

REPORT FOR DECISION

DECISION OF:	LICENSING & SAFETY PANEL
DATE:	19th JANUARY 2017
SUBJECT:	CONDITIONS RELATING TO A DOG CRECHE
REPORT FROM:	ASSISTANT DIRECTOR (LOCALITIES)
CONTACT OFFICER:	MR M BRIDGE
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is in the public domain
SUMMARY:	This report relates to a request from a licence holder to remove a condition from his Animal Boarding Establishment licence.
OPTIONS & RECOMMENDED OPTION	<ul style="list-style-type: none"> • Remove condition 28 from the licence • Refuse to remove Condition 28 from the licence
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes No
Statement by the S151 Officer: Financial Implications and Risk Considerations:	There are no specific issues from the report other than potential costs/risks associated with legal appeals
Statement by Executive Director of Resources:	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.
Equality/Diversity implications:	Yes No (see paragraph below)
Considered by Monitoring Officer:	Under the legislation the Council is required to determine applications. The report is in accordance with the appropriate legislation.

Wards Affected:	All
Scrutiny Interest:	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 12th 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 REQUEST TO REMOVE CONDITION 28 FROM THE LICENCE

- 2.1 Mr Millington has held a licence under the Animal Boarding Establishment Act for a dog crèche since 1st September 2016.
- 2.2 On 12th December 2016, the licensing Service received a request from Mr Luke Millington, Managing Director of Stay N Play Doggy Day Care, Unit 1 Dale Industrial Estate, Phoenix Way, Radcliffe, M26 1AD to remove condition 28 from the Animal Boarding Establishment Licence. Mr Millington states that after receiving several complaints and discussing his views with several veterinary professionals it has come to his attention that enough is not being done to include puppies in socialisation period to prevent them from becoming shy, nervous or even aggressive when put in certain situations when older. Thus indicating that the licence condition is obstructing the social learning and

development of puppies from a young age. A copy of the letter is attached at Appendix 1.

- 2.3 Mr Millington has sent a number of letters of support from Registered Veterinary Nurses and members of the public. He has also sent qualifications for both himself and his staff which he believes will indicate that he and his staff are competent and experienced. The qualifications that are most relevant to his request are the following:-

- Dog Behaviour and training
- Animal Psychology

Copies of the letters of support and qualifications are attached at Appendix 2.

3.0 CONCLUSION

- 3.1 Members are asked to consider the request from Mr Millington.

List of Background Papers:-

Dog crèche conditions

Written request from Mr Millington and supporting documentation.

Contact Details:-

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