulate the working days and areas of charity street fundraisers in Redditch Town Centre.

One of the major concerns raised by market traders who had been consulted by the Group regarded the operation of charity street fundraisers, often termed 'chuggers', in the very near vicinity of the market. Members heard that the presence of the fundraisers in Alcester Street and Market Place was often having a detrimental impact on trade as this was clearly deterring potential shoppers from entering the market area in the knowledge that they would likely be approached by street fundraisers.

Furthermore, the traders reported that, on a number of occasions, the fundraisers had encroached upon the market trading area that was supposedly off-limits. Altogether, this was believed to be having a damaging impact on trade, especially as the adjacent Kingfisher Shopping Centre had already imposed a ban on charity fundraisers, offering another incentive for would be shoppers to head elsewhere from the market.

Members of the Group acknowledged that street fundraising is a crucial method for many charities in raising money for very worthwhile causes. The Group did not therefore propose that a byelaw, which would require the approval of the Secretary of State, was developed that would ban street fundraisers from operating in the town centre altogether. However, they felt that a fairer balance could and should be reached that would preserve the various charities ability to raise donations in Redditch town centre yet not at the expense of market trade.

Given that one of the Group's main recommendations was to reduce the number of general retail market operating days to no more than three days a week, the Members felt that this provided sufficient scope for street fundraisers to operate in the town centre yet outside of the market's trading days.

The PFRA is the charity-led membership body that self-regulates all forms of direct debit face-to-face fundraising. This would be a voluntary arrangement



REDDITCH BOROUGH COUNCIL**LICENSING COMMITTEE****3<sup>rd</sup> November 2014**

---

which was not legally binding and could not be upheld through formal enforcement action. However they had been implemented by a number of local authorities throughout the UK and had been proven to work well in minimising problems.

More than sixty local authorities across the country have already developed agreements with the PFRA which restricts the operation of street fundraisers to specific days and/or areas. Local examples include Worcester, Coventry, Cheltenham, Gloucester, Hereford, Rugby, Sandwell and Wolverhampton.

Members of the Redditch Market Task Group proposed that the Council replicates the action of these local authorities elsewhere in establishing an agreement with the PFRA that would restrict street fundraisers from operating in the town centre during market days.

This would reassure members of the public that they can freely enter the market area without fear that they might be stopped and asked for their bank details, likely increasing footfall and potential trade for the market as a consequence.

The Executive Committee, having considered the final report of the Redditch Market Task Group, agreed with this recommendation and resolved that the Council should engage with the PFRA with a view to reaching an agreement to regulate the working days and areas of charity street fundraisers in Redditch Town Centre.

Since the Executive Committee meeting on 12<sup>th</sup> March 2013, officers from both Worcestershire Regulatory Services and Redditch Borough Council have been engaging with representatives of the PFRA with a view to establishing such an agreement and a number of meetings have now taken place.

In April 2014, the Licensing Committee received a report updating them on progress in relation to the establishment of the agreement. Changes in personnel at both the PFRA and Redditch Borough Council have meant that there has been a slight delay in completing the agreement.

However the agreement has now been finalised and clearly sets out the parameters in relation to where, when and how Direct Debit collectors will be able to operate. It is therefore anticipated that it will go some way in relieving the perceived problems associated with the activities of face to face direct debit street collectors operating in Redditch Town Centre.

The agreement restricts the number of fundraisers to be present on any one day to three. The agreement also sets out areas within which a maximum of one fundraiser may be positioned. The agreement restricts fundraising to taking place on not more than 3 non-consecutive days per week. The agreement can be seen in full at Appendix 1.

Members are asked to note the contents of the agreement.

**Customer / Equalities and Diversity Implications**

3.4 There are no specific implications arising from this report.

**4. RISK MANAGEMENT**

4.1 Without a site management agreement, there will be no regulation of face to face direct debit fundraising in Redditch.

**5. APPENDICES**

Appendix 1 – Site Management Agreement between Public Fundraising Regulatory Association and Redditch Borough Council

**6. BACKGROUND PAPERS**

None

**AUTHOR OF REPORT**

Name: Dave Etheridge, Senior Licensing Practitioner  
email: [d.etheridge@worcestersregservices.gov.uk](mailto:d.etheridge@worcestersregservices.gov.uk)  
Tel.: 01527 534121



Public Fundraising *Regulatory* Association

September 2014

Site Management Agreement

# Site Management Agreement

---

Between PFRA and Redditch Borough Council

Prepared by: **Stephen Service**  
Outreach Officer

+44 (0)20 7401 8452  
[stephen@pfra.org.uk](mailto:stephen@pfra.org.uk)  
[www.pfra.org.uk](http://www.pfra.org.uk)

## 1 Purpose

---

The purpose and spirit of this voluntary Site Management Agreement (SMA) is to facilitate responsible face-to-face fundraising in Redditch town centre and provide a balance between the duty of charities and not-for-profit organisations to fundraise and the rights of the public to go about their business without the impression of undue inconvenience. For the avoidance of doubt, this document does not constitute a legal contract.

Once this agreement is in place it should minimise the administration for the council, providing just one channel for information and support regarding face-to-face fundraisers, as nominated 'gatekeepers' only have to deal with one organisation, the PFRA, instead of dealing with each individual charity and fundraising organisation separately.

## 2 Statement of Conformity

---

All fundraisers will abide at all times by the relevant elements of the Institute of Fundraising's [Code of Fundraising Practice](#), and the PFRA's [Rule Book](#), or face the appropriate penalties.

If local authority officers note fundraisers contravening the PFRA's Rule Book or any local clause within the SMA, they will inform the PFRA's Head of Standards by contacting them on 020 7401 8452, providing details of the incident.

## 3 Access Details

---

### 3.1 Sites, team sizes, positioning, and frequency

Sites may be used as follows, as shown in the map at Appendix 1:

#### **Redditch:**

Pedestrianised areas as indicated in the Map at Appendix 1.

**Capacity:** maximum of 3 fundraisers

#### **Positioning:**

No more than 1 fundraiser to be permanently positioned in any of the following locations (NB: it is permissible for the team leader to move between each of these three areas in a supervisory capacity):

- The area near the Corner of Market Place and Evesham Street (near entrance to the Kingfisher Centre)
- Needles area on Alcester Street (near post office)
- Junction of Peakman St and Church Green East

Frequency: not more than 3 non-consecutive days per week

Where fundraisers are found to be working outside of the agreed locations, they must comply with requests made by Local Authority Officials and reposition themselves correctly or as directed on-site.

Only one charity will be present on any one site on any one day.

Fundraising will only be permitted between the hours of 9am and 7pm unless otherwise specified.

Any exclusion dates (e.g specific event days) are to be announced by the Council to the PFRA to be booked into the PFRA's diary management system, giving a minimum of 4 weeks' notice to the PFRA from date of diary delivery.

### 3.2 Other Conditions

Fundraisers should be positioned in such a way as to offer an adequate 'comfort zone' to those users of the public highway who do not wish to engage. In furtherance of this, it is desirable that a minimum footway channel of 1 metre be maintained between fundraisers and the kerb / shop frontage where it is reasonable to do so.

Fundraisers should maintain a reasonable distance (of approximately 3 metres) apart from one another and any other legitimate street activities (e.g. street traders, Big Issue sellers, buskers, newspaper stands, promotional activities and market researching).

## 4 Information Required

---

### 4.1 Nominated Gatekeeper

The nominated gatekeeper for [Redditch Borough Council](#) is [Town Centre Coordinator](#) and [their](#) contact details are [detailed below](#). In [their](#) absence all enquiries should be made to [Licensing](#).

### 4.2 Required Information

The PFRA will maintain and manage the diary schedule. Diary/Schedule information will include: contact details for the agency (if applicable); and charity being fundraised for.

Copies of the diary are to be made available to:

[Lyndsey Berry, Town Centre Coordinator,](#)  
[Redditch Borough Council, Town Hall, Walter Stranz Square, Redditch, Worcs B98 8AH](#)  
Phone: (01527) 587002  
Email: [Lyndsey.berry@redditchbc.gov.uk](mailto:Lyndsey.berry@redditchbc.gov.uk)

[Dave Etheridge, Senior Licensing Practitioner,](#)  
[Worcestershire Regulatory Services, PO Box 866, Worcester, WR1 9D](#)  
Phone: 01905 822799  
Email: [d.etheridge@worcsregservices.gov.uk](mailto:d.etheridge@worcsregservices.gov.uk)

These contact details shall be updated as and when necessary.

### 4.3 Transition and continuity

Should the nominated gatekeeper move on or responsibilities otherwise change, the gatekeeper will inform his/her successor of the detail of this agreement, the relationship with the PFRA, arrangements for the regulation of face-to-face fundraising, and provide the PFRA with contact details for the successor.

## 5 Complaint Management

---

PFRA will respond to and seek to resolve all complaints received, and issue penalties according to its rules. The Council will provide real time notification of any complaints it

wishes to be resolved immediately and provide sufficient detail for any retrospective complaints to be investigated. Where the collection agencies or the charities themselves receive complaints it is expected that they will provide information to the PFRA including information about the identity of any individual collector who is subject of a complaint and of the action taken (if any).

Members of the public are encouraged to direct complaints about charity fundraising to the Fundraising Standards Board ([FRSB](http://FRSB.org.uk)).

## 6 Working Together

---

Redditch Borough Council agrees to work with the PFRA to raise awareness regarding this site management scheme, including explaining what face-to-face fundraising is, the PFRA, the Code of Fundraising Practice, and facts about Direct Debit.

The PFRA monitors member organisations, through a programme of random spot-checks, responding to complaints, and other mechanisms, to ensure fundraisers' adherence to the Code of Fundraising Practice, PFRA Rules, and Site Management Agreements. The PFRA can give appropriate penalties or sanctions to those not abiding by the rules.

This SMA will be reviewed 6 months after it is signed, and then once every 12 months, if necessary, or earlier if there is just cause to do so. All amendments will be agreed in writing before becoming effective. Either party can withdraw from this agreement, giving 3 months' notice in writing.

Depending on when this agreement is signed, in relation to the PFRA's bidding/allocation cycle, there will be a lead-time of up to 8 weeks before the agreement can be fully implemented.

Signed For and On Behalf Of PFRA:

---

Date:

---

Signed For and On Behalf Of Redditch Borough Council:



---

Print name:

Lyndsey Berry

---

Job title:

Town Centre Coordinator

---

Date:

02 October 2014

---

# Appendix 1 - Map(s)

Plan showing the area(s) where fundraising is to be permitted:



### **Know your rights - The Direct Debit Guarantee**

Direct Debit is one of the safest ways of making charitable donations. Organisations using the Direct Debit Scheme go through a careful vetting process before they're authorised, and are closely monitored by the banking industry. The efficiency and security of the Scheme is monitored and protected by your own bank or building society.

The Direct Debit Scheme applies to all Direct Debits. It protects you in the rare event that anything goes wrong.

### **The Direct Debit Guarantee**

- The Guarantee is offered by all banks and building societies that accept instructions to pay Direct Debits.
- If there are any changes to the amount, date or frequency of your Direct Debit the organisation will notify you (normally 10 working days) in advance of your account being debited or as otherwise agreed. If you request the organisation to collect a payment, confirmation of the amount and date will be given to you at the time of the request.
- If an error is made in the payment of your Direct Debit, by the organisation or your bank or building society, you are entitled to a full and immediate refund of the amount paid from your bank or building society.
  - If you receive a refund you are not entitled to, you must pay it back when the organisation asks you to.
- You can cancel a Direct Debit at any time by simply contacting your bank or building society. Written confirmation may be required. Please also notify the organisation.



**LICENSING COMMITTEE**3<sup>rd</sup> November 2014**DRAFT SCRAP METAL LICENSING POLICY AND GUIDELINES**

|                            |   |
|----------------------------|---|
| Relevant Portfolio Holder  | Councillor Yvonne Smith                                   |
| Portfolio Holder Consulted | Yes   |
| Relevant Head of Service   | Steve Jordan – Head of Worcestershire Regulatory Services |
| Wards Affected             | All Wards   |
| Ward Councillor Consulted  | N/A   |
| Non-Key Decision           |   |

**1. SUMMARY OF PROPOSALS**

Redditch Borough Council is responsible for issuing site and collector licences under the Scrap Metal Dealers Act 2013. This report presents a draft policy and guidelines for the licensing of scrap metal sites and collectors in the Borough.

**2. RECOMMENDATIONS**

**Members are asked to RESOLVE;**

**To approve the draft policy and guidelines for the purpose of consultation with relevant parties.**

**3. KEY ISSUES****Financial Implications**

- 3.1 The costs involved in carrying out the consultation will be met by existing budgets held by Worcestershire Regulatory Services.

**Legal Implications**

- 3.2 The Council is under no legal obligation to have a policy in place. However, this policy will assist the Council in achieving consistency, fairness and transparency in its decision making process.
- 3.3 Application of the policy in the decision making process will enable the Council to minimise successful legal challenges and appeals. Officers and the Committee should have regard to all the circumstances of a particular case and would be entitled to have due regard to this policy.

**Service / Operational Implications**

- 3.4 The Scrap Metal Dealers Act 2013 (the Act) was introduced to replace the previous regulatory scheme for scrap metal dealers and for vehicle dismantlers. It requires anyone who deals in scrap metal to obtain and

**LICENSING COMMITTEE**3<sup>rd</sup> November 2014

---

display a relevant licence and gives the police and local authorities more powers of entry and inspection as well as allowing a more thorough application process where licences can be refused and subsequently revoked if dealers are deemed 'unsuitable'.

- 3.5 The Committee has previously received reports to brief them on the provisions of the Act, which came into force on 1<sup>st</sup> October 2013, with full enforcement powers coming into effect on 1<sup>st</sup> December 2013. The Council has agreed the fees to be charged and the delegation of functions relating to the licensing processes under the Act.
- 3.6 A draft policy has now been produced which aims to give clear guidance as to how the Council will administer and enforce the requirements of the Act. The policy has been prepared in accordance with the Act and the regulations that govern it.
- 3.7 A copy of the draft policy is attached as **Appendix 1**.
- 3.8 The provision of a policy and guidelines aims to provide residents, applicants and other agencies with a benchmark of the licensing authority's expectations and will assist them in understanding statutory requirements. This document will also assist people to submit complete and accurate applications thereby reducing unnecessary work and delays.
- 3.9 It is intended to ask each of the six district Councils in Worcestershire to adopt a similar policy to improve consistency of practise and decision making across the County.
- 3.10 It is proposed that the draft policy and guidelines be subject to consultation with relevant parties. The results of the consultation would then be brought back to the Committee for consideration before the draft policy and guidelines are finalised and approved.
- 3.11 In addition to consulting with residents and scrap metal dealers, the following stakeholders will be consulted:
- West Mercia Police
  - The Environment Agency
  - Environmental Health (WRS)
  - Trading Standards (WRS)
  - British Transport Police
  - Relevant Trade Associations
  - The Council's Development Control Team
  - Feckenham Parish Council
  - Hereford and Worcester Fire and Rescue Service

**LICENSING COMMITTEE**3<sup>rd</sup> November 2014

---

**4. RISK MANAGEMENT**

- 4.1 Application of the policy will provide clarity when determining applications and reduces the risk of challenge and appeal. Consultation with relevant stakeholders will minimise the risk of challenge.

**5. APPENDICES**

Appendix 1 – Draft Policy and Guidelines

**AUTHOR OF REPORT**

Name: Dave Etheridge – Senior Practitioner (Licensing)  
Worcestershire Regulatory Services  
E Mail: [d.etheridge@worcsregservices.gov.uk](mailto:d.etheridge@worcsregservices.gov.uk)  
Tel: (01527) 534121





**REDDITCH BOROUGH COUNCIL**

**STATEMENT OF LICENSING POLICY AND GUIDELINES  
FOR SCRAP METAL**

**CONTENTS**

| SECTION | CONTENT                             | PAGE NO    |
|---------|-------------------------------------|------------|
| 1.      | Introduction                        | 2          |
| 2       | Background                          | 3 & 4      |
| 3.      | Types of Licence                    | 4 & 5      |
| 4.      | Suitability                         | 5          |
| 5.      | Supply of Information by Authority  | 6          |
| 6.      | Register of Licences                | 6          |
| 7.      | Display of Licence                  | 6          |
| 8.      | Verification of Supplier's Identity | 6          |
| 9.      | Payment for Scrap Metal             | 7          |
| 10.     | Records – Receipt of Metal          | 7          |
|         | Records - Disposal of Metal         | 7 & 8      |
|         | Records – Supplementary             | 8          |
| 11.     | Right of Entry & Inspection         | 8 & 9      |
| 12.     | Application Procedure               | 9, 10 & 11 |
| 13.     | Appeals                             | 11         |
| 14.     | Revocation and Imposing Conditions  | 11 & 12    |
| 15.     | Closure of Unlicensed Sites         | 12 & 13    |
| 16.     | Delegation of Functions             | 14         |
| 17      | Enforcement                         | 15         |
| 18.     | Offences & Penalties                | 15 & 16    |

## 1. Introduction

- 1.1 Metal theft over recent years has had a significant impact on communities, businesses and local authorities alike. Such thefts have seen communications and the train network disrupted, historic buildings, churches etc. desecrated, and everybody's safety put at risk with inspection covers, drainage gully covers and road signage being stolen. The Scrap Metal Dealers Act 2013 has been created to help prevent some of the previous issues surrounding the sale, collection, storage and disposal of scrap metal.
- 1.2 This Policy outlines the requirements of the Scrap Metal Dealers Act 2013 (the Act). It gives guidance to new applicants, existing licence holders, consultees and members of the public as to how the Council will administer and enforce the requirements of the Act.
- 1.3 Redditch Borough Council (the Authority) under the Act may depart from this policy if individual circumstances of any case warrant such a deviation. In such cases the Authority must give full reasons for doing so.
- 1.4 This Policy will be reviewed on a regular basis. In the preparation and publication of this Policy in addition to residents and scrap metal dealers, the following will be consulted:
  - a) West Mercia Police
  - b) The Environment Agency
  - c) Environmental Health
  - d) Trading Standards
  - e) British Transport Police
  - f) Existing Licence Holders
  - g) Relevant Trade Associations
  - h) The Council's Development Control Team
  - i) Feckenham Parish Council
  - j) Hereford and Worcester Fire & Rescue Service

## 2. Background

- 2.1 The Scrap Metal Dealers Act 2013 came into effect on 1<sup>st</sup> October 2013, with full enforcement powers coming into effect on 1<sup>st</sup> December 2013. It repeals previous legislation and creates a revised regulatory regime for scrap metal recycling and vehicle dismantling industries.
- 2.2 The Act defines a 'scrap metal dealer' as a person who carries on the business which consists wholly or in part of the buying or selling of scrap metal, whether or not the metal is sold in the form it was bought. This does not include manufacturing operations that sell metal as a by-product of the processes being used in that operation. It does, however, include the business of collecting scrap metal, i.e. door to door collectors even if no money is paid for scrap metal collected.
- 2.3 The definition of scrap metal dealer is wide and may include skip hire firms, and tradesmen, such as plumbers and builders who sell scrap metal resulting from their businesses.
- 2.4 In these circumstances, each business will be considered on its own merits, but consideration will be given to the amount of metal sold and how incidental the sale is to the main business. So, in most cases, for plumbers, electricians and builders etc. the sale of metal will be incidental and should not require a licence. However, skips sited at demolition sites, or at engineering manufacturing sites or plumbers' yards, are likely to contain a significant amount of metal, so the skip hire company may require a licence if they are involved in the buying or selling of scrap metal.
- 2.5 The Act identifies the local authority of each district as the principal regulator for their area and gives them the power to regulate these industries by the ability to refuse licences to 'unsuitable' applicants and the power to revoke those licences held by licence holders who become 'unsuitable'.
- 2.6 The Act states that 'scrap metal' includes:
- any old, waste or discarded metal or metallic material, and
  - any product, article or assembly which is made from or contains metal and is broken, worn out or regarded by its last holder as having reached the end of its useful life

This definition includes platinum and other rare metals now being used in catalytic converters and vehicle exhausts.

- 2.7 The following is **not** considered to be 'scrap metal'
- gold;
  - silver, and
  - any alloy of which 2 per cent or more by weight is attributable to gold or silver.
- 2.8 A dealer also includes someone carrying on the business as a motor salvage operator. Motor salvage operator is defined as a business that:



- wholly or in part recovers salvageable parts from motor vehicles for re-use or re-sale, and then sells the rest of the vehicle for scrap;
- wholly or mainly involves buying written-off vehicles and then repairing and re-selling them;
- wholly or mainly buys or sells motor vehicles for the purpose of salvaging parts from them or repairing them and re-selling them.

2.9 The Act is not intended to include second hand goods. Jewellers or businesses trading in second hand gold, silver and products are not included in this legislation.

Vehicles without a certificate of destruction, with or without a valid MOT or re-usable & tested parts removed from an end of life scrap vehicle will not be considered as scrap but as a vehicle commodity and are likely to be classed as second hand goods. Other vehicles are likely to be considered scrap. These aspects will be considered when the Council determines whether or not a scrap metal dealer licence is required. It should also help prevent any motor salvage operators attempting to circumvent the legislation and its requirements.

2.10 Any words or expressions in this Policy have the meaning assigned to them under the Act.

### 3. Types of Licence

3.1 A licence is required to carry on business as a scrap metal dealer. A licence once granted lasts for three years. Trading without a licence is a criminal offence.

3.2 There are two types of licences specified in the Act:

#### Site Licence

All sites operating as a scrap metal business must be licensed. Each site must have a named site manager. A site licence allows the licence holder to transport scrap to and from the site from any local authority area.

#### Collector's Licence

This licence allows the holder to collect scrap within the area of the issuing local authority. This licence does not permit the holder to operate a scrap metal site, nor does it allow the collection outside of the area of the issuing authority. If a person collects scrap from more than one local authority area, a collector's licence will be required from each local authority he/she collects scrap within.

A scrap metal dealer may not hold more than **ONE** licence issued by any one local authority.

3.3 A site under the Act is defined as 'any premises used in the course of carrying on a business as a scrap metal dealer, (whether or not metal is kept there)'. This means a dealer will require a site licence for an office, even if they do not operate a metal store or yard from those premises.

- 3.4 Holding a site or collector's licence does not exempt the licensee from requiring any other licence or permit to operate a scrap metal business. For example, a waste carrier registration issued by the Environment Agency.

**4. Suitability of Applicant**

- 4.1 The Council must determine if an applicant is a suitable person to carry on business as a scrap metal dealer.
- 4.2 The Council must have regard to any information which it considers to be relevant, this may include:
- a) Whether the applicant or site manager has been convicted of any relevant offence; or
  - b) Whether the applicant or site manager has been the subject of any relevant enforcement action; or
  - c) Whether there has been any refusal of an application for the issue or renewal of a scrap metal licence, and the reasons for the refusal; or
  - d) Whether there has been any refusal of an application for a relevant environmental permit or registration, and the reasons for the refusal; or
  - e) If there has been any previous revocation of a scrap metal licence, and the reasons for the revocation; or
  - f) Whether the applicant has demonstrated there will be adequate procedures in place to ensure compliance with the Act.
- 4.3 When establishing the applicant's suitability, the Council may consult with the following agencies:
- a) West Mercia Police;
  - b) The Environment Agency;
  - c) Environmental Health;
  - d) Trading Standards;
  - e) The Council's Development Control Team
  - f) Any other Licensing Authority
- 4.4 Relevant offences or relevant enforcement action are those listed under the Scrap Metal Dealers Act 2013 (Prescribed Relevant Offences and Relevant Enforcement Action) Regulations 2013.

**5. Supply of Information by Authority**

- 5.1 Information supplied to the Authority in relation to an application for, or relating to a scrap metal licence must be provided when requested relating to a licence to:
- a) any other local authority;
  - b) the Environment Agency; or
  - c) an officer of the police force.

This does not limit any other powers and duties the Council has to supply that information.

**6. Register of Licences**

- 6.1 The Environment Agency will maintain a register of scrap metal licences issued by all local authorities in England. The register will include the following information:
- a) name of the authority which issued the licence;
  - b) the name of the licensee;
  - c) any trading name of the licensee;
  - d) the address of the site identified on the licence;
  - e) the type of licence, and
  - f) the date of expiry of the licence.

The register will be open for inspection by members of the public.

- 6.2 The Council are required to update the register on a regular basis.

**7. Display of Licence**

- 7.1 Once granted, a copy of the licence must be displayed at each site identified on the licence, in a prominent place accessible to members of the public.
- 7.2 A copy of a collector's licence must be displayed on any vehicle that is being used in the course of a dealer's business. It must be displayed in a prominent position so that it can easily be read from outside the vehicle.

**8. Verification of Supplier's Identity**

- 8.1 Before receiving scrap metal, the dealer must verify a person's full name and address, by reference to documents, data or other information obtained from a reliable and independent source.
- 8.2 If suitable verification is not obtained the scrap metal dealer, or site manager, or person who has been delegated responsibility by the dealer or site manager for verifying the name and address, shall be guilty of an offence.

**9. Payment for Scrap Metal**

- 9.1 A scrap metal dealer must only pay for scrap metal by either;
- a) a cheque (which is not transferrable under Section 81A of the Bills of Exchange Act 1882); or
  - b) electronic transfer of funds (authorised by a credit, debit card or otherwise).

Payment includes paying in kind with goods and services.

**10. Records**

- 10.1 The scrap metal dealer must keep two types of records:

- a) receipt of Metal
- b) disposal of Metal

**10.2 Receipt of Metal**

If metal is received in the course of the dealer's business, the following must be recorded:

- a) description of the metal, including its type (types if mixed) form, condition, weight and any marks identifying previous owners or other distinguishing features;
- b) date and time of receipt;
- c) the registration mark of the vehicle it was delivered by;
- d) full name and address of the person delivering it, and
- e) full name of the person making payment on behalf of the dealer.

- 10.3 The dealer must keep a copy of the documents used to verify the delivery person's name and address.

- 10.4 If payment is by cheque a copy of the cheque must be retained.

- 10.5 If payment is by electronic transfer a receipt identifying the transfer must be retained, or the details of the transfer.

**10.6 Disposal of Metal**

- 10.7 Disposal under the Act covers metal:

- a) whether or not it is in the same form as when it was purchased;
- b) whether or not it is to another person; or
- c) whether or not it is despatched from a site.

- 10.8 Disposal records must be recorded, including:
- a) description of the metal, including type (types if mixed), form, weight
  - b) date and time of disposal;
  - c) if to another person, their full name and address, and;
  - d) if payment is received for the metal (sale or exchange) the price or other consideration received.
- 10.9 If disposal is in the course of business conducted under a collector's licence, the dealer must record:
- a) date and time of disposal, and;
  - b) if to another person, their full name and address.
- 10.10 **Supplementary**
- 10.11 The information collected during receipt and disposal must be recorded in such a manner that allows the information and the metal to which it relates to be easily identified.
- 10.12 The records of receipt must be marked so as to identify the metal to which they relate.
- 10.13 Records must be kept for a period of 3 years beginning on the day of receipt, or disposal (as may be).
- 10.14 If suitable records for the receipt or disposal of scrap metal are not kept then the scrap metal dealer, or site manager, or person who has been delegated responsibility by the dealer or site manager for keeping records, shall be guilty of an offence.
- 10.15 A dealer or site manager may have a defence if they can prove arrangements had been made to ensure the requirement to keep records was fulfilled, or that they took all reasonable steps to ensure those arrangements were complied with.

## **11. Right of Entry & Inspection**

- 11.1 An authorised officer of the Council may enter a licensed site at any reasonable time, with or without notice to the site manager.
- 11.2 Entry and inspection without notice would occur, if:
- a) reasonable attempts to give notice had been given and had failed, or
  - b) entry to the site is reasonably required for the purpose of ascertaining whether the provisions of the Act are being complied with or investigating an offence under it, and, in either case, the giving of the notice would defeat that purpose.
- 11.3 Paragraphs 11.1 and 11.2 do not apply to residential premises.

- 11.4 An authorised officer of the Council is not entitled to use force to enter a premises, but may ask a justice of the peace to issue a warrant authorising entry, if they are satisfied there are reasonable grounds for entry to the premises is reasonably required for the purpose of:
- a) securing compliance with the provisions of the Act, or
  - b) ascertaining whether those provisions are being complied with.
- 11.5 'Premises' under this section include:
- a) a licensed site, or
  - b) premises that are not licensed, but there are reasonable grounds for believing the premises are being used as a scrap metal dealing business.
- 11.6 An authorised officer of the Council may use reasonable force in the exercise of their powers under a warrant obtained under paragraph 11.4.
- 11.7 An authorised officer of the Council may:
- a) require the production of, and inspect, any scrap metal kept at an licensed premises, and
  - b) require production of, and inspect, any records kept in respect of receipt and disposal of metal, and
  - c) to take copies of or extracts from any such record
- 11.8 An authorised officer of the Council must produce evidence of their identity, and evidence of their authority to exercise these powers, if requested by the owner, occupier, or other person in charge of the premises.

## **12. Application Procedure**

- 12.1 An application form, available from the Council's website or from the Council's Licensing Team must be completed, together with the correct fee and a current Basic Disclosure. A Basic Disclosure is a criminal record check that lists any unspent criminal convictions an applicant may have, and, can be applied for at [www.disclosurescotland.co.uk](http://www.disclosurescotland.co.uk)
- 12.2 A Basic Disclosure will be valid for 3 months from the date of issue.
- 12.2 A licence once granted is valid for 3 years.
- 12.3 A renewal application must be received before the expiry of the current licence which will continue in effect until the application is determined. If the renewal application is withdrawn the licence expires on the date of expiry noted thereon or at the end of the day on which the application was withdrawn, whichever is later.
- 12.4 If a licence application is refused, the licence expires when no appeal is possible, or an appeal is determined or withdrawn.

- 12.5 A licence may be varied from one type to another, i.e. site licence to collector's licence.

A variation application must be made to reflect changes to:

- a) name of licensee, site manager, or sites on a site licence, or
- b) name of licensee on a collector's licence

A variation cannot be used to transfer the licence to another person, only to amend the name of a licensee.

An application to vary must be made to the issuing authority.

- 12.6 The Council may request additional information is provided for the consideration of the application.

Failure to provide such information may result in the application being refused.

- 12.7 The fee is set by the Council under guidance issued by the Home Office with the approval of the Treasury.

- 12.8 Fees are set after taking into account the cost of processing, administering and compliance costs associated with the licence. The Council is committed to reviewing fees on a regular basis.

- 12.9 If the Council proposes to refuse an application, or to revoke, or to vary a licence by imposing conditions, a notice must be issued to the licence holder setting out the council's proposals and the reasons for the decision. The notice will indicate the time period in which the applicant or licensee can either:

- a) Make representation about the proposal, or
- b) Inform the Council that the applicant or licensee wishes to do so

This time period must not be less than 14 days beginning on the day the notice was given to the applicant or licensee.

- 12.10 If a notification is received that the applicant or licensee wishes to make representation, the Council will consider each case on its merits and allow for a reasonable period to make representations.

- 12.11 If the applicant or licensee does not make representation or notify the council that they wish to do so, within the time period specified in the notice, the Council may refuse, revoke or vary the licence.

- 12.12 If the applicant or licensee makes representations within the time period specified in the notice or within a time period considered reasonable by the Council, the Council must consider the representations.

- 12.13 If the applicant or licensee informs the Council that they wish to make oral representations, the Council must give them the opportunity of appearing before, and being heard by, the Licensing Sub-Committee.
- 12.14 If the Council refuse the application, or revokes or varies the licence within the time period specified in the notice it will give the applicant or licensee a notice setting out the decision and the reasons for it.

The notice will state:

- a) That the applicant or licensee may appeal against the decision
- b) The time within which such appeal may be brought, and
- c) In the case of a revocation or variation within the time period specified in the notice the date on which the revocation or variation is to take effect.

### **13. Appeals**

- 13.1 An applicant may appeal to the magistrates' court against a refusal of an application or variation,

A licensee may appeal to the magistrates' court against the inclusion on the licence of a condition under Section 3(8) of the Act, or a revocation or variation of a licence under Section 4 of the Act.

The appeals procedure will be in accordance with the Magistrates Courts Act 1980, and must be lodged within 21 days of receipt of the decision notice.

On appeal the magistrates' court may confirm, vary or reverse the Authority's decision, and give such directions as it considers appropriate having regard to the provisions of the Act.

### **14. Revocation and Imposing Conditions**

- 14.1 The Council may revoke a scrap metal licence if it is satisfied the licence holder does not carry on a scrap metal business at any of the sites named on the licence.
- 14.2 The Council may revoke a scrap metal licence if it is satisfied the site manager named on the licence does not act as a site manager at any of the named sites on the licence.
- 14.3 The Council may revoke a scrap metal licence if it is no longer satisfied the licence holder is a suitable person to carry on the business.
- 14.4 If the licence holder, or site manager named on a licence is convicted of a relevant offence, the authority may impose one or both of the following conditions:



- a) the dealer must not receive scrap metal except between 9am and 5pm on any day;
- b) all scrap metal received must be kept in the form in which it was received for a specified period, not exceeding 72 hours, beginning with the time when it was received.

14.5 A revocation or variation only comes into effect when no appeal under the Act is possible, or when such appeal has been determined or withdrawn.

14.6 If the Council considers the licence should not continue without the addition of one or more of the conditions in paragraph 14.4 the licence holder will be given notice:

- a) that, until a revocation comes into effect, the licence is subject to one or both of the conditions, or
- b) that a variation comes into immediate effect

## **15. Closure of Unlicensed Sites**

15.1 If an authorised officer of the Council is satisfied premises are being used by a scrap metal dealer in the course of their business and the premises are unlicensed, they may issue a closure notice.

A copy of the notice must be given to:

- a) a person who appears to be the site manager, and
- b) any person who appears to be a director, manager, or other officer of the business

A copy may also be given to any person who has an interest in the business, a person who occupies part of the premises, or where the closure may impede a person's access to that other part of the business.

15.2 After a period of 7 days, the Council's authorised officer may apply to a justice of the peace for a Closure Order.

The court must be satisfied the premises will continue to be used by a scrap metal dealer, or there is a reasonable likelihood that the premises will be.

A Closure Order will close the premises immediately, and the premises will remain closed to the public until the Council makes a termination of closure order by certificate. The scrap metal dealer must cease his business immediately. They will also be required to pay a sum into the court, which will not be released until they have complied with the requirements of the order.

Such an Order may have a condition relating to the admission of people into the premises, or may include any other provision the court considers appropriate.

A copy of the Order must be placed on the premises in a prominent position by the Council.

- 15.3 Once the requirements of the Order have been complied with and the Council is satisfied the need for the Order has ceased, a Certificate may be given. The effect of giving a Certificate is that it ceases the Order and the sum of money paid into the court is released.

A copy of the Certificate must be given to any person the closure order was made against, a copy must be given to the court and a copy must be placed on the premises.

A copy of the Certificate must also be given to anyone who requests one.

- 15.4 Anyone issued with a Closure Order may complain to a justice of the peace. The court may discharge the Order, if it is satisfied there is no longer a need for it.

The Licensing Authority may be required by the court to attend and answer the complaint made.

Notice of the hearing must be given to all people issued with the Closure Order.

- 15.5 Appeals may be made to the Crown Court against:

- a) a closure order;
- b) a decision not to make a closure order;
- c) a discharge order; or
- d) a decision not to make a discharge order

An appeal must be lodged within 21 days beginning on the day on which the order or decision was made.

Appeals against a) and b) may be made by any person who was issued with a Closure Order.

Appeals against c) and d) may be made by the Licensing Authority.

- 15.6 A person is guilty of an offence, if they allow the premises to be open in contravention of a Closure Order, without reasonable excuse, or fail to comply with, or contravene a Closure Order.

- 15.7 An authorised officer of the Council may enter the premises at any reasonable time to ensure compliance with the Closure Order. They may use reasonable force if necessary.

- 15.8 An authorised officer of the Council must produce evidence of their identity or evidence of their authority to exercise the powers under the Act, if requested to do so.

**16. Delegation of Functions**

16.1 Where there are uncontested applications, or where there are no questions about the suitability of the applicant the determination should be dealt with by officers under delegated powers.

16.2 Contested applications where there is relevant information from any of the consultees, or queries regarding an applicant's suitability, or involving the revocation of a licence or the imposition of conditions, will be determined by the Council's Licensing Sub-Committee.

16.3 Table 1 below outlines the Delegation of Functions

| <b>Table 1. Delegation of Functions</b>  |                       |  |   |
|--|-----------------------|--|---|
| <b>Matter to be dealt with</b>   | <b>Full Committee</b> | <b>Sub Committee</b>                                       | <b>Officers</b>   |
| To determine fees for Scrap Metal Dealers licence applications   | All Cases             |  |   |
| To determine and approve policy for the implementation and delivery of the Scrap Metal Dealers Act 2013                          | All Cases             |  |   |
| New or Renewal Applications  |                       | Where representations have been received and not withdrawn | Where no representations received/<br>representations have been withdrawn |
| Variation of licence by the imposition of conditions following licence holder or site manger being convicted of relevant offence |                       | All Cases  |   |
| Revocation of licence  |                       | All Cases  |   |
| Variation of licence under Schedule 1, Section 3   |                       |  | All non-contentious cases   |

**17. Enforcement**

- 17.1 In order to ensure compliance with the legislation and any conditions imposed, licences will be inspected using a risk-based approach. This will allow resources to be more effectively targeted on high-risk or problematic licence holders and prevent over burdensome enforcement on compliant and well managed licences.
- 17.2 Appropriate enforcement action will be taken in accordance with the legislation and any guidance issued under that legislation, the Council's Enforcement Policy, the Governments Enforcement Concordat and any other enforcement protocols that may be agreed with other agencies.

**18. Offences & Penalties**

- 18.1 The following paragraphs are only indicative of the general offences and penalties. Independent legal advice should be sought for individual cases.
- 18.2 Offences relating to scrap metal dealing are described under the relevant piece of legislation.
- 18.2 Table of Offences – Scrap Metal Dealers Act 2013

| Section | Offence  | Maximum Penalty |
|---------|--|-----------------|
| 1       | Carrying on business as a scrap metal dealer without a licence                       | Level 5         |
| 8       | Failure to notify the authority of any changes to details given with the application | Level 3         |
| 10      | Failure to display site licence or collector's licence                               | Level 3         |
| 11 (6)  | Receiving scrap metal without verifying persons full name and address                | Level 3         |
| 11 (7)  | Delivering scrap metal to dealer and giving false details                            | Level 3         |
| 12 (6)  | Buying scrap metal for cash  | Level 5         |
| 13      | Failure to keep records regarding receipt of metal                                   | Level 5         |

|        |  |         |
|--------|--|---------|
| 14     | Failure to keep records regarding disposal of metal  | Level 5 |
| 15 (1) | Failure to keep records which allow the information and the scrap metal to be identified by reference to one another                 | Level 5 |
| 15 (2) | Failure to keep copy document used to verify name and address of person bringing metal, or failure to keep a copy of a cheque issued | Level 5 |
| 16     | Obstruction to right of entry and failure to produce records   | Level 3 |

#### 18.4 Current levels of fines:

- Level 1 - £200
- Level 2 - £500
- Level 3 - £1,000
- Level 4 - £2,500
- Level 5- £5,000

#### 18.5 Offences by Bodies Corporate

Where an offence under the Act is committed by a body corporate and is proved:

- a) to have been committed with the consent or connivance of a director, manager, secretary or similar offence, or
- b) to be attributable to any neglect on the part of any such individual

the individual as well as the body corporate is guilty of the offence and liable to be prosecuted against and punished accordingly.

Where the affairs of the body corporate are managed by its members, any acts or omissions committed by that member will be treated as though that member were a director of the body corporate.



**LICENSING COMMITTEE**3<sup>rd</sup> November 2014**REVIEW OF STANDARD LICENCE CONDITIONS APPLICABLE TO ANIMAL WELFARE LICENCES**

|                            |   |
|----------------------------|---|
| Relevant Portfolio Holder  | Councillor Yvonne Smith                                   |
| Portfolio Holder Consulted | Yes   |
| Relevant Head of Service   | Steve Jordan – Head of Worcestershire Regulatory Services |
| Wards Affected             | All Wards   |
| Ward Councillor Consulted  | N/A   |
| Non-Key Decision           |   |

**1. SUMMARY OF PROPOSALS**

Redditch Borough 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 various types of licences issued.

**2. RECOMMENDATIONS**

**Members are asked to RESOLVE;**

**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.**

**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 to inspect the premises subject to the licence application.**

**3. KEY ISSUES****Financial Implications**

- 3.1 Applicants for licences are required to pay fees when making their applications. These fees are charged on a cost recovery basis.
- 3.2 If a licence holder successfully appeals against the imposition of a condition attached to their licence, the Council may be liable to pay the licence holders legal costs.

**LICENSING COMMITTEE**3<sup>rd</sup> November 2014**Legal Implications**

3.3 The legal implications are set out in the report.

**Service / Operational Implications**

3.4 Redditch Borough Council is responsible for issuing licences under the following pieces of legislation:

| <b>Legislation</b>                       | <b>Regulated Activity</b>  |
|--|--|
| 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  |

3.5 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.

3.6 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.



**LICENSING COMMITTEE**3<sup>rd</sup> November 2014

---

- 3.7 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.
- 3.8 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 practise. There has been updated model guidance and conditions in relation to some licence types since the implementation of the Animal Welfare Act 2006.
- 3.9 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. The conditions attached at appendices 1 – 9 have already been approved by Bromsgrove District Council.
- 3.10 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.

**Pet Shop Licences**

- 3.11 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;

**LICENSING COMMITTEE**3<sup>rd</sup> November 2014

---

- 3.12 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**

- 3.13 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.
- 3.14 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.
- 3.15 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.

**LICENSING COMMITTEE**3<sup>rd</sup> November 2014

- 
- 3.16 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"
- 3.17 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.
- 3.18 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.
- 3.19 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**

- 3.20 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.
- 3.21 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;

**LICENSING COMMITTEE**3<sup>rd</sup> November 2014

---

- (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.

3.22 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**

3.23 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

REDDITCH BOROUGH COUNCIL**LICENSING COMMITTEE**3<sup>rd</sup> November 2014

\_\_\_\_\_ 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;

3.24 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.

**LICENSING COMMITTEE**3<sup>rd</sup> November 2014

---

**Dog Breeding Licences**

- 3.25 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

**LICENSING COMMITTEE**3<sup>rd</sup> November 2014

---

- 3.26 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**

- 3.27 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.
- 3.28 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.
- 3.29 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."
- 3.30 The latest edition of the Secretary of State's Standards of Modern Zoo Practice was published in 2012.
- 3.31 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"
- 3.32 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.
- 3.33 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.

**LICENSING COMMITTEE**3<sup>rd</sup> November 2014

---

**4. RISK MANAGEMENT**

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

**5. 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

**AUTHOR OF REPORT**

Name: Dave Etheridge – Senior Practitioner (Licensing)  
Worcestershire Regulatory Services  
E Mail: [d.etheridge@worcsregservices.gov.uk](mailto:d.etheridge@worcsregservices.gov.uk)  
Tel: (01527) 534121



## APPENDIX 1

**Redditch Borough 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.
- 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 – 1.5m<sup>2</sup> for sleeping, plus 2m<sup>2</sup> for exercise
  - For a batch of medium breed puppies – max 4 pups – 2m<sup>2</sup> for sleeping, plus 2m<sup>2</sup> for exercise
  - For a batch of large breed puppies – max 2 pups – 2m<sup>2</sup> for sleeping, plus 2m<sup>2</sup> 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 m<sup>2</sup>, 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 0.25m<sup>2</sup> 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 0.4m<sup>2</sup> for up to 4 standard juvenile rabbits and a height of 0.4m. 0.5m<sup>2</sup> 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.

**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:

| <b>No. of Animals</b>   | <b>1-4</b> | <b>5</b> | <b>6</b> | <b>7</b> | <b>8</b> | <b>9</b> | <b>10</b> | <b>Minimum Cage Height (m)</b> | <b>Minimum Cage Depth (m)</b> |
|-------------------------|------------|----------|----------|----------|----------|----------|-----------|--------------------------------|-------------------------------|
| 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 m<sup>2</sup>, 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 0.25m<sup>2</sup> 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 (m <sup>2</sup> ) 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<br>(see note 1) | Less than 25        | 0.42   | 7.5  |
|   | 25 – 30             | 0.48   | 7.5  |
|   | More than 30        | 0.675  | 7.5  |
| Parrots<br>(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.

## APPENDIX 2

**Redditch Borough 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 100m<sup>2</sup> 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 <sup>2</sup> | 2.5m <sup>2</sup> | 5.0m <sup>2</sup> |
|                      | Dogs over 55cm at the shoulder      | 3.0m <sup>2</sup> | 3.5m <sup>2</sup> | 6.5m <sup>2</sup> |

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.

**APPENDIX 3****Redditch Borough 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 <sup>2</sup> | 0.9 m<br>(e.g. 0.90 m x 0.95 m)          | 1.8 m          |
| Up to two cats  | 1.5 m <sup>2</sup>  | 1.2 m<br>(e.g. 1.20 m x 1.25 m)          | 1.8 m          |
| Up to four cats   | 1.9 m <sup>2</sup>  | 1.2 m<br>(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 <sup>2</sup> | 0.9 m<br>(e.g. 0.90 m x 0.95 m)          | 1m                    |
| Up to two cats  | 1.1 m <sup>2</sup>  | 0.9 m<br>(e.g. 0.9 m x 1.20 m)           | 1m                    |
| Up to four cats   | 1.7 m <sup>2</sup>  | 0.9 m<br>(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 <sup>2</sup> | 0.9 m<br>(e.g. 0.90 m x 1.85 m)          | 1m                    |
| Up to two cats   | 2.2 m <sup>2</sup>  | 0.9 m<br>(e.g. 0.9 m x 2.45 m)           | 1m                    |
| Up to four cats  | 2.8 m <sup>2</sup>  | 1.2 m<br>(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.

**APPENDIX 4****Redditch Borough 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.
- 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 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.



**APPENDIX 5****Redditch Borough 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.

- 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.



## APPENDIX 6

**Redditch Borough 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.





## APPENDIX 7

**Redditch Borough 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.
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.

**APPENDIX 8****Redditch Borough 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).

## APPENDIX 9

**Redditch Borough 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.

**LICENSING  
COMMITTEE****3rd November 2014****LICENSING COMMITTEE WORK PROGRAMME 2014/15****3rd November 2014**

- Site Management Agreement between Public Fundraising Regulatory Association (PRFA) and Redditch Borough Council (Charity Street Fundraisers) - Final report
- Draft Scrap Metal Licensing Policy and Guidelines (including suitability)
- Review of Standard Licence Conditions applicable to Animal Welfare Licences
- Implications of the Deregulation Bill - Hackney Carriage and Private Hire Policies (depending on Deregulation Bill) – verbal update

**2nd March 2015**

- Review of Statement of Gambling Principles
- Draft Scrap Metal Licensing Policy and Guidelines – Consultation responses

**To Be Allocated To Suitable Available Dates**

- Draft Sex Establishment Licensing Policy
- Hackney Carriage and Private Hire Driver Licensing Policy Amendments (as a result of the Deregulation Bill)

