



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**



Environment Overview and Scrutiny Committee

13 February 2024

ENV874

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

Animal Licensing Policy review and consultation outcome

Report Author

Heather Green, Licensing Manager



Heather.green@southkesteven.gov.uk

Purpose of Report

This report proposes a new Animal Licensing Policy for approval by this Committee, following the 4-week consultation with the public, local businesses, partner agencies and other organisations.

Recommendations

That the Committee considers the draft South Kesteven District Council Animal Welfare Policy and recommends its approval by Cabinet, with or without amendment following the 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Does the report contain any exempt or confidential information not for publication?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

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, safeguarding, 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

- 1.1 There are no direct financial implications associated with the recommendations in this report. The costs associated with delivering the Licensing service are recovered through licensing fees which are reviewed annually by the Council.

Completed by: Alison Hall-Wright, Deputy Director (Finance & ICT) 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.

Completed by: Mandy Braithwaite, Legal Executive

Diversity and Inclusion

- 1.3 An initial equality impact assessment has been undertaken and is at Appendix 4. This has been reviewed (January 2024) following the consultation and it has not identified any significant negative impacts.

Completed by:

Community Safety

- 1.5 The draft Policy outlines conditions and standards for all businesses and relevant individuals seeking a licence under the Animal Welfare legislation outlined in the Policy. Along with the Authority's wider legislative requirements and integration with other guidance, strategies and policies

Completed by:

2. Background to the Report

- 2.1 The policy covers the licensable activity of Animal Welfare. It sets out the principles the Council will use when dealing with animal related licensing matters. Currently, the Council issues animal welfare licences in accordance with the Regulations but does not have 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.
- 2.3 The purpose of animal licensing is to protect animals and ensure their health and wellbeing. As well as providing protection for the public and those using the licensed facility, within the terms of the relevant Acts and legislative Guidance. A policy provides a framework for Officers and Members to enable consistent decision making and transparency.
- 2.4 As of September 2023, we had 78 licensed animal premises/activities. A register of these premises is published on our website - www.southkesteven.gov.uk - Lists and Registers.
- 2.5 The draft new policy is provided at Appendix 1. There are no proposed amendments following the consultation.

3. Key Considerations

- 3.1 Environment Overview and Scrutiny Committee endorsed the policy for public consultation on 3 October 2023.
- 3.1 The Licensing Committee reviewed the new draft policy on 17 November 2023, no amendments were recommended.
- 3.2 The consultation report is attached in Appendix 2. There are no further updates to the draft new policy proposed.

- 3.3 Attached in Appendix 3 are all the comments submitted as part of the Consultation and responses to the comments.

4. Other Options Considered

- 4.1 The committee could recommend that an Animal Welfare policy is not necessary.
- 4.2 Committee may propose updates to the draft policy, following the consultation. Any amendments cannot conflict with or exceed (make a licensing regime harsher) than the governing legislation or statutory guidance.

5. Reasons for the Recommendations

- 5.1 A new animal welfare policy would support the Authority in fulfilling its statutory duties associated with Animal Welfare Licensing, providing guidance to the public and for both Officers and Members when decision making.

6. Consultation

- 6.1 Whilst there is no legal duty placed upon the Council to consult on the implementation of this Policy, it is good practice.
- 6.2 Attached in Appendix 2 and 3 is the consultation report and feedback that has been received and responses. Those who requested a response to their feedback, this has been provided.

7. Background Papers

- 7.1 [Environment Overview and Scrutiny Committee Report and minutes - Tuesday, 3rd October, 2023, 10.00 am | South Kesteven District Council](#)
- 7.2 [Current Animal welfare licensing information on website](#)

8. Appendices

- 8.1 Appendix 1 – Draft new Animal Welfare Policy
- 8.2 Appendix 2 – Consultation Report
- 8.3 Appendix 3 – Consultation Feedback and Responses
- 8.4 Appendix 4 – Equality Impact Assessment (Reviewed Jan 2024)

