

# REPORT FOR DECISION

<b>Agenda Item</b>	
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<b>DECISION OF:</b>	<b>LICENSING &amp; SAFETY PANEL</b>
<b>DATE:</b>	<b>11<sup>th</sup> April 2016</b>
<b>SUBJECT:</b>	<b>CONDITIONS RELATING TO A DOG CRECHE</b>
<b>REPORT FROM:</b>	<b>ASSISTANT DIRECTOR (PLANNING, ENVIRONMENTAL AND REGULATORY SERVICES)</b>
<b>CONTACT OFFICER:</b>	<b>MR M BRIDGE</b>
<b>TYPE OF DECISION:</b>	<b>COUNCIL</b>
<b>FREEDOM OF INFORMATION/STATUS:</b>	This paper is in the public domain
<b>SUMMARY:</b>	This report relates to a request from a licence holder to remove a condition from her Animal Boarding Establishment licence.
<b>OPTIONS &amp; RECOMMENDED OPTION</b>	<ul style="list-style-type: none"> <li>Remove condition 28 from the licence</li> <li>Refuse to remove Condition 28 from the licence</li> </ul>
<b>IMPLICATIONS:</b>	
<b>Corporate Aims/Policy Framework:</b>	Do the proposals accord with the Policy Framework? <b>Yes</b> No
<b>Statement by the S151 Officer: Financial Implications and Risk Considerations:</b>	There are no specific issues from the report other than potential costs/risks associated with legal appeals
<b>Statement by Executive Director of Resources:</b>	The cost of the licensing function are funded through the fees and charges levied by the Council. There may be additional costs if appeals are lodged with the Magistrates and Crown Courts.
<b>Equality/Diversity implications:</b>	<b>Yes</b> No (see paragraph below)
<b>Considered by Monitoring Officer:</b>	Under the legislation the Council is required to determine applications. The report is in accordance with the appropriate legislation.

<b>Wards Affected:</b>	All
<b>Scrutiny Interest:</b>	Overview and Scrutiny Panel

**TRACKING/PROCESS**

**DIRECTOR:**

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

**1.0 BACKGROUND**

- 1.1 The Animal Boarding Establishment Act 1963 is the relevant legislation which relates to the boarding of dogs and cats. The Council has specific conditions which relate to Kennels, catteries and boarding of animals at domestic premises.
- 1.2 On 12<sup>th</sup> October 2010, the Licensing & Safety Panel considered and approved licence conditions relating to dog crèches in order to give more specific control in this growing market area. A copy of the conditions are attached at Appendix 1. This report is specifically concerned with Condition 28 which states as follows:  
  
*'Full males, bitches in season and puppies under six months of age must not be boarded with other dogs'.*
- 1.3 Bury Council adopted this particular condition in order to ensure the safety of all dogs attending a crèche. If a pup was to sustain any damage or injury inflicted by an older dog, then the responsibility would rest with the licence holder for accepting a pup under 6 months old.

**2.0 INTRODUCTION**

- 2.1 On 10<sup>th</sup> February 2016, in response to a complaint received from a member of the public concerning a Mrs Carol Plumridge, the holder of the Animal Boarding Establishment licence in relation to 'Goody 4 Paws', Unit 1, Block 3, Albert Close Trading Estate, Whitefield, Manchester, M45 8EM, the Council's Animal Health Inspector visited the establishment. During her conversation with Mrs Plumridge, the licence holder admitted that she had recently breached condition 28 by accepting a pup into the crèche which was approximately 12 weeks old. This resulted in a formal warning letter being sent to the licence holder (copy attached at Appendix 2) which also advised her that if she felt that she was unable to comply with this licence condition or that it should not be a condition attached to her particular licence, that she should submit a written request to Bury Council explaining why the condition should be removed from her licence.

### **3.0 REQUEST TO REMOVE CONDITION 28 FROM THE LICENCE**

- 3.1 A request was subsequently received from Mrs Plumridge (copy attached at Appendix 3). It will be seen that she is an 'Academy of Dog Training and Behaviour Approved Instructor' at all levels and a registered Member of the British Institute of Professional Dog Trainers. She has demonstrated her Continued Professional Development (CPD) in this field and states that both she and her husband have worked with and trained dogs for over 25 years. She currently employs 3 qualified and experienced members of staff at the crèche. In view of her training qualifications and considerable experience, Mrs Plumridge requests that the Council's Licensing and Safety Panel consider removing condition 28 from her licence. This will ensure that if she continues to operate her business in the way that she desires, that she will no longer be in breach of this particular licence condition.
- 3.2 Mrs Plumridge has sent a number of letters of support, photographs and copies of handouts to assist her request that will be available at the hearing.

### **4.0 CONCLUSION**

- 4.1 Members are asked to consider the request from Mrs Plumridge.

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#### **List of Background Papers:-**

Dog crèche conditions

Warning letter to Mrs Plumridge

Written request from Mrs Plumridge and supporting documentation.

#### **Contact Details:-**

Mr M. Bridge

Licensing Office

Town Hall

Bury

BL9 OSW

Telephone: 0161 253 5209

Email: [m.bridge@bury.gov.uk](mailto:m.bridge@bury.gov.uk)