

TELFORD AND WREKIN COUNCIL

LICENSING COMMITTEE – 2nd December 2008

APPROVAL FOR CONDITIONS FOR DOG BREEDING LICENCES

REPORT OF THE REGULATION AND RESILIENCE MANAGER

1. PURPOSE

- 1.1 To obtain Members' approval of revised conditions of licence for dog breeding.

2. RECOMMENDATIONS

That Members:

- 2.1.1 Approve standard conditions of licence for non-domestic dog breeders. Copies attached at Annex A to this report.
- 2.1.2 Approve standard conditions of licence for domestic dog breeders. Copies attached at Annex B to this report.

3. SUMMARY

- 3.1.1 The Breeding of Dogs Act 1973 requires the proprietors of dog breeding establishments, breeding dogs for sale, to hold a licence issued by the Local Authority. This Act, as amended and extended by the Breeding and Sale of Dogs (Welfare) Act 1999, also provides for the inspection of premises at which the dogs are bred, controls the transportation of puppies and sets standards in relation to these matters.
- 3.1.2 The licence granted by the Local Authority, will stipulate a number of conditions, considered necessary or expedient in a particular case. The aim of these conditions is to ensure high standards of animal health and welfare are maintained in breeding establishments. The licensee must comply with any condition attached to the license.
- 3.1.3 The conditions now considered by the Committee are adopted from the model conditions for dog breeding establishments, issued jointly by the Chartered Institute of Environmental Health, the British Veterinary

Association, the British Small Animal Association and the Local Government Association. It is proposed these conditions will be attached to all domestic and non-domestic dog breeding licences issued by this Local Authority.

4. PREVIOUS MINUTES

4.1 There are no previous minutes.

5. INFORMATION

5.1 Background

5.1.1 The breeding of dogs across the country is undoubtedly a growth market, attracting ever increasing public interest and scrutiny. Therefore, when licensing premises where the business of breeding of dogs for sale is carried on, the Licensing Service need to update the current out-dated conditions to reflect current trends, legislation and best practise.

5.1.2 There are generally two ways in which dog breeding establishments are operated. Some people maintain the stock within their private dwelling house and these are simply known as *domestic breeders*. *Non-domestic breeders* on the other hand, keep dogs in outside accommodation consisting of buildings either attached or detached from the private dwelling. However, there may be occasions when the conditions for the non-domestic breeder should be applied to the domestic breeder.

5.1.3 In deciding whether or not to grant a licence, the Local Authority must have regard to a number of considerations and clearly has the discretion to refuse a licence. However, an applicant can *appeal* a licence refusal or any conditions to which a licence is subject, through a Magistrates' Court.

5.1.4 Dog breeding premises and prescribed mandatory records will be inspected in accordance with the legislation. The licensed breeder will then be able to sell a dog to its final home or a third party, subject to other conditions. The court also has powers to order imprisonment for a term not exceeding three months and/or a fine not exceeding level 4 on the standard scale upon conviction for keeping a dog breeding establishment without a licence or any offence under the Act, including a breach of conditions. There are additional powers for the court to order the cancellation of a licence, disqualification from keeping an establishment which is required to be licensed and disqualification from having custody of any dog specified.

5.1.5 A list of those public and specialist bodies consulted during this process is attached at Annex C. On Thursday 28th August 2008, consultees were provided with the proposed conditions via electronic mail and asked to respond by Thursday 9th October 2008. There were no responses in relation to the proposed conditions now attached at Annex A and one response from Environmental health to Annex B to this report. Environmental Health have proposed the inclusion of the following condition at 3.1.3 relating to the *suitable and sufficient provision for the safe disposal of excreta and bedding to be provided*.

5.2 Equal Opportunities

5.2.1 This report adheres to the Council's Equality and Diversity Scheme and does not discriminate on the grounds of race, gender, disability, age, religion or belief or sexual orientation.

5.3 Environmental Impact

5.3.1 There are some perceived environmental impacts arising from this report, in particular the possibility of public nuisance and the approved removal of animal faeces and waste material from larger scale operations.

5.4 Legal Comment

5.4.1 The Council has the authority to specify such conditions as appear to be necessary or expedient with regard to securing the following-

- (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 a 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, of any veterinary surgeon or veterinary practitioner, authorised by the local authority to inspect the premises.

5.4.2 In specifying conditions the Council will need to consider the consultation documents and the responses.

5.4.3 In specifying conditions the Council will need to consider them on their merits and will need to be satisfied that the conditions are necessary to ensure high standards of animal health and welfare are maintained in the breeding establishments.

5.4.4 Following the principals set out in *Associated Provincial Picture Houses v Wednesbury Corporation (1948)* any conditions attached to a licence should not be so unreasonable that no reasonable authority could have made it.

5.4.5 Any person aggrieved by any condition attached to such a licence may appeal to the Magistrates' Court.

5.5 Links with Corporate Priorities

5.5.1 This report has links to a community that feels 'safe and protected'.

5.6 Opportunities and Risks

5.6.1 In proposing this action the Corporate Risk Management Methodology has been complied with. This approach is not intended to eliminate risks but to identify the risks and manage them. However not all risks can be managed all of the time and some risks may not have been identified.

5.6.2 The following key risks and opportunities associated with this action have been identified and assessed and arrangements will be put in place to manage them.

- (i) The Council being unable to successfully defend an Appeal to the Magistrates Court as well as (and after) to the Crown Court and the financial risks of the costs of an Appeal.

5.7 Financial Implications

- 5.8 There are no direct financial implications arising from adopting the recommendations in this report. There may be a future decision to effect increased monitoring and enforcement of the new conditions which would then have resource implications. If this happens consideration will be given to the costs of policing and enforcement when licence fees are reviewed.

6. WARD IMPLICATIONS

- 6.1.1 This report has implications for all wards in the District.

7. BACKGROUND PAPERS

- 7.1.1 The Breeding of Dogs Act 1973
- 7.1.2 The Pet Animals Act 1951
- 7.1.3 The Protection of Animals (Amendment) Act 1954
- 7.1.4 The Animal Boarding Establishments Act 1963
- 7.1.5 The Breeding and Sale of Dogs (Welfare) Act 1999
- 7.1.6 The Animal Welfare Act 2006
- 7.1.7 Human Rights Act 1998

Report prepared by, Paul Crampton, Licensing Officer, Telford & Wrekin Licensing Service - For further information please telephone 01952-383261 or email licensing@telford.gov.uk.

BREEDING OF DOGS ACT 1973

NON-DOMESTIC BREEDERS – CONDITIONS OF LICENCE

1. ACCOMMODATION

1.1 General Construction

1.1.1 The establishment should, at all times, be laid out and operated in accordance with an approved plan, to be attached to the licence.

1.1.2 Where wood has been used in an existing construction it must be smooth and treated to render it impervious. Wood should be used on exposed surfaces of walls, floors, partitions, door frames or doors in the kennelling area. They must be no projections liable to cause injury.

1.1.3 All exterior wood should be properly treated using only non-toxic products.

1.1.4 All internal surfaces used in the construction of the walls, floors, partitions, doors and door frames are to be durable, smooth and impervious. They must be no projections liable to cause injury.

1.1.5 Sleeping areas of kennels must be insulated so as to prevent extremes of temperature.

1.1.6 Kennel construction should be such that the security of the dog is ensured.

1.1.7 Fencing material should be secure and safe.

1.1.8 Where galvanised welded mesh is used for fencing the wire diameter should not be less than 2mm (14 standard wire gauge) excluding any covering and the mesh size should not exceed 5 cm.

1.2 Walls & Partitions

1.2.1 Walls with which dogs may come into contact must be of smooth impervious materials capable of being easily cleaned. Where building blocks or bricks are used, they should be sealed so as to be smooth and impervious, and resealed as necessary.

1.2.2 Junctions between vertical and horizontal sections should be covered. If practical in existing premises, all joints should be sealed.

1.2.3 Partition walls between kennels and individual exercise areas should be of solid construction to a minimum height of 1.2m.

1.3 Floors

1.3.1 Floors of all buildings, individual exercise areas and kennels should incorporate a damp proof membrane and be of smooth, impervious

materials, capable of being easily cleaned; while providing sufficient grip for the animal.

1.3.2 All kennels and individual exercise areas should be constructed and maintained in such a condition as to prevent pooling of liquids.

1.3.3 Communal exercise areas should also be suitably drained to prevent pooling of liquids.

1.4 Windows

Windows should be escape proof and where their position poses a security risk, a welded mesh or reinforced glass, polycarbonate or other impact-resistant material be used.

1.5 Drainage

The establishment must be connected to mains drainage or an approved sewage disposal system.

1.6 Lighting

1.6.1 During daylight hours sufficient light must be provided to exercise and sleeping areas, so that all parts are clearly visible. Where practicable this should be natural light.

1.6.2 Adequate supplementary lighting must be provided throughout the establishment.

1.7 Ventilation

Ventilation must be provided to all interior areas without the creation of excessive, localised draughts in the sleeping area.

1.8 Kennel size, layout and exercise facilities

1.8.1 Kennels should be provided with an adequate size of sleeping area, allowing the dog to lie down, turn around and stand comfortably, with sufficient space for the door to open fully.

1.8.2 Bedding should be suitable to allow dogs to be comfortable. Bedding must be capable of being easily cleaned, sanitised and sited away from draughts. All bedding material in use should be clean, parasite free and dry.

1.8.3 Adequate exercise areas must be provided for all kennels and separate from sleeping areas.

1.8.4 Kennels should have a minimum height of 1.8m.

1.9 Temperature in kennels

1.9.1 Heating facilities must be available in the kennel and used according to the requirements of the individual dog.

1.9.2 There must be some part of the sleeping area where the dog is able to enjoy a minimum temperature of 50°F (10°C) and a maximum temperature of 79°F (26°C).

1.10 Cleanliness

1.10.1 All areas including kennels, corridors, common areas and kitchens, must be kept clean and free from accumulations of dirt and dust so that disease control is maintained and the dogs are comfortable.

1.10.2 Each occupied kennel must be cleaned daily. Excreta and soiled material must be removed from all areas used by the dogs as necessary or at least twice a day.

1.10.2 All sleeping areas and bedding must be kept clean and dry.

1.10.4 Regular disinfection should be demonstrated by keeping records and disinfecting regimes.

1.10.5 Facilities must be provided for the proper reception, storage and disposal of waste.

1.10.6 Measures must be taken to minimise the risk of rodents, insects and other pests within the breeding establishment. Such pests should be adequately dealt with, without delay to eradicate infestation.

2 MANAGEMENT

2.1 Supervision

2.1.1 A fit and proper person should always be present to exercise supervision and deal with emergencies.

2.1.2 Dogs must be checked regularly throughout the day.

2.2 Food and water supplies

2.2.1 All dogs must be adequately supplied with suitable food. Clean water must be made available at all times and changed daily.

2.2.2 Eating and drinking vessels must be capable of being cleansed and disinfected. They must be maintained in a clean condition and cleansed or disposed of after each meal.

2.3 Kitchen facilities

2.3.1 Exclusive facilities, hygienically constructed and maintained, should be provided for the storage and preparation of for dogs.

2.3.2 Refrigeration facilities must be provided where fresh and cooked meats are stored. Food contamination must be avoided.

2.3.3 A sink with hot and cold running water must be available for washing kitchen utensils and eating and drinking vessels. A separate hand basin with hot and cold running water should be provided for staff.

- 2.3.4 Containers for storing foods should be provided and should be constructed and maintained to guard against insects and other pests.

3 DISEASE CONTROL, VACCINATION & WORMING

3.1 General

- 3.1.1 All dogs should be vaccinated against Canine Distemper, Infectious Canine Hepatitis (*Canine Adenovirus*), Leptospirosis (*Leptospira canicola* and *Leptospira icterohaemorrhagiae*) and Canine Parvovirus.

- 3.1.2 Advice from a veterinary surgeon must be sought where a dog shows signs of disease, injury or illness. A competent person must ensure this advice is followed.

- 3.1.3 Veterinary advice should always be sought regarding the worming of breeding bitches. All other dogs, bitches and puppies should be wormed at regular intervals according to the manufacturer's instructions or in accordance with specific veterinary advice.

3.2 First aid kit for dogs

A fully stocked first-aid kit suitable for use on dogs and puppies should be available and accessible on the premises.

3.3 Isolation facilities

- 3.3.1 Isolation facilities must be provided.

- 3.3.2 Isolation facilities must be in compliance with all other licence conditions but must be physically isolated from the main kennels at a distance of at least 5m.

- 3.3.2 Adequate facilities to prevent the spread of infectious disease between isolation and other kennels must be provided.

- 3.3.3 Hands must be washed after leaving the isolation facilities before handling other dogs and visiting kennels.

4 EMERGENCIES/FIRE PREVENTION

4.1 General

- 4.1.2 There should be an emergency evacuation plan and fire warning procedure in place. This should be posted where the staff may become familiar with it. This procure should be include instructions dealing with where dogs are to be evacuated.

- 4.1.3 Fire fighting equipment and detectors should be properly maintained.

- 4.1.4 All electrical installations and appliances should be maintained in a safe condition. There should be a residual current circuit breaker system fitted to each block of kennels.

- 4.1.5 Heating appliances should not be sited in a location or manner where they may present a risk of fire or risk to dogs.
- 4.1.6 Precautions should be taken to prevent any accumulation of material which may present a risk of fire.
- 4.1.7 There should be adequate means of raising an alarm in the event of a fire or other emergency.

5 RECORD KEEPING

5.1 General

- 5.1.1 All records must be accurate and kept on the premises in the prescribed form. They must be made available to local authority inspectors or any veterinary surgeon or veterinary practitioner authorised by the local authority.
- 5.1.2 A record must be kept 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.
- 5.1.3 A record must be kept of any litters, including sex of the puppies, date of birth, weight, description and total number in the litter. The record must also show the details of the sale, namely the date of the sale, name and address of who was supplied and the status of the purchaser.

BREEDING OF DOGS ACT 1973

DOMESTIC BREEDERS – CONDITIONS OF LICENCE

1. ACCOMMODATION

1.1 General Construction

1.1.1 Cages must be provided of a sufficient size for the dog to lie down, turn around, stand comfortably and allow the dog to defecate away from the sleeping area.

1.1.2 Impermeable floor coverings must be used to prevent fluids and discharges from fouling wooden floors.

1.2 Temperature

There must be some part of the sleeping area where the dog is able to enjoy a minimum temperature of 50°F (10°C) and a maximum temperature of 79°F (26°C).

1.2 Lighting

During daylight hours sufficient light must be provided to exercise and sleeping areas, so that all parts are clearly visible. Where practicable this should be natural light.

2. MANAGEMENT

2.1 Supervision

2.1.1 A fit and proper person should always be present to exercise supervision and deal with emergencies.

2.1.2 Dogs must be checked regularly throughout the day.

2.2. Food and water supplies

2.2.1 All dogs must be adequately supplied with the suitable food. Clean water must be available at all times of the day and changed daily.

2.2.2 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 cleansed or disposed of after each meal.

3 DISEASE CONTROL, VACCINATION AND WORMING

3.1 General

3.1.1 All dogs should be vaccinated against Canine Distemper, Infectious Canine Hepatitis (*Canine Adenovirus*), Leptospirosis (*Leptospira*

icterohaemorrhagiae) and Canine Parvovirus. It may be necessary to vaccinate against other diseases and veterinary advice should be sought.

- 3.1.2 Advice from the veterinary surgeon must be sought where a dog shows signs of disease, injury or illness. A competent person must ensure this advice is followed.

3.2 First aid kit for dogs

A fully maintained first aid kit suitable for use on dogs and puppies should be available and accessible on the premises.

3.3 Isolation facilities

- 3.3.1 Facilities for isolation should be available when required.
- 3.3.2 Isolation facilities must be in compliance with other licence conditions but must be physically isolated from other dogs ideally at a distance of 5m.
- 3.3.3 Adequate facilities to prevent the spread of infectious disease between the isolation case and any other dogs must be provided.
- 3.3.4 Hands must be washed after leaving the isolation facilities before handling other dogs.

4. EMERGENCIES/FIRE PREVENTION

4.1 General

There should be an emergency evacuation plan procedure in place which is to be practised at least annually. This should be posted where the staff may become familiar with it. This procedure should include instructions dealing with where dogs are to be evacuated.

5. RECORD KEEPING

- 5.1.1 All records must be accurate and kept on the premises in the prescribed form. They must be made available to local authority inspectors or any veterinary surgeon or veterinary practitioner authorised by the local authority.
- 5.1.2 A record must be kept 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.
- 5.1.3 A record must be kept of any litters, including sex of the puppies, date of birth, weight, description and total number in the litter. The record must also show the details of the sale, namely the date of the sale, name and address of who was supplied and the status of the purchaser.

TELFORD AND WREKIN COUNCIL

LICENSING COMMITTEE – 2nd DECEMBER 2008

APPROVAL FOR NAPIT ELECTRICAL CERTIFICATION FOR PREMISES WHICH ARE LICENSED

REPORT OF THE REGULATION AND RESILIENCE MANAGER

1. PURPOSE

- 1.1** To obtain Members' approval for National Association for Professional Inspectors and Testers (NAPIT) electrical installation certification for premises which are licensed by Telford & Wrekin Council.

2. RECOMMENDATIONS

That Members:

- 2.1.1 Approve the acceptance of NAPIT Certification for premises licensed by Telford & Wrekin Council.
- 2.1.2 Amend the General Animal Boarding condition of licence to the following :

In the case of commercial premises, but not in the case of private dwellings used for the purposes of home boarding, all electrical installations, heating and lighting etc., must be examined annually and certified that they comply with B.S.7671. If Emergency Lighting is fitted it must comply with B.S. 5266. Please note that any Electrical contractor carrying out work in support of the application must be registered with the NICEIC, NAPIT or ECA. If in doubt regarding approved contractors please contact this office.

- 2.1.3 Amend Condition Number 15. of the Council's Pet Shop Licence Conditions to the following :

Pet Shops All electrical installation, heating and lighting etc., must be examined annually and certified that they comply with B.S. 7671. If Emergency Lighting is fitted it must comply with B.S. 5266. Please note that any Electrical contractor carrying out work in support of the application must be registered with the NICEIC, NAPIT or ECA. If in doubt regarding approved contractors please contact this office.

2.1.4 Amend Condition Number 7. of the Council's Dangerous Wild Animal Licence Condition to the following:

In the case of commercial premises, but not in the case of private dwellings used for the purposes of keeping Dangerous Wild Animals, all electrical installations, heating and lighting etc, must be examined annually and certified that they comply with B.S.7671. If Emergency Lighting is fitted it must comply with B.S. 5266. Please note that any Electrical contractor carrying out work in support of the application must be registered with the NICEIC, NAPIT or ECA. If in doubt regarding approved contractors please contact this office.

3. SUMMARY

- 3.1 The Council's current conditions for Animal Licences require electrical contractors to be either NICEIC or ECA registered.
- 3.2 The Council has received a written request from the Chief Executive of NAPIT for NAPIT Members to be accepted by the Council's Licence conditions.

4. PREVIOUS MINUTES

- 4.1 There are no previous minutes.

5. INFORMATION

5.1 Background

- 5.1.1 The Council's current conditions of licence for Animal Boarding Licences, Pet Shop Licences and Dangerous Wild Animal Licences state that electrical inspections must be carried out by either a NICEIC or ECA registered electrical contractors. The conditions are attached at Appendix A.
- 5.1.2 In 2007 and 2008, the Council's Freedom of Information Officer received requests for information from Mr John Andrews, Chief Executive of NAPIT, requesting that the Council accepts NAPIT members as suitable Electrical Contractors to inspect premises which are licensed by Telford & Wrekin Council. The correspondence relating to this Freedom of Information Request is attached at Appendix B.
- 5.1.3 NAPIT was formed in 1992 as the National Association for Professional Inspectors and Testers, with the aim of setting standards for industry. A NAPIT Local Authority Fact Sheet is attached at Appendix C.

5.1.4 For the purposes of Public Liability Insurance, the NICEIC, ECA and NAPIT are all recognised certification bodies for commercial premises.

5.2 Equal Opportunities

5.2.1 This report adheres to the Council's Equality and Diversity Scheme and does not discriminate on the grounds of race, gender, disability, age, religion or belief or sexual orientation.

5.3 Environmental Impact

5.3.1 There is no Environmental Impact.

5.4 Legal Comment

5.4.1 The Council has the authority to specify such conditions as appear to be necessary or expedient to Animal Boarding Licences by virtue of s1(3) of the Animal Boarding Establishments Act 1963.

5.4.2 The Council has the authority to specify such conditions as appear to be necessary or expedient to Pet Shop Licences by virtue of s1(3) of the Pet Animals Act 1951.

5.4.3 The Council has the authority to specify conditions to Dangerous Wild Animal Licences by virtue of s1(6) and 1(7) of the Dangerous Wild Animals Act 1976.

5.4.4 In 2004 NAPIT was approved by the Office of the Deputy Prime Minister. NICEIC and ECA are also approved bodies.

5.4.5 The use of electrical contractors approved by one of the above bodies would be reasonable to ensure public safety.

5.5 Links with Corporate Priorities

5.5.1 This report has links to a community that feels 'safe and protected'.

5.6 Opportunities and Risks

5.6.1 In proposing this action the Corporate Risk Management Methodology has been complied with. This approach is not intended to eliminate risks but to identify the risks and manage them. However not all risks can be managed all of the time and some risks may not have been identified.

5.6.2 The following key risks and opportunities associated with this action have been identified and assessed and arrangements will be put in place to manage them.

- (i) The Council being unable to successfully defend an Appeal to the Magistrates Court as well as (and after) to the Crown Court and the financial risks of the costs of an Appeal.

5.7 Financial Implications

5.8 There are no financial implications.

6. WARD IMPLICATIONS

6.1.1 This report has implications for all wards in the District.

7. BACKGROUND PAPERS

7.1.1 Pet Animals Act 1951

7.1.2 Animal Boarding Establishments Act 1963

7.1.3 Dangerous Wild Animals Act 1976

7.1.4 TWC Conditions of Licence for Animal Boarding Establishments

7.1.5 TWC Conditions of Licence for Pet Shops

7.1.6 TWC Conditions of Licence for Dangerous Wild Animals

Report prepared by, Suzanne Fisher, Licensing Operations Manager, Telford & Wrekin Licensing Service - For further information please telephone 01952-383261 or email licensing@telford.gov.uk.

Appendix A



ANIMAL BOARDING ESTABLISHMENTS ACT 1963 GENERAL CONDITIONS OF LICENCE

BEDDING

All animals shall be provided with suitable and sufficient clean bedding material.

CLEANING

All excreta and soiled material shall be removed as often as necessary and at least twice daily from all living and exercise areas. The floor of the living areas must be kept clean and dry. All waste materials must be stored and disposed of in a manner approved by the Local Authority and in a way not likely to cause harm or nuisance.

WATER SUPPLY

All animals must have access to wholesome drinking water at all times. If containers are used they must be suitable and not able to be overturned. A standpipe with suitable hose must be provided for washing down.

FOOD SUPPLY

Animals shall be supplied with suitable and adequate food at regular and suitable intervals. Animals shall be fed separately. Suitable provision shall be made for the storage and preparation of food, which shall be approved by the Local Authority. The food preparation area and equipment should be kept clean and vermin free at all times. All bulk supplies of food to be kept in vermin free containers. Refrigeration facilities shall be provided where fresh meat is used. All feeding utensils shall be capable of being easily cleaned and sterilised and must be clean at all times. Feeding utensils shall be suitable and not liable to be overturned.

lighting

THE ACCOMMODATION MUST BE ADEQUATELY LIT, BY A SOURCE OF DAYLIGHT WITH ADEQUATE SUPPLEMENTARY ARTIFICIAL LIGHT TO ALLOW PROPER WORKING AND CLEANING OF THE COMPARTMENTS.

TEMPERATURE

The sleeping accommodation must be capable of being maintained at an ambient temperature appropriate for the species and breed.

VENTILATION

Ventilation must be adequate to maintain a draught free atmosphere in the sleeping quarters of the animals and ensure adequate air change.

FIRST AID

First aid kits for humans & animals must be available on the premises.

DISEASE CONTROL

All reasonable precautions must be taken to prevent and control the spread among animals of infectious disease. Adequate isolation facilities must be provided either on site or at an alternative site (e.g. local veterinary practices). Compatible with the

protection of animals from disinfectant poisoning, the routine disinfecting of a cage or kennel, at a change of occupant should be adequate to protect the new occupant from the diseases or parasites of its predecessor. A complete change and disinfecting of bedding, water and feeding utensils is required.

VETERINARY CARE

The Licencee must have access to a veterinary practice that can provide an emergency service if the need arises and an animal's normal vet is unavailable. If an animal were to die on the premises, arrangements should be made for the body to be stored at the vets until the owner returns.

EXERCISE

All animals should have access to free exercise on a daily basis.

FIRE PRECAUTIONS

All fire precautions and facilities must satisfy the requirements of the Local Fire Authority. Animals and equipment should not be placed in such a position as to render ingress and egress difficult in cases of fire. A responsible person shall at all times be on, or within reasonable distance from the premises for the purpose of giving warning or taking other necessary steps in the case of fire or other emergency. Written procedure should be displayed and in larger premises disseminated as appropriate. In the case of lockup premises the name and address of the responsible person must be displayed at the premises and notified to the Local Fire Authority.

REGISTER

A register must 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. The register is to be available for inspection at all times by an officer of the local authority, veterinary surgeon or veterinary practitioner authorised under section 2(1) of this Act.

GENERAL

In the case of commercial premises, but not in the case of private dwellings used for the purposes of home boarding, all electrical installations, heating and lighting etc., must be examined annually and certified that they comply with B.S.7671. If Emergency Lighting is fitted it must comply with B.S. 5266. **Please note that any Electrical contractor carrying out work in support of the application must be N.I.C.E.I.C approved. If in doubt regarding approved contractors please contact this office.**

STAFF

No person shall at any time be employed or assist in or about the premises who is for the time being disqualified from keeping an animal boarding establishment, pet shop, or from having the custody of any animal by the order of any Court.

Animals must be, so far as necessary, visited at suitable intervals of not less than 4 hours from 8am to 4pm. While animals are on the premises, the licensee shall ensure that a competent person is available to supervise the premises at all times.

Waterclosets and washing facilities with hot and cold water, soap, and clean towels and a nailbrush to be provided for staff.

PET ANIMALS ACT 1951 - Conditions of Licence

1. No animal (including birds and fishes, i.e. all vertebrates) shall be exposed to strong light or heat or be deprived of adequate warmth and animals (other than fish or reptiles) shall not be kept in cellars unless there is ventilation and light adequate for their health. Facilities to inspect premises must be granted at all reasonable times to a duly authorised official of the Licensing Authority.
2. No animals shall be displayed in a cage, hutch, box or other receptacle in any part of a street or public place, or in any position so as to expose it to interference or annoyance by persons or animals outside the shop premises.
3. Accommodation provided for animals shall be in all other respects suitable as respect size, temperature, lighting, ventilation and cleanliness.
4. All animals shall be fed suitably and watered at least once every twelve hours (except where an adequate supply of food and fresh water is constantly available) and all animals shall be visited at least once every twelve hours.
5. Shopkeepers stock shall not be crowded into the shop to such an extent that ingress and egress is difficult.
6. Stock (such as dog biscuits, seeds, etc.) kept outside the premises or elsewhere during business hours, must not be stored at night in gangways of the premises, so as to cause obstruction in the event of fire or other emergency.
7. No animal shall be displayed for sale outside the premises during inclement weather.
8. The Licensee shall ensure that a responsible person shall at all times be in or within a reasonable distance from the premises for the purpose of giving warning and taking other necessary steps in the event of fire or other emergency. In the case of lock-up premises, outside business hours the licensee shall appoint a responsible person residing within a reasonable distance of the premises to have custody of the key. The name and address of such a person shall be displayed in legible characters on the front door, or windows, of the premises, and be notified to the local Fire Service. A supply of water and sand and/or an efficient fire extinguisher must always be available on the premises.
9. No animal which is suffering from or could reasonably be suspected of having come into contact with any other animals suffering from any infectious disease shall be brought or kept on the premises unless it is effectually isolated from the other animals therein.
10. Day-old chicks shall on no account be handed to customers in paper-bags or other unsuitable containers.
11. No animal shall be sold unweaned or if weaned, at an age at which it should not have been weaned.
12. Where animals are kept in cages, hutches, boxes or other receptacles placed on top of other cages, hutches, boxes or other receptacles, effective means shall be provided for preventing water, food or other droppings falling on to or contaminating the animals or other surroundings which are underneath.
13. No pets shall be sold to any person known or believed to be under the age of 12 years.
14. Fire precautions and facilities at the premises to comply with the requirements of the Fire Authority.

15. All electrical installation, heating and lighting etc., must be examined annually and certified that they comply with B.S. 7671. If Emergency Lighting is fitted it must comply with B.S. 5266. **Please note that any Electrical contractor carrying out work in support of the application must be N.I.C.E.I.C or E.C.A. approved. If in doubt regarding approved contractors please contact this office.**
16. Additional conditions may be imposed in particular circumstances having regard to the requirements of the Corporate Director of Environment & Economy.

DANGEROUS WILD ANIMALS ACT 1976

Conditions of Licence

1. The animals concerned shall be kept in accommodation which secures that the animal 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 to be held in the accommodation.
2. The animals shall be supplied with adequate and suitable food, drink and bedding material and shall be visited at suitable intervals.
3. Appropriate steps shall be taken for the protection of the animal in case of fire or other emergency.
4. Reasonable precautions shall be taken at all times to prevent and control the spread of infectious diseases.
5. Accommodation shall be adequate for the animal to take proper exercise.
6. (a) Conditions that, while any animal concerned is being kept only under the authority of the licence –
 - (i) the animal shall be kept by not other person other than such person or persons as specified in the licence.
 - (ii) the animal shall normally be held at such premises specified in the licence.
 - (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.
 - (v) the terms of any such policy shall be satisfactory in the opinion of the authority.
- (b) Conditions restricting the species (whether one of 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 conditions specified in paragraphs 1, 2, 3, 4, 5.
7. Where applicable, all electrical installations, heating and lighting etc., must be examined annually and certified that they comply with M.E.B. requirements.
8. Any officer of the Local Authority or any person authorised on their behalf shall be given entry to premises at all reasonable times.

Appendix B



Freedom of Information Officer
Telford and Wrekin Council
Civic Offices
Telford
TF3 4WZ

Copy to: foi@telford.gov.uk

18th July 2008
Your Reference: HL/CLS/01FI000309
Our Reference: PC/FoI/58

Dear Sir/Madam,

**Freedom of Information Act 2000
Request for Information
Recognition of NAPIT Approved Electrical Contractors**

Your records will indicate that I made a Freedom of Information request to Telford & Wrekin Council in March 2007 to ascertain whether there were any restrictions placed on NAPIT members simply because they were member of NAPIT rather than similar electrical contractor organisations. I have enclosed a copy of correspondence similar to that set last year.

The Council kindly responded to my request for information in the form of two letters. I enclose a copy of these for your information. The correspondence did not indicate that any department was operating any measures so as to prohibit the use of NAPIT electrical contractors to undertake electrical work on behalf of the Council or in connection with any requirement of the various departments imposing conditions on any third-party (e.g. by licence conditions).

Unfortunately, I find it necessary to contact you again regarding this issue, following the approach by a NAPIT member with evidence that the Council is imposing such restrictions. The member concerned has advised he recently completed a *Periodic Inspection Report* for a licensed cattery following a request by the proprietor. The contractor has been informed that NAPIT is not accepted, as, he understands, only ECA or NICEIC members

NAPIT
4th Floor, Mill 3
Pleasley Vale Business Park
Mansfield, Nottinghamshire
NG19 8RL

t: 0870 444 1392
f: 0870 444 1427
e: info@napit.org.uk



Registered at: The Centenary Lodge, Pleasley Vale Business Park, Mansfield, Nottinghamshire, NG19 8RL - Company No. 02092209

www.napit.org.uk

are permitted to undertake work. I should be obliged to receive advice as to whether it is a requirement of the Council to restrict work to NICEIC members.

You will note that my original correspondence did not make specific reference to catteries, although I would have expected, in the spirit of its intention, to receive such information as it prejudices NAPIT member from accessing work being directly offered or required by the Council on any third-party. Please would you also advise whether the licensing section applies such a condition in relation to dog boarding establishments or any other Animal Welfare Act licensed premises too.

Having looked again at the response from the Council, I consider it prudent to ask for specific confirmation as to the position in relation to those areas of service not explicitly mentioned in the Council's replies. Please would you provide NAPIT with relevant details from your organisation's Constitution, Policies, Rules and/or Procedures (or other relevant document) which specifically guides/recommends or mandates your organisation to limit or exclude electrical work being undertaken under British Standard 7671 ('Requirements for Electrical Installations') by NAPIT members where other organisation's members (e.g. the ECA or NICEIC) are permitted or recognised. Please can you answer this request in relation to the following functions which were silent;

- As a Licensing Authority, under the Licensing Act 2003, in relation to certification required by converted/embedded conditions; or those agreed to (following a relevant representation) or imposed on licensees by the Licensing Committee
- Works on Council Houses/Housing Stock and related buildings. [You will note that the Council's letter of 20th March 2007 did advise this information would be forthcoming but it was never received]
- Health and Safety at Work Etc. Act 1974, in relation to the service of notice requiring such work or advice on potential electrical contracting companies/membership bodies

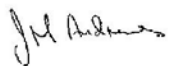
Where there are any such details in your Constitution, Policies, Rules and/or Procedures (or other relevant document) specifically guides/recommends or mandates your local authority to limit or exclude electrical work being undertaken under British Standard 7671 ('Requirements for Electrical Installations') by NAPIT members because they are not NICEIC or ECA members, please accept this letter a formal request for NAPIT members to be accepted by your Council and process my application(s) accordingly. Such an application is, therefore, being made in relation to your catteries requirements if the allegation is correct.

Please would you email richard.wheatcroft@napit.org.uk should you have any relevant queries.

I look forward to receiving the additional information and details of any application for approval triggered by any relevant answer you provide.

Thank you for your assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Andrews', written in a cursive style.

Mr John Andrews B.Sc. MIOD
Chief Executive

NAPIT Local Authority Fact Sheet

National Association of Professional Inspectors & Testers

National Association of Professional Inspectors and Testers

"Committed to electrical safety, dedicated to improving standards of electrical inspection & testing"

Introduction to NAPIT

NAPIT is a leading professional organization dedicated to raising and maintaining standards of inspection and testing of electrical installations throughout the commercial, domestic and industrial sectors. The company, a Not for Profit trade association founded in 1992 has a rapidly expanding membership of over 2000 NAPIT approved electricians and electrical engineers.

Located at the Pleasley Vale Business Park, near Mansfield, the NAPIT Centre incorporates membership and customer support teams, technical help staff, commercial and administration teams and state of the art training facilities.

ODPM approved

In 2004 NAPIT became approved by the Office of the Deputy Prime Minister to manage two competent person self-certification schemes, one for Full Scope (electricians) and one for Defined Scope electrical installers, in relation to the Part P amendments to the building regulations. NAPIT's expertise is highly regarded within the industry and also provides technical assessment services for associated trade bodies including CORGI Services Limited and OFTEC.

Our drive for improved safety

NAPIT is committed to improving safety and reducing the risk of electrical shock and fire associated with electrical installations.

- Faulty electrical work in the home is directly linked to over 10 deaths a year.
- Thousands of injuries which result from faulty electrical installations.
- Every year, faulty electrical work is recognized as a major cause of over 12,000 fires in domestic properties.

NAPIT firmly believes that many of the injuries and deaths that occur each year, as a result of poorly designed and installed electrical circuits are unnecessary and could be avoided through the correct inspection and testing of electrical installations by suitably qualified and experienced competent persons.

High standards

NAPIT has one of the most rigorous membership entry and assessment requirements within the sector. NAPIT's standards and procedures are designed to ensure that NAPIT approved electricians are competent in aspects of design, inspection and testing. All NAPIT members are required to hold current 2381 and 2391 qualifications, or must attain these qualifications within a set time period. NAPIT actively encourages members to achieve ISO17024 (International Standard of Competence in Inspection and Testing all Electrical Systems). Uniquely, NAPIT insist that all members undertake additional training to renew their qualifications within set time periods, **ensuring their knowledge and skills are up to date.**

Protection for consumers

NAPIT is a Not for Profit trade association. Our demanding standards assure that work undertaken by NAPIT members is completed to the highest standards of safety and to the requirements of BS7671:2001. Notifiable work carried out by NAPIT members is automatically covered by a six year insurance backed warranty for the home owner. Additionally, all members are required to hold £2,000,000 public liability insurance. In the event of a complaint or dispute, NAPIT has in place a straightforward complaints procedure, which provides consumers a clear unbiased route of redress.

Working with councils

NAPIT runs free Part P seminars for Local Authorities throughout the UK and provides tailored training courses designed specifically for council staff. Most recently NAPIT delivered a number of two-day training sessions for Building Control teams, providing an appreciation of the inspection, testing and installation requirements of Part P of the building regulations. To meet local demands for Part P inspection and testing services, some Council's are setting up in-house commercial testing divisions. As part of the NAPIT support service for Councils, NAPIT offers advice, guidance and training on all aspects of setting up commercial inspection and testing facilities.

Further Information

If you would like to learn more about NAPIT competent person schemes, training or any other aspects of our organization please contact our friendly customer service team, telephone: **0870 4441392** or visit **www.napit.org.uk**



NAPIT, Suite L4C, Mill 3, Pleasley Vale Business Park, Mansfield, Nottinghamshire NG19 8RL
Tel. 0870 4441392 Fax. 0870 4441427 Email. info@napit.org.uk www.napit.org.uk

01F1000309

Carl Longland
Head of Mobility & Development

Environment & Regeneration
Darby House, P.O. Box 212, Lawn Central,
Telford TF3 4LB
DX: 712121 Telford 5
e-mail: env.economy@telford.gov.uk

John Andrews
Chief Executive
NAPIT
Mill 3, RoomL4C
Pleasley Vale Business Park
Mansfield
Nottinghamshire
NG19 8RL

Contact Name: Mr N Brookes
Your Ref:

Telephone: (0)1952 381886
Our Ref: HR/CLS/01F1000309

Fax:
Date: 2nd April 2007

Dear John

FREEDOM OF INFORMATION ACT 2000 – INFORMATION REQUEST

Following your request for information, I am pleased to enclose the final information that you required.

In relation to the regulatory reform order which covers grants and the various legislation which gives the authority powers to serve statutory notice that we recognise NAPIT trade association members as competent persons to undertake work specified to be carried out on third party owned properties.

If you have any queries or concerns, then please contact Neil Brookes- Business Manager for Housing Quality and Renewal, Adult Social Care, Darby House, PO Box 212, Lawn Central, Telford, TF3 4LB or Julie Rose, Principal Information Standards Advisor, Community Governance, Borough of Telford & Wrekin, Civic Offices, PO Box 59, Telford TF3 4WZ.

Yours sincerely

CAROLE SIMPSON
SENIOR SUPPORT SERVICES OFFICER

Meredith Evans, Corporate Director: Environment & Regeneration



01F1000309

Carl Longland
Head of Mobility & Development

Environment & Regeneration
Darby House, P.O. Box 212, Lawn Central,
Telford TF3 4LB
DX: 712121 Telford 5
e-mail: env.economy@telford.gov.uk

John Andrews
Chief Executive
NAPIT
Mill 3, RoomL4C
Pleasley Vale Business Park
Mansfield
Nottinghamshire
NG19 8RL

Contact Name: Mr N Brookes
Your Ref:

Telephone: (0)1952 381886
Our Ref: HR/CLS/01F1000309

Fax:
Date: 2nd April 2007

Dear John

FREEDOM OF INFORMATION ACT 2000 – INFORMATION REQUEST

Following your request for information, I am pleased to enclose the final information that you required.

In relation to the regulatory reform order which covers grants and the various legislation which gives the authority powers to serve statutory notice that we recognise NAPIT trade association members as competent persons to undertake work specified to be carried out on third party owned properties.

If you have any queries or concerns, then please contact Neil Brookes- Business Manager for Housing Quality and Renewal, Adult Social Care, Darby House, PO Box 212, Lawn Central, Telford, TF3 4LB or Julie Rose, Principal Information Standards Advisor, Community Governance, Borough of Telford & Wrekin, Civic Offices, PO Box 59, Telford TF3 4WZ.

Yours sincerely

CAROLE SIMPSON
SENIOR SUPPORT SERVICES OFFICER

Meredith Evans, Corporate Director: Environment & Regeneration



TELFORD AND WREKIN COUNCIL

LICENSING COMMITTEE – 2nd DECEMBER 2008

DUAL DRIVER CONDITIONS OF LICENCE

REPORT OF THE REGULATION AND RESILIENCE MANAGER

1. PURPOSE

- 1.1 To inform the Licensing Committee in respect of a review of Telford & Wrekin Council's Dual Driver Conditions of Licence

2. RECOMMENDATIONS

That the content of this Report be noted for information purposes.

3. SUMMARY

- 3.1 A comprehensive review of Telford & Wrekin Council's conditions of licence for Private Hire and Hackney Carriages has been undertaken, arising from the Taxi Action Plan.
- 3.3 The Council intends to amend its Dual Licence Conditions in line with the recent amendments to Private Hire and Hackney Carriage Conditions of Licence.

4. PREVIOUS MINUTES

- 4.1 There are no previous minutes.

5. INFORMATION

5.1 Background

- 5.1.1 In addition to Private Hire and Hackney Carriage Driver Badges, the Council also issues Dual Driver Badges. A Driver who is issued with a Dual Driver Badge may drive either a Hackney Carriage or a Private Hire Vehicle licenced in the Borough.
- 5.1.2 The Council's Dual Driver Licence conditions did not form part of the Council's recent comprehensive review of licence conditions.

5.1.3 The Licensing Service will conduct a six week Consultation Process after which the matter will be brought before Members of the Licensing Committee to consider.

5.2 Equal Opportunities

5.2.1 Not applicable for the purposes of this Report.

5.3 Environmental Impact

5.3.1 Not applicable for the purposes of this Report.

5.4 Legal Comment

5.4.1 A Dual Driver Licence allows the licensee to drive both hackney carriages and private hire vehicles.

5.4.2 The Council has the authority to attach such conditions as they may consider reasonably necessary to Private Hire Drivers' Licences by virtue of s.51(2) of the Local Government (Miscellaneous Provisions) Act 1976.

5.4.3 In attaching conditions the Licensing Authority will need to consider the consultation documents and the responses.

5.4.4 In attaching the conditions the Licensing Authority will need to consider each condition on its merits and will need to be satisfied that the condition is necessary in order to assist in the provision of a safe and accessible service with the overriding consideration being public safety.

5.4.5 Following the principles set out in Associated Provincial Picture Houses v Wednesbury Corporation (1948) any conditions attached to a licence should not be so unreasonable that no reasonable authority could have made it.

5.4.6 Any person aggrieved by any condition attached to such a licence may appeal to the Magistrates' Court.

5.5 Links with Corporate Priorities

5.5.1 This report has links to a community that feels 'safe and protected'.

5.6 Opportunities and Risks

5.6.1 Not applicable for the purposes of this Report

5.7 Financial Implications

5.7.1 Not applicable for the purposes of this Report.

6. WARD IMPLICATIONS

6.1.1 This report has Borough wide implications.

7. BACKGROUND PAPERS

7.1.1 Local Government (Miscellaneous Provisions) Act 1976.

7.1.2 Town Police Clauses Act 1847

Report prepared by, Suzanne Fisher, Licensing Operations Manager, Telford & Wrekin Licensing Service - For further information please telephone 01952-383261 or email licensing@telford.gov.uk.