

**NORTH DEVON COUNCIL**

Minutes of a meeting of the LICENSING SUB-COMMITTEE E of the LICENSING COMMITTEE held at the Civic Centre, Barnstaple on Friday 27<sup>th</sup> February 2015 at 10.00 a.m.

PRESENT: Members:

Councillor Barker (Chairman)

Councillors Lane and Tucker (substitute for Councillor Wilkinson)

Substitute Member: Councillor Mathews.

Officers:

Head of Contentious Law, Regulatory Services Officer, Service Lead – Licensing and Member Services Officer (JG).

**(a) APOLOGIES FOR ABSENCE**

No apologies for absence were received.

**(b) DECLARATIONS OF INTEREST**

There were no declarations of interest announced.

**(c) EXCLUSION OF PUBLIC AND PRESS AND RESTRICTION OF DOCUMENTS**

RESOLVED:

- (i) That, under Section 100A (4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item as it involved the likely disclosure of exempt information as defined by Paragraph 3 of Part 1 of Schedule 12A of the Act (as amended from time to time), namely information relating to the financial or business affairs of any particular person (including the authority holding that information).
- (ii) That all documents and reports relating to the item be confirmed as “Not for Publication”.

**(d) APPLICATION FOR THE GRANT OF A LICENCE TO KEEP A BOARDING ESTABLISHMENT FOR ANIMALS, BRAUNTON CATTERY**

Members of the Sub-Committee, Officers and the applicants present introduced themselves. The Chairman outlined the nature of the hearing.

The Service Lead for Licensing outlined a report (circulated previously) regarding an application for the grant of a licence to keep a boarding establishment for animals at Braunton Cattery.

The Regulatory Services Officer made reference to a recent visit made to the establishment on 26 February 2015 and tabled photos highlighting works undertaken with regard to the standard of the establishment seeking to address concerns expressed by officers on previous visits.

The applicants addressed the Sub-Committee advising that they had almost completed the necessary works to blocks 1 and 2. They had envisaged that the establishment would have been sold to developers however, the proposal had subsequently fallen through which resulted in them being behind with regard to the maintenance of the premises. They advised that at the time of one of the visits they had been recovering from flu which went some way to explain the mess observed during that visit. They had not been initially aware of the number of works required in order to be compliant with regulations and were currently working their way through them. In respect of the isolation unit, the applicants informed the Sub-Committee that some customers stipulated which vets must or must not be used and asked whether it would be satisfactory to use more than one vet in such circumstances until an adequate isolation unit could be provided. Finally, the applicants provided background information and summarised a number of incidents that took place which lead to the final euthanasia of a cat that had been boarding at their establishment.

The Service Lead for Licensing confirmed that it would be satisfactory for the applicants to use more than one vet in such circumstances until an adequate isolation unit could be provided, subject to evidenced confirmation from the vet practices.

Members of the Sub-Committee questioned the applicants. In particular, the Sub-Committee wished to know how the business had been allowed to become non-compliant with the regulations and how the structure had been left in a state of disrepair.

In response to questions, the applicants advised that most of the structural works related to the roof which could not have been seen, the woodwork was preserved every two years and unless the structure was actually poked with an object, its durability was unknown. The wood was also pressure washed annually. Their previous objection to erecting a roof covering over the cat runs had been that during the summer, the temperature would be too high. In respect of the isolation facility, there had only been one incident in which the unit had needed to be used, if a cat became unwell it would be taken to a vet immediately. All cats boarding at the establishment were vaccinated and

almost all cat runs had been retiled. Furthermore, 10 heat lamps had been purchased and the applicants were awaiting the result of the Licensing Sub-Committee prior to purchasing an additional amount.

The Service Lead for Licensing confirmed that there were different expectations in terms of standards for establishments on older buildings than there were for new builds and summarised the options available to the Sub-Committee in respect of its determination.

The applicants advised the Sub-Committee that they had so many loyal customers, they would like to continue to use blocks one and two with a view to completing all the necessary works during the summer and at a later date continuing to bring blocks three and four up to an acceptable standard and provide an isolation unit.

RESOLVED that everyone be excluded from the meeting with the exception of Members, the Legal representative and Committee Clerk in order for the Sub-Committee to receive legal advice in accordance with paragraph 5 of Schedule 12A of the Local Government Act 1972.

RESOLVED that everyone be re-admitted to the meeting.

The Chairman requested that the Member Services Officer read the proposed decision, which was voted upon and agreed.

RESOLVED that the application for the grant of a licence to keep a boarding establishment for Animals at Braunton Cattery be granted in line with North Devon Council's standard conditions extracted from the CIEH Model Licence Conditions and Guidance for Cat Boarding Establishments 2013 for a small and discrete area of the establishment, that being up to a maximum of 17 units within the first and second blocks with a specific time limited condition that:

- (i) an isolation unit (fit for purpose) be provided within a period of 2 months; and
- (ii) that the remaining blocks be either removed within a period of 3 months or brought up to an acceptable standard to enable the licence to be varied thereafter to accommodate more cats if requested.

In reaching the above conclusion, the Sub-Committee acknowledged that some efforts had been made to address the concerns set out in paragraph 4.11 of the report in respect of the standard of the establishment following inspections to the premises by licensing officers. It emphasised that the standard conditions of the licence must be complied with.

Chairman

The meeting ended at 11.30 a.m.

**NOTE:** These minutes will be confirmed as a correct record at the next meeting of the Licensing Committee.