

**TO: LICENSING AND SAFETY COMMITTEE
5 JULY 2012**

**ANIMAL BOARDING ESTABLISHMENT LICENCE CONDITIONS:
OAKWOOD PARK KENNELS
Chief Officer: Environment and Public Protection**

1 PURPOSE OF REPORT

- 1.1 This report asks Members to make a decision in respect of the conditions to be issued with the Oakwood Park Kennels animal boarding establishment licence, and a request by Oakwood Park Kennels to amend one of the conditions to be applied.

2 RECOMMENDATIONS

2.1 That the Committee

- a) **Implements the Model Licence Conditions in respect of Oakwood Park Kennels to have effect from 1 January 2013, and**
- b) **Refuses the request of Oakwood Park Kennels to amend Model Licence Condition 5.6.2 and confirm that this will be enforced in a reasonable and proportionate manner.**

3 REASONS FOR RECOMMENDATIONS

- 3.1 The recommendations reflect the findings following the inspection of the premises and the application of the Model Licence Conditions having due regard to the circumstances.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 Members may choose to amend the condition as per the request of Oakwood Park Kennels, or vary the condition(s) to be applied.

5 SUPPORTING INFORMATION

- 5.1 At the last meeting of this Committee on 22 March 2012, it was resolved that (i) the small kennel block would be compliant with the Model Licence Conditions by the end of June 2012; (ii) an isolation block compliant with the Model Licence Conditions be required to be made available for use at the premises by the end of June 2012; and (iii) if Oakwood Park Kennels wished to seek an amendment to Model Licence Condition 5.6.2 they be requested to submit evidence to support their proposal so that a report could be brought back on this date to consider the matter further.
- 5.2 It is understood that the small kennel block is now compliant with the Model Licence Conditions.
- 5.3 Oakwood Park Kennels has requested to use the whelping block for emergency isolation during the months of July and August despite it not being compliant with the Model Licence Conditions due to having wooden internal kennel walls as they do not have sufficient time at this point to perform any action to remedy this situation. Officers have no objection to this request at this time.

- 5.4 Oakwood Park Kennels has also submitted a document which can be found at Annex A in respect of their request to amend Model Licence Condition 5.6.2, which reads: "Proof must be provided that dogs boarded or resident have current vaccinations against Canine Distemper, Infectious Canine Hepatitis (Canine adenovirus), Leptospirosis (*L. canicola* and *L. ictero-haemorrhagiae*) and Canine Parvovirus and other relevant diseases. The course of vaccination must have been completed at least four weeks before the first date of boarding or in accordance with manufacturers' instructions. A record that this proof has been supplied must be kept on site throughout the period that the dog is boarded". Oakwood Park Kennels proposed an alternative condition as "to "All reasonable efforts should be made to ensure the health of animals to be boarded at the premises". It is the view of officers that the amendment to this condition as proposed by Oakwood Park Kennels unnecessarily increases the risk to the dogs boarded by the premises and therefore it is recommended that the Model Licence Conditions are applied in respect of the premises in full as from 1 January 2013.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 The legal implications are identified within the report. If an applicant is aggrieved by any condition applied to their licence, they have a right of appeal to the Magistrates' Court.

Borough Treasurer

- 6.2 There are no significant financial implications arising from the recommendation in this report.

Equalities Impact Assessment

- 6.3 There are no implications arising from the recommendation in this report.

Strategic Risk Management Issues

- 6.4 There are no strategic risk management implications arising from the recommendation in this report.

Other Officers

- 6.5 Not applicable.

7 CONSULTATION

Principal Groups Consulted

- 7.1 The findings of the inspection of the premises were discussed at the time of visit and during a subsequent meeting with Dr and Mrs Carpenter from Oakwood Park Kennels on 23 February 2012.

Method of Consultation

- 7.2 As above.

Representations Received

- 7.3 As above.

Background Papers

Animal Boarding Establishments Act 1963

Model Licence Conditions and Guidance for Dog Boarding Establishments

Contact for further information

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