

REPORT TO:	LICENSING COMMITTEE 16 November 2016
AGENDA ITEM:	9
SUBJECT:	BREEDING OF DOGS ACT 1973 & 1991, BREEDING & SALE OF DOGS WELFARE ACT 1999 & ANIMAL WELFARE ACT 2006 ADOPTION OF THE MODEL LICENCE CONDITIONS AND GUIDANCE FOR DOG BREEDING ESTABLISHMENTS 2014
LEAD OFFICER:	Executive Director, Place Department
CABINET MEMBER:	Councillor Hamida Ali, Cabinet Member for Communities, Safety and Justice
WARDS:	All
CORPORATE PRIORITY/POLICY CONTEXT: This report is specific to this application and has no implications on the Council's Corporate Policies	
FINANCIAL SUMMARY: There are no direct financial implications arising from this report.	
FORWARD PLAN KEY DECISION REFERENCE NO.: N/A	

For general release

1. RECOMMENDATIONS

- 1.1 The Committee is recommended to consider and adopt the Model Licence Conditions and Guidance for Dog Breeding Establishments 2014

2. EXECUTIVE SUMMARY

- 2.1 The purpose of this report is to seek the Committee's decision on the proposal to adopt the Model Licence Conditions and Guidance for Dog Breeding Establishments 2014.

3. DETAIL

- 3.1 The Council has the duty of administering the licensing process in respect of the operating of dog breeding establishments under the Breeding of Dogs Act 1973 & 1991 amended by Breeding & Sale of Dogs (Welfare) Act 1999. The Borough currently has no premises licensed for dog breeding under these Acts.
- 3.2 Animal breeding licences last a year so are granted annually. In determining whether to grant a licence the Council is required to have regard to the need for securing provision to govern the construction, size and layout of accommodation for bitches and puppies, provision of food and drink, record keeping and transportation of puppies to and from the licensed premises
- 3.3 The Council has an arrangement with the Corporation of London Veterinary Service who will on request inspect premises and respond to complaints about dog breeding.
- 3.4 A copy of the current 'licence conditions' are attached as Appendix 1.
- 3.5 The 'licence conditions' are referred to by Licensing Officers and Corporation of London staff during routine inspections or visits undertaken following the receipt of a complaint.
- 3.6 The introduction of The Breeding & Sale of Dogs (Welfare) Act 1999 and the Animal Welfare Act 2006 gave dog breeders a 'legal duty of care towards the animals in their care' and in addition to the requirements outlined in 3.2 above, the need for a suitable environment, the need for a suitable diet, the need to be able to exhibit normal behaviour patterns, any need to be housed with, or apart from, other animals and the need to be protected from pain, suffering, injury and disease.
- 3.7 In 2014, the Model Conditions and Guidance for Dog Breeding Establishments were produced by the Chartered Institute of Environmental Health (CIEH) in conjunction with a working group whose members consisted of –
- Advisory Council on the Welfare Issues of Dog Breeding
 - British Small Animal Veterinary Association
 - British Veterinary Association
 - City of London Corporation
 - Department for Environment, Food and Rural Affairs (Defra)
 - Dogs Trust

- Epping Forest District Council
- The Kennel Club
- Royal Society for the Prevention of Cruelty to Animals

Replacing the current conditions with the Model Conditions will help to promote consistency of approach across Local Authorities, to minimise the risk of transmission of disease from animals to humans, alongside the need to protect animals from cruelty and ill-treatment and to encourage good standards of animal husbandry in dog breeding. A copy of the 2014 conditions are attached at Appendix 2.

- 3.8 There are no licensed dog breeding premises in the Borough at present but if adopted the 'Model Licence Conditions' will be published on the Council website.

4. CONSULTATION

- 4.1 No consultation has taken place on the new Model Conditions as there are currently no licensed dog breeders in the borough.

5 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

5.1 The effect of the decision

There are no direct financial implications as a result of this report.

5.2 Risks

There are no perceived financial risks involved in this decision.

5.3 Options

There are no other options arising from this report

5.4 Future savings/efficiencies

None identified

(Approved by: Zulfiqar Darr, Interim Head of Finance, Place and Resources)

6. COMMENTS OF THE SOLICITOR AND MONITORING OFFICER

- 6.1 The Acting Solicitor to the Council comments that there are no additional legal implications beyond those set out in the report.

(Approved by: Jaqueline Harris- Baker, Acting Borough Solicitor and Monitoring Officer)

7. HUMAN RESOURCES IMPACT

- 7.1 The Human Resources impact of supporting the Licensing Hearings will be contained within the budgeted establishments of the Democratic and Legal Services and Licensing Teams.
- 7.2 There are no additional comments in regard to the existing human resources implications arising from these reports.

(Approved by Adrian Prescod, HR Business Partner, for and on behalf of Director of HR, Resources department.)

8. CUSTOMER IMPACT

- 8.1 There are no specific customer services issues relating to these applications

9. EQUALITIES IMPACT ASSESSMENT (EIA)

- 9.1 None required.

10. ENVIRONMENTAL AND DESIGN IMPACT

- 10.1 There are no perceived environmental and design impacts relating to these applications

11. CRIME AND DISORDER REDUCTION IMPACT

- 11.1 There are no perceived crime and disorder impacts relating to this matter.

12. HUMAN RIGHTS IMPACT

- 12.1 There are no perceived human resources implications associated with this report.

13. FREEDOM OF INFORMATION/DATA PROTECTION CONSIDERATIONS

- 13.1 There are no direct freedom of information/data protection considerations associated with this report.
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CONTACT OFFICER: Wendy Shepherd, Safety/Licensing Officer, Place
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BACKGROUND DOCUMENTS: None

APPENDIX A1: Licensing Conditions

APPENDIX A2: Guidance for Dog Breeding Establishments