

Report to Licensing Committee

Date of meeting: 15th December 2016

By the Environmental Health and Licensing Manager

DECISION REQUIRED



**Horsham
District
Council**

Not Exempt

Animal Boarding Establishments Act 1963 – Licensing of Dog Day Boarding Establishments

Executive Summary

Currently Horsham District Council licenses the boarding of dogs at commercial kennels and private households where they are boarded as part of a business. Over recent years the concept of day boarding dogs, dog crèches, as a business, has also emerged. The main differences being that the dogs are not boarded overnight and they are allowed to mingle in a communal area rather than individual kennels. To date Horsham District Council has not licensed any dog day boarding establishments and the model licence conditions we have adopted for traditional commercial kennels and home borders are not appropriate for day boarding. In order to licence these premises new conditions have been drafted to address the issues associated with the commercial day boarding of dogs.

Recommendations

That the Committee is recommended:

- i) To endorse the licensing of commercial dog day boarding establishments.
- ii) To approve the new licence conditions for the commercial day boarding of dogs set out at Appendix 1 to this report.

Reasons for Recommendations

- i) The setting of conditions for licences is the responsibility of the Licensing Committee, and
- ii) To protect the welfare of dogs whilst at commercial dog day boarding establishments

Background Papers

Wards affected: All

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Background Information

1 Introduction and Background

- 1.1 The Animal Boarding Establishments Act 1963 requires any person who keeps a boarding establishment for cats and/or dogs to be licensed by the Local Authority to ensure the health, welfare and safety of the animals during their stay.
- 1.3 Currently Horsham District Council licenses the boarding of dogs at commercial kennels and private households where they are boarded as part of a business. To date Horsham District Council has not licensed any dog day boarding establishments and the model licence conditions we have adopted for traditional commercial kennels and home borders are not appropriate for day boarding.

2 Relevant Council policy

- 2.1 Where the Council issues a licence under the Animals Boarding Establishments Act 1963, conditions will be attached to the licence to ensure the health, welfare and safety of the animals during their stay. The Council has the power to adopt its own conditions.

3 Details

- 3.1 Under the Animal Boarding Establishments Act 1963, Local authorities have a duty to licence businesses boarding dogs to ensure the health, welfare and safety of the animals during their stay. Currently Horsham District Council licenses the boarding of dogs at commercial kennels and private households where they are boarded as part of a business. All licences when issued will have a list of conditions attached and Horsham District Council's licence conditions following the Model Conditions published by the Chartered Institute for Environmental Health and LACORS
- 3.2 Over recent years the concept of day boarding dogs, dog crèches, as a business, has also emerged. The main differences being that the dogs are not boarded overnight and they are allowed to mingle in a communal area rather than individual kennels. To date Horsham District Council has not licensed any dog day boarding establishments and the model licence conditions we have adopted for traditional commercial kennels and home borders are not appropriate for day boarding.
- 3.3 Dog day boarding would appear to be growing in popularity and such establishments are likely to operating within the Horsham District. These businesses would be required to be licensed under the Animal Boarding Establishments Act 1963
- 3.4 The current licence conditions attached to licences for commercial boarding kennels and home boarding would not be appropriate for day boarding and therefore a new set of conditions will need to be adopted to establish a standard against which they can be licensed.
- 3.5 Applying more appropriate licence conditions to dog day care establishments would ensure the health, welfare and safety of the animals boarded in these

establishments. Proposed new conditions for the commercial day boarding of dogs as set out at Appendix 1 to this report have been adapted from the Council's existing conditions and taking into account the conditions used by other local authorities.

- 3.6 Dog day boarding establishments would be inspected and licensed in the same way as other animal boarding establishments and therefore subject to the same licensing fee.

4 Next Steps

- 4.1 The Committee is recommended to endorse the licensing of commercial dog day boarding establishments and approve the licence conditions (set out at Appendix 1 to this report) to take immediate effect.

5 Outcome of Consultations

- 5.1 The Monitoring Officer confirms that Dog day boarding would be required to be licensed under the Animal Boarding Establishments Act 1963. He advises that the Council has discretion to make licence conditions and the function is delegated to the Licensing Committee.

6 Other Courses of Action Considered but Rejected

- 6.1 None

7 Resource Consequences

- 7.1 There are no financial consequences arising from this report as the licence fees are set to recover the Council's costs in issuing licences.

8 Legal Consequences

- 8.1 The Animal Boarding Establishments Act 1963 requires any person who keeps a boarding establishment for cats and/or dogs to be licensed by the Local Authority. Business's providing day boarding for dogs would be required to be licensed and Horsham District Council are responsible to ensure that they are licensed and comply with any conditions the Council attaches to the licence.

9 Risk Assessment

- 9.1 There are no risks associated with this proposal. Should the new licence conditions be approved they will assist in ensuring the health, welfare and safety of the animals during their stay at dog day boarding establishments.

- 9.2 Should the council receive an application for a licence from a dog day boarding establishment it would need to determine the licence. This report is to ensure conditions are in place should applications be made.

10 Other Considerations

- 10.1 There are no potential equalities implications of this report and its recommendations. Adoption of the proposed conditions will increase standardisation in the trade within the District. The conditions will also inform all prospective applicants of the requirements for this type of business.