

Report page	Policy page	Clause	Text	Issue	Comment / Suggested text
Agenda item 8					
29		Title	This item is titled <b>Animal Welfare Policy</b>	Naming of the policy is inconsistent	
29			Then says “This report provides an updated draft of the new <b>Animal Licensing Policy</b> ...”		
29		1	Provides a recommendation to Cabinet for approval of the updated South Kesteven District Council <b>Animal Welfare Policy</b>		
31		2.2	... adopt an <b>Animal Welfare Policy</b>		
32		4.1	That an <b>Animal Welfare Policy</b> is not necessary		
33		6.1	A new <b>Animal Welfare Policy</b>		
33		9.1	Appendix 1 – <b>Animal Welfare Policy</b>		
35		Title	<b>Animal Licensing Policy 2024</b>	There should be some consistency in the naming of this policy.	I would suggest that the title “animal licensing policy” is misleading because no animals are licensed! The licensing is of persons, and the concern is animal welfare. So perhaps “Animal Welfare Licensing Policy” is a better title. Alternatively, the title chosen by other local authorities is “Animal Welfare Policy”. Whatever title is chosen, it should be used consistently throughout the report and the actual policy document itself.
30		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.	Use of word Courts when it is Tribunal which is appeal location	Legal challenge is initially through the First Tier Tribunal (General Regulatory Chamber) OR the High Court for a Judicial Review. So the first sentence should reference “First Tier Tribunal or the Courts”.

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37	2		Corporate Objectives		Where can these be found
37	2		Enforcement Policy		Where can this policy be found
38	3	1.4	... as well as providing protection for the public and users of those licenced within the terms of the relevant Acts and legislative Guidance.		Need to identify where in the relevant Acts (which are these) and guidance this purpose of the legislation is set out.
39	4	1.6		No reference to legal advice	Suggets that legal advice from LCC is declared here
39	4	1.9	Section 17 of the Crime and Disorder Act 1998 – which imposes a duty on every Local Authority to do all that it reasonably can to prevent crime and disorder in its decision-making process. The duty now extends to anti-social behaviour, substance misuse and behaviour adversely affecting the environment.	Mistates the import of this section of the Act	This issue dealt with in separate document
39	4	1.9	The Provision of Services Regulations 2009 to ensure requirements are: i. Non- discriminatory. ii. Justified by an overriding reason relating to the public interest. iii. Proportionate to that public interest objective. iv. Clear and unambiguous. v. Objective. vi. Made public in advance, and vii. Transparent and accessible.	Policy does not meet many of these requirements of the PSR	Policy is a) clearly discriminatory, b) not clear and unambiguous, c) not transparent. It does not clearly state that one of the effects of the policy is to exclude from licensable activity any person with any form of criminal history or suspension thereof (for the listed categories of offence).
40	5	1.9	Disability and age discrimination legislation. South Kesteven District Council is committed to the implementation and application of this policy in such a manner as to ensure that no applicant or other person is treated less favourably on grounds of sex, marital status, race, nationality, ethnicity, national origin, colour, disability or age; nor is disadvantaged by the application of a rule, condition or requirement which has a discriminatory effect, which cannot be justified either in street trade licence terms or as a requirement of law.	Policy is indirectly discriminatory on the grounds of sex	Because the majority of the persons who have the criminal connections targeted by the policy are male. This policy has a disproportionate effect on the male population when compared with the female population. It is therefore potentially indirect sex discrimination.

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40	5	2.3	In reaching a decision of whether to grant an animal licence, the Licensing Authority will take account of any non-compliance with other statutory requirements brought to its attention. Non-compliance with statutory requirements may demonstrate that the proposed activity or that the management of such is not appropriate to protect either the animal(s) welfare or the public from harm or nuisance.	Having regard to matters which the local authority should not have regard to when making its licensing decision. Protecting the public from harm or nuisance is not a purpose of the Animal Welfare legislation.	This appears to be Wednesbury unreasonable
40	5	3.1	The safeguarding of any children or vulnerable persons in contact with a licensable activity is ensured, in accordance with relevant legislation.	The relevant legislation needs to be identified	Refusing a licence because of safeguarding concerns (based on characteristics of the applicant) is unlikely to be a reasonable decision of the local authority
41	6	3.2	Ensuring the welfare of domestic or captive animals by implement appropriate standards that promote the "five needs".	Ensuring the welfare of domestic or captive animals by implementing appropriate standards that promote the "five needs".	Use verb
42	7	4.3	This legislation requires that a licence to keep certain animals considered wild, dangerous or exotic. A full list of the animals is outlined in The Dangerous Wild Animals Act 1976 (Modification) (No.2) Order 2007 (legislation.gov.uk).	This legislation requires a licence to keep certain animals considered wild, dangerous or exotic. A full list of the animals is outlined in The Dangerous Wild Animals Act 1976 (Modification) (No.2) Order 2007 (legislation.gov.uk).	"that a licence ... is held" or "a licence". "that a licence" is not correct
42	7	4.4	The Licensing Authority does not support the licensing of primates under the Dangerous Wild Animal Act 1976 as 'pets' living in domestic premises.	What is the legal basis for "not supporting"?	There appears to be nothing in the current or prospective legislation which would ban a person from obtaining a licence providing that the premises met the criteria in the act or regulations
42	7	4.5	The position in 4.4 supports The Animal Welfare (Primate Licences) England Regulations 2023, which will come into effect on 6 April 2026.	Legislation wrongly quoted	Correct title is: The Animal Welfare (Primate Licences) (England) Regulations 2024
40	5	5.2	Details on how to apply for a licence can be found on the Council's website but must be made in writing on the relevant application form.	Reference elsewhere to Licensing Authority	In this context reference to Council website is correct

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43	8	5.3(a)	Applicant's Experience: Confidence in the ability to handle and control an animal and a clear demonstrated knowledge of its welfare needs are a paramount consideration and form part of the conditions in law.	Adverb rather than adjective	Applicant's Experience: Confidence in the ability to handle and control an animal and a clearly demonstrated knowledge of its welfare needs are a paramount consideration and form part of the conditions in law.
43	8	5.5	Legislation does not define the term "fit and proper person" and this policy does not attempt to provide such a definition. The Licensing Authority may consider any issue it deems relevant when making its determination.	The licensing authority can only take into account those matters which the law deems to be relevant matters when making its decision. There needs to be clarity for applicants as to what are and what are not relevant matters	The term fit and proper and its usage in the legislation is discussed in a separate document. There is a requirement for the policy to be clear and unambiguous. "any issues it deems relevant" is a phrase which could encompass almost anything. The Licensing Authority needs to spell out what matters it does consider relevant and what matters are not relevant
43	8	5.5		Guidance	The relevant passage from the guidance could usefully be inserted here after clause 5.5
43	8	5.6	As the term fit and proper is not defined in legislation, the Licensing Authority will consider a "fit and proper person" to be an individual who can demonstrate upon application that they have: <ul style="list-style-type: none"> <li>• The right to work in the UK;</li> <li>• No relevant convictions</li> <li>• Not been disqualified from holding a licence (by means outlined in the policy);</li> <li>• The knowledge, experience, compliance history and ability to comply with licence conditions and safeguard the welfare of animals in their care.</li> <li>• Made suitable management and training arrangements to safeguard and protect any staff and/or members of the public who may be affected by the licensed activity.</li> </ul>	Fit and proper person test	This issue is discussed in a separate document. This statement confuses several issues and a) does provide a definition of "fit and proper" (despite what 5.5 says) b) attaches to the fit and proper test conditions which the legislation does not mention in connection with the part of the legislation which uses the term fit and proper.
44	9	5.6	This list does not limit the scope of the fit and proper assessment and the Council may take into account others, should they be relevant to the licensing process.	Fit and proper person test	As above  Also drafting - what are the "others" that the Council may take into account. Should Council be licensing authority?
44	9	6.1	Safeguarding is everyone's responsibility, and this Licensing Authority works to promote peoples welfare and protection them from harm.	Verb instead of noun	Safeguarding is everyone's responsibility, and this Licensing Authority works to promote peoples welfare and protect them from harm.

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44	9	6.1	Councillors and everyone working for South Kesteven District Council has a role to play in identifying safeguarding concerns and taking prompt action issues are identified, via the relevant reporting mechanisms.	Plural not singular. Missing word "when"	Councillors and everyone working for South Kesteven District Council have a role to play in identifying safeguarding concerns and taking prompt action when issues are identified, via the relevant reporting mechanisms.
44	9	6.2	However, there are other safeguarding considerations arising from licensable activities, in particular around the protection of children and vulnerable persons and the Licensing Authority must consider these in light of the Children Act 2004 and the Care Act 2014	Whether relevant to animal welfare licensing decision	This issue of relevance is discussed in a separate document.
44	9	6.3	The Licensing Authority is aware that some licensable activities may involve unsupervised contact with children and/or vulnerable persons (e.g. the tuition of a young person provided at a Riding Establishment or entertaining at a children's party with an exhibition of animals).	Need to clarify what relevance this has to the granting of an animal welfare license.	Tuition is an activity for which DBS checks are required. Entertaining children is not an activity specified in the DBS legislation.
44	9	6.4	The Licensing Authority expects applicants and licence holders whose activities involve contact with children or vulnerable persons to: <ul style="list-style-type: none"> <li>•Have a written safeguarding policy and provide training for staff; and</li> <li>•Have a procedure for vetting staff who have unsupervised contact with young/vulnerable persons.</li> </ul>	Whether proportionate to require this where contact is supervised by a person (ie teacher) who has the relevant DBS checks	Legislation provides protection for children and requires DBS checks where contact is unsupervised. Need to check whether there is a similar requirement for contact with vulnerable adults and what the definition of vulnerable adults is.
44	9	6.1 (sic!)	In all cases, the Licensing Authority will consider the convictions or behaviour in question and what weight should be attached to it in relation to the applicant's suitability to hold the licence applied for. Every case will be determined on its own merits but in light of these guidelines.	Fit and proper person test	This is discussed in a separate document.  Note that this clause needs to be renumbered from 6.1 to 7.1

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44	9	7.2	The Licensing Authority will not normally grant a licence to a person with one (or more) convictions for any offence that is related to animal cruelty or suffering. The primary purpose of the Regulations enforced by the Licensing Authority is to ensure the welfare of animals and as such, these types of offences are highly relevant.	Fettering discretion. Not normally grant vs every case on its merits.	<p>This presumption by the licensing authority is dealt with in a separate document.</p> <p>The effect is that the policy is discriminatory as it affects persons with convictions detrimentally when compared with persons without convictions.</p>
44	9	7.2	The Licensing Authority will not normally grant a licence to a person with one (or more) convictions for any offence that is related to animal cruelty or suffering. The primary purpose of the Regulations enforced by the Licensing Authority is to ensure the welfare of animals and as such, these types of offences are highly relevant.	Spent convictions should be disregarded (see 7.7) BUT NEED TO CHECK WHETHER ANY LEGISLATION OVERRIDES the Rehabilitation of Offenders Act	The Licensing Authority will not normally grant a licence to a person with one (or more) unspent convictions for any offence that is related to animal cruelty or suffering. The primary purpose of the Regulations enforced by the Licensing Authority is to ensure the welfare of animals and as such, these types of offences are highly relevant.
44	9	7.3	<p>In addition, the Licensing Authority has wider obligations to prevent crime and disorder and safeguard both children and vulnerable adults. As a result, the Licensing Authority will not normally grant a licence to a person with one (or more) convictions for any of the following offences:</p> <ul style="list-style-type: none"> <li>•Offences involving violence.</li> <li>•Possession of a weapon.</li> <li>•Sex and indecency offences.</li> <li>•Offences involving dishonesty.</li> <li>•Offences involving drugs.</li> </ul>	How refusing a licence will prevent crime and disorder. How licensing authority know that person with convictions will be a threat to children and vulnerable adults.	This issue is dealt with in a separate document.
44	9	7.3	<p>In addition, the Licensing Authority has wider obligations to prevent crime and disorder and safeguard both children and vulnerable adults. As a result, the Licensing Authority will not normally grant a licence to a person with one (or more) convictions for any of the following offences:</p> <ul style="list-style-type: none"> <li>•Offences involving violence.</li> <li>•Possession of a weapon.</li> <li>•Sex and indecency offences.</li> <li>•Offences involving dishonesty.</li> <li>•Offences involving drugs.</li> </ul>	Spent convictions should be disregarded	<p>In addition, the Licensing Authority has wider obligations to prevent crime and disorder and safeguard both children and vulnerable adults. As a result, the Licensing Authority will not normally grant a licence to a person with one (or more) unspent convictions for any of the following offences:</p> <ul style="list-style-type: none"> <li>•Offences involving violence.</li> <li>•Possession of a weapon.</li> <li>•Sex and indecency offences.</li> <li>•Offences involving dishonesty.</li> <li>•Offences involving drugs.</li> </ul>

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45	10	7.4	Any offences or behaviour not expressly covered by this Policy may still be considered by virtue of any other Guidance, Policies and Strategies outlined in Section 2 above.	Clear and unambiguous	<p>See clause 1.9 for requirements of the PSR</p> <p>How is an applicant to know what matters the licensing authority will take in to account and which the licensing authority will not have regard to when making their decision to grant a licence</p>
45	10	7.5	<p>The Licensing Authority must ensure that licence holders remain suitable to retain their licence, therefore licence holders must notify the Licensing Authority in writing within 5 working days if any of the following occurs (in relation to the types of offences outlined above):</p> <ul style="list-style-type: none"> <li>•They have any type of licence suspended or revoked;</li> <li>•Are arrested (whether or not charged with an offence);</li> <li>•Are charged with a criminal offence;</li> <li>•Are convicted of a criminal offence'</li> <li>•Receive any caution or warning;</li> <li>•Allegations are made of involvement in criminal activity; or</li> <li>•Any pending charges, to include any notices of intended prosecution.</li> </ul>	No legal basis for requiring this information	<p>This issue is dealt with in a separate document.</p> <p>The licensing authority need to make it clear the legal basis on which they would suspend or revoke a licence based on any of these matters being reported to them. The basis for revocation of a licence is set out in regulation 15. None of these matters are grounds for revocation of a licence.</p>
45	10	7.6	Failing to provide such notification will raise serious questions for the Licensing Authority as to the honesty of the licence holder and may result in a review of the suitability of the licence holder to continue to hold a licence.	No legal basis for this threat	What are the legal grounds for revoking a licence based on this failure
45	10	7.7	Animal Welfare licence holders are not identified as an exempt profession under the Rehabilitation of Offenders Act 1974, and, therefore, the provisions of that Act relating to convictions becoming spent after a certain amount of time will apply in full.	Misspelling of "under"	Animal Welfare licence holders are not identified as an exempt profession under the Rehabilitation of Offenders Act 1974, and, therefore, the provisions of that Act relating to convictions becoming spent after a certain amount of time will apply in full.

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45	10	8.1	The guidance produced by DEFRA for licences issued stipulates that once a Licensing Authority receives an application for the grant or renewal of a licence it must do all of the following before granting or renewing a licence: •The individual sends an animal activity licence application, supporting documents and Part A fee to the Licensing Authority. •The Licensing Authority appoints an appropriately qualified Licensing Authority Inspector and/or vet. •The Inspector and/or vet visits the animal activity site and produces a report. [etc]	The first bullet point is an activity that the applicant must do NOT the licensing authority	The guidance produced by DEFRA for licences issued stipulates that once a Licensing Authority receives an application for the grant or renewal of a licence together with supporting documents and the Part A fee it must do all of the following before granting or renewing a licence: •The Licensing Authority appoints an appropriately qualified Licensing Authority Inspector and/or vet. •The Inspector and/or vet visits the animal activity site and produces a report including a Star rating. [etc]
46	11	8.5	An animal activity licence will comprise of the licence holder detail and activities they are carrying out, the start rating, a list of conditions and a set of specific conditions relating to the particular activity or activities that have been authorised.	Misspelling of Star Rating Insert general before conditions to match terms in legislation	An animal activity licence will comprise of the licence holder detail and activities they are carrying out, the Star Rating, a list of general conditions and a set of specific conditions relating to the particular activity or activities that have been authorised.
46	11	9.2	At the time of making the application the applicant must pay to the Licensing Authority the application fee (Part A) and the sum quoted by the vet or approved Inspector. The Licensing Authority will then instruct that vet or approved Inspector and pay the fee.	What regulations apply regarding fees and recovery of same from applicant	Who has the contract with the vet or approved Inspector and can therefore sue for poor performance. Do the regulations give the licensing authority the power to recover the costs of the vet from the applicant?
47	12	9.4	Where the licensable activity falls under the Regulations an inspection will be required on first application and every subsequent renewal.	Meaning or import of phrase "falls under the Regulations"	Could this be made more clear?
47	12	10.1	Depending upon the nature of the licensable activity , the duration of the licence may be issued for one, two or three years corresponding to the Star Rating for the establishment.	Correct grammar. Also include risk rating as factor that affects duration of licence.	Depending upon the nature of the licensable activity , the licence may be issued for a duration of one, two or three years corresponding to the Star Rating and risk rating for the establishment.
48	13	10.4	Following the issuing of a rating, an operator may wish to apply for a 're-rating' following completion of works to rectify any non-compliance or improvements to achieve higher standards.	Clarify that Rating is a Star Rating	Following the issuing of a Star Rating, an operator may wish to apply for a 're-rating' following completion of works to rectify any non-compliance or improvements to achieve higher standards.

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49	14	12.1 to 12.4			Do not understand the conditions/standards / categories / mandatory/ general / specific / higher standards distinctions.
49	14	12.5	The Licensing Authority will impose any conditions prescribed in the legislation, suggested by DEFRA or required by the Licensing Authority Inspecting Officer and/or Vet.	Lack of clarity	What conditions have been suggested by DEFRA. Why has the licensing authority decided to impose these on all applicants?
50	15	13.4(c)	c) Any animal will at all times of its being kept only under the authority of the licence: i. Be held in accommodation which secures that the animal will not escape, which is suitable as regards constructions, size temperature, lighting, ventilation, drainage and cleanliness and which is suitable for the number of animals proposed to be held in the accommodation, and	In sub clause (1) "with" should be "which"	c) Any animal will at all times of its being kept only under the authority of the licence: i. Be held in accommodation which secures that the animal will not escape, which is suitable as regards constructions, size temperature, lighting, ventilation, drainage and cleanliness and which is suitable for the number of animals proposed to be held in the accommodation, and
50	15	13.4 (e)	e) All reasonable precautions will be taken at all such times to prevent and control the spread of infectious diseases;	Correct spelling of "infectious"	e) All reasonable precautions will be taken at all such times to prevent and control the spread of infectious diseases;
50	15	13.5	A licence may be refused where an applicant has been convicted of any relevant offence, as per the relevant legislation.	Incorrect interpretation of the law	Under the Dangerous Wild Animals Act 1976 a licence cannot be granted to a person who is disqualified under the Act. Whilst a person may have been convicted of an offence under the Act or other legislation specified in the Act it is for the sentencing Court to decide whether to disqualify the person and for what period of time (see 1(2)(d) and 6(2)).  So a licence must not be granted if the person has been disqualified. The licensing authority does not have discretion. It would be hard to argue that the licensing authority could decide to refuse a licence based solely on a conviction alone where the Court has not decided to disqualify the person.
50	15	13.6	If a licence is refused under the Dangerous Wild Animals Act 1976, the application has the right of appeal to the Magistrates Court within 21 days of the decision notice.	Spelling of "applicant"	If a licence is refused under the Dangerous Wild Animals Act 1976, the applicant has the right of appeal to the Magistrates Court within 21 days of the decision notice.

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50	15	13.7(c)	They are not satisfied that the standards of accommodation, staffing or management are adequate for the proper care and well-being of the animals either individually or as a whole, or otherwise for the proper conduct of the zoo.	Spelling of "care"	They are not satisfied that the standards of accommodation, staffing or management are adequate for the proper care and well-being of the animals either individually or as a whole, or otherwise for the proper conduct of the zoo.
51	16	13.7(d)	They are not satisfied that planning permission has been granted for a zoo (or the granting of a licence can be suspended until the local planning authority confirm that permission has been, or is deemed to be, granted.	Opening but no closing bracket  Removed opening bracket. Alternative - insert closing bracket	They are not satisfied that planning permission has been granted for a zoo or the granting of a licence can be suspended until the local planning authority confirm that permission has been, or is deemed to be, granted.
51	16	13.9	If a licence is refused under the Zoo Licensing Act 1981, the application has the right of appeal to the Magistrates Court within 28 days of the decision notice.	Spelling of "applicant"	If a licence is refused under the Zoo Licensing Act 1981, the applicant has the right of appeal to the Magistrates Court within 28 days of the decision notice.
52	17	15.8	The business must not trade once the suspension of a licence has come into effect and cannot do so until the decision is overturned by the Council, due to either the decision being reversed, or it is satisfied that all licence conditions are being met	Consistency of terms. Council should be Licensing Authority	The business must not trade once the suspension of a licence has come into effect and cannot do so until the decision is overturned by the Licensing Authority, due to either the decision being reversed, or it is satisfied that all licence conditions are being met
54	19	17	Inspections during the course of a licence	Consistency of terms	Heading uses "course" 17.1 uses "term" 17.2 uses "length"
54	19	17.1	There will be cases where inspections must be carried out during the term of a licence.		
54	19	17.2	For the activity of hiring out horses, there is a requirement for an annual inspection by a listed vet, regardless of the total length of the licence.	Consistency of terms. Clarity on what a "listed vet" is	Should "length" be "duration" to be consistent with earlier clauses? Should "listed vet" be defined or explained?
54	19	17.2	It is this Licensing Authority's policy that the vet must be independent and not one that is retained by the applicant / licence holder.	Is policy supported by law	What is the legal basis for requiring the vet to be independent and not one retained by the applicant

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54	19	17.6	During the inspection of premises licensed under the Animal Welfare Regulations, the inspector may choose to take samples for laboratory testing from the animals on the premises occupied by and operator.	"an operator" instead of "and operator"	During the inspection of premises licensed under the Animal Welfare Regulations, the inspector may choose to take samples for laboratory testing from the animals on the premises occupied by an operator.
54	19	18	Fees and Charges	Fees and charges in clause 9.2 not mentioned here	Need clarity on how the vet fee, which is additional to the standard fixed Part A fee, will be described. Is it an additional fee or is it a variable part of the Part A fee?
55	20	19.1	Can show evidence of at least one year of experience in licensing and inspecting animal activities businesses - this person needs to be enrolled on a course leading to a Level 3 certificate qualification or equivalent to be completed by 1 October 2023 and granted by a body recognised and regulated by Ofqual.	This cannot be achieved as the completed by date has passed.	Suggest remove this last bullet point and insert an "and" at the end of the first bullet point.
55	20	20.2	In carrying out its enforcement duties, the Licensing Authority has adopted a Corporate Enforcement Policy, which is available on our website at <a href="http://www.southkesteven.gov.uk">www.southkesteven.gov.uk</a>	Where is the Corporate Enforcement policy	Suggest add link to the policy or enhance search function so that it can be readily accessed
56	21	20.4	The Licensing Authority aims to maintain a consistent approach when investigating complaints and make decisions.	Correct to use present participle	The Licensing Authority aims to maintain a consistent approach when investigating complaints and making decisions.
56	21	20.4	In reaching any decision it will consider, amongst other things, the following criteria: •Seriousness of any offences or breach of conditions; •Operator's past history; •Consequence(s) of non-compliance; •Likely effectiveness of the various enforcement options; •Danger to the welfare of animals and/or public.	Tighten up wording. Relevant offence; licence conditions  Question whether danger to the public is a relevant consideration when dealing with granting, suspending or revoking an animal welfare licence	In reaching any decision it will consider, amongst other things, the following criteria: •Seriousness of any relevant offences or breach of licence conditions; •Operator's past history; •Consequence(s) of non-compliance; •Likely effectiveness of the various enforcement options; •Danger to the welfare of animals [and/or public].
57	22	20.13	The provision for sampling is primarily aimed at vets carrying out inspections and it is not expected that samples be taken by those without the training to properly and safely do so	Inserted "will" before "be taken"	The provision for sampling is primarily aimed at vets carrying out inspections and it is not expected that samples will be taken by those without the training to properly and safely do so

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57	22	20.14	Additional information about the suspension and revocation of a licence can be found in section 13 of this policy.	Suspension and revocation is section 15.	Additional information about the suspension and revocation of a licence can be found in section 5 of this policy.
57	22	20.15	Anyone that keeps a dangerous wild animal without the required licence is committing a criminal offence and is liable for a fine.	Liable to a fine (in the legislation)	Anyone that keeps a dangerous wild animal without the required licence is committing a criminal offence and is liable to a fine.
57	22	20.16	It is also criminal offence to obstruct an inspector who has been appointed by the Licensing Authority to enforce the Act.	Insert "a" before "criminal offence"	It is also a criminal offence to obstruct an inspector who has been appointed by the Licensing Authority to enforce the Act.
57	22	20.17	Anyone who operates a zoo without the required licence is committing a criminal offence and is liable for a fine.	Liable to a fine (in the legislation)	Anyone who operates a zoo without the required licence is committing a criminal offence and is liable to a fine.
57	22	20.18	It is also criminal offence to obstruct an inspector who has been appointed by the Licensing Authority to enforce the Act.	Insert "a" before "criminal offence"	It is also a criminal offence to obstruct an inspector who has been appointed by the Licensing Authority to enforce the Act.
58	23	App 1	Relevant convictions: Offences outlined in the policy that are not considered spent under the Rehabilitation of Offenders Act 1974, namely: <ul style="list-style-type: none"><li>• 7.2 – Convictions relating to any offence related to animal cruelty or suffering</li><li>• 7.3 – Convictions involving violence, Possession of a weapon, Sex and indecency offences, Offences involving dishonesty, Offences involving drug</li></ul> However this list is not exhaustive and other convictions may be considered relevant due to the legislative requirements placed upon Local Authorities/Licensing Authorities as outlined in Section 2 of the policy.	Defined term "relevant convictions" does not appear in clause 7.2	This is a definition which starts to give a definite statement of what the term means, but then qualifies it with an additional paragraph which renders the definition so wooly as to be unusable
60		Equality impact statement	Characteristic: Sex	No impact identified	Policy on convictions will affect all those with convictions for the listed offences; since vast majority of these with these offences are male, the policy will impact males far more than females; this is indirect sex discrimination and this should have been identified in the assessment.

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	61	Equality impact statement	Characteristic/area: Socio-Economic Impacts	No impact identified	Having a relevant conviction and this not being granted a licence will have a severe socio-economic impact of those applicants (as they will not be able to trade). This has not been identified in the assessment
	61	Equality impact statement	Other factors requiring consideration	None identified	The impact on ex-offenders should have been identified and included in the assessment.
	61	Equality impact statement	Consultations	See clause 1.3 pages 6/7	No consultation with ex-offenders or bodies representing ex-offenders has been carried out owing to the failure to identify them as an affected group during the impact assessment
	61	Equality impact statement	Proposed mitigation / action log	None	There should be an entry relating to mitigation for ex-offenders but this is not present due to failure to identify this group as impacted by the policy during the impact assessment
END					