



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Environment Overview & Scrutiny Committee

3rd October 2023 ENV861

Report of Councillor Phillip Knowles,
Cabinet Member for Corporate
Governance and Licensing

New Animal Welfare Licensing Policy

Report Author

Heather Green, Licensing Team Leader

 Heather.green@southkesteven.gov.uk

Purpose of Report

This report proposes the introduction of a new Animal Welfare Licensing Policy and a 4-week consultation period with the public, existing animal welfare licence holders and partner agencies.

Recommendations

That Committee considers the draft South Kesteven District Council Animal Welfare Policy and agrees it, with or without amendments as the basis for a four week public consultation.

Decision Information

Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Healthy and strong communities High performing Council
Which wards are impacted?	All wards

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

1.1 There are no direct financial implications associated with the recommendations within this report.

Alison Hall Wright, Assistant Director of Finance and Deputy S151 Officer

Legal and Governance

1.2 Whilst each individual licensing application or enforcement decision will be judged on its own merits, a Policy ensures a transparent and consistent approach to licensing that will reduce the opportunity for challenge through the Courts. Any departure from the Policy should be based on material evidence and documented giving clear and compelling reasons.

Graham Watts, Assistant Director of Governance and Monitoring Officer

Diversity and Inclusion

1.3 An initial equality impact assessment has been undertaken and is at Appendix 2. It has not identified any significant negative impacts.

Community Safety

1.4 The draft Policy puts into place conditions and standards for all businesses seeking a licence under the Animal Welfare Regulation 2018, to ensure the safety and welfare of animals, those using the facility and the wider community.

2. Background to the Report

- 2.1 This policy covers the licensable activity of Animal Welfare. It sets out the principles the Council will use when dealing with animal related licensing matters. The purpose of animal licensing is to protect animals and ensure their health and wellbeing, those using the licensed facility as well as providing protection for the public within the terms of the relevant Acts and legislative Guidance. To date, the Council has issued animal welfare licences in accordance with the Regulations but has not had a policy providing a framework to support this.
- 2.2 There is no statutory requirement for a local authority to adopt an Animal Welfare Policy. However, the adoption of an Animal Welfare Policy (“the draft new policy”) will give clarity to the public, partner agencies and applicants. It also provides a framework for Officers and Members to enable consistent decision making and transparency.
- 2.3 There is a government proposal to require that primates are kept at zoo-level standards. Whilst within the current Animal Welfare legislation it is an offence to keep primates and not provide for their welfare needs or to cause them unnecessary suffering, if the legislation is enacted the keeping primates as pets would be banned. The draft policy in 4.4 supports this proposal by including that licences for keeping primates as pets in domestic premises will not be supported.
- 2.4 As of July 2023, we had 74 licensed animal premises/activities. A register of these premises is published on our website - www.southkesteven.gov.uk - Lists and Registers.
- 2.4 The draft new policy is provided in Appendix 1.

3. Key Considerations

- 3.1 Whether the Environment Overview and Scrutiny Committee endorses the implementation of the new policy as drafted or with amendments.
- 3.2 The timescales for issuing, granting or renewing a licence (8.2, 8.3 and 18.1) are all stated in the Animal Activity Licensing Process: Statutory Guidance for local authorities.

4. Other Options Considered

- 4.1 The committee may decide that there is no need to implement a new Policy and the existing arrangements should stay in force. Outline any other options considered.

5. Reasons for the Recommendations

- 5.1 The draft new Policy supports the Authority in fulfilling its statutory duties associated with Animal Welfare licensing.

6. Consultation

- 6.1 There is no legal duty placed upon the Council to consult on the implementation of this Policy. However, it is good practice to consult with the public, licence holders and partner agencies. It is therefore recommended that a 4-week consultation is undertaken starting on 23 October 2023.

7. Background Papers

- 7.1 [Current Animal Welfare Guidance on our website](#)

- 7.2 [Government proposals to ban the keeping primates as pets](#)

8. Appendices

- 8.1 Appendix 1 – Draft new Animal Welfare Policy

- 8.2 Appendix 2 – Equality Impact Assessment