

NOTICE OF MEETING

Licensing and Safety Committee

Thursday 7 January 2016, 7.30 pm

Council Chamber, Fourth Floor, Easthampstead House, Bracknell

To: The Licensing and Safety Committee

Councillor Allen (Chairman), Councillor Thompson (Vice-Chairman), Councillors Dr Barnard, G Birch, Brossard, Brunel-Walker, Finch, Finnie, Ms Gaw, Leake, Mrs McCracken, Mrs McKenzie, Ms Miller, Porter and Tullett

ALISON SANDERS
Director of Corporate Services

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Published: 29 December 2015



Licensing and Safety Committee
Thursday 7 January 2016, 7.30 pm
Council Chamber, Fourth Floor, Easthampstead House,
Bracknell

Sound recording, photographing, filming and use of social media at meetings which are held in public are permitted. Those wishing to record proceedings at a meeting are however advised to contact the Democratic Services Officer named as the contact for further information on the front of this agenda as early as possible before the start of the meeting so that any special arrangements can be made.

AGENDA

Page No

1. Apologies for Absence

To receive apologies for absence.

2. Declarations of Interest

Members are asked to declare any personal or disclosable pecuniary interest in respect of any matter to be considered at this meeting.

Any Member with a Disclosable Pecuniary Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Disclosable Pecuniary Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days.

3. Minutes

To approve as a correct record the minutes of the meeting held on 8 October 2015.

5 - 8

4. Urgent Items of Business

Any other items which, pursuant to Section 100B(4)(b) of the Local Government Act 1972, the Chairman decides are urgent.

5. Notice of Public Speaking

To note those agenda items which have received an application for public speaking.

6. Pet Shop Licence Conditions

The Committee is asked to approve a consultation exercise with all existing pet shop licence holders in respect of the potential adoption of the Model Licence Conditions document at Annex A.

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7. **Safeguarding Training for Hackney Carriage and Private Hire Vehicle Drivers**

The Committee is asked to agree the introduction of mandatory safeguarding training for all hackney carriage and private hire vehicle drivers and operators, and that the trade and the general public be consulted on the content and extent of any training provision prior to implementation.

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8. **Street Collection Policy**

The Committee is asked to agree the proposed changes to the current Policy and approve the revised Street Collection Policy as set out in Annex A.

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9. **Licensing Act 2003: Deregulation Update**

The Committee is asked to note this information report which highlights a recent amendment to the Licensing Act 2003 ('the Act') which permits licensing authorities to relax the requirements for licensing of late night refreshment in certain circumstances.

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**LICENSING AND SAFETY COMMITTEE
8 OCTOBER 2015
7.30 - 7.55 PM**



Present:

Councillors Allen (Chairman), Thompson (Vice-Chairman), Dr Barnard, G Birch, Brossard, Finch, Finnie, Ms Gaw, Mrs McCracken, Mrs McKenzie, Ms Miller and Porter

Apologies for Absence were received from:

Councillor Brunel-Walker

19. Declarations of Interest

There were no declarations of interest.

20. Minutes

RESOLVED that the minutes of the meeting of the Licensing and Safety Committee held on 11 June 2015 be approved as a correct record and signed by the Chairman.

21. Urgent Items of Business

There were no urgent items of business.

22. Notice of Public Speaking

It was noted that no members of the public had registered to speak at the meeting.

23. Fees and Charges 2016-2017

The Committee considered a report that set out the current and proposed fees for licensing matters for 2016-2017.

The Council had to provide a Licensing Function and this was funded through central rates. In addition the Council could charge fees to cover the costs of processing certain licence applications however recent court cases have made it clear that when setting fees they may only be set at a level to enable the recovery of costs and can not be set at a level where a profit is made. Members noted that the Council had given guidance that fees and charges should be increased on average by 1% to take into account inflationary pressures and staff costs. It was noted that the majority of fees were set by Government regulation and these could not be changed by the Council.

RESOLVED that:

- i. save for the private hire operator, and hackney carriage and private hire vehicle licence fees, the Committee recommends to the Executive the new fees and charges detailed in Annex A, for public consultation.

- ii. the Committee agrees that the proposed charges for operators and vehicle licence fees are:
 - a) advertised;
 - b) if no objections are received, implemented for any licences commencing from 1 April 2016; or
 - c) if objections are received they be considered by the Committee at the meeting on 7 January 2016.

24. Taxi and Private Hire Vehicles Licensing Criminal Convictions Policy

The Committee considered a report setting out the results of a consultation exercise agreed by the Committee at their meeting on 11 June 2015 and seeking approval to adopt a Criminal Convictions Policy to be used when considering issuing licenses to drivers and private hire operators.

The introduction of a Criminal Convictions Policy had been proposed to ensure that Council policy reflected recognised best practice and was sensitive to public concern about recent criminal cases where taxi drivers had been prosecuted in a number of high profile sexual exploitation cases.

It was clarified that all applicants are required to pass a Knowledge Test which contained both oral and written elements. These were used by officers to ascertain whether an applicant had a sufficient grasp of the English language to provide the service they wished to be licensed for. If an applicant found reading difficult, for example because of dyslexia, then officers would read questions to applicants and this again would be used to assess an applicant's comprehension skills.

It was noted that a number of drivers were installing CCTV cameras in licensed vehicles and it was questioned what steps could be taken to ensure that these were used appropriately. The Council's Guidance Notes for Hackney Carriage and Private Hire Vehicles did contain some guidance on the use of CCTV cameras and this concern would be looked at when the document was next reviewed.

The draft Criminal Convictions Policy had been placed upon the Council's Consultation Portal on 9 July 2015 and emailed to 562 licensed drivers and private hire operators in the Borough. The Consultation had run until 6 September 2015 and no responses were received.

It was questioned whether, given the low number of responses received, email was the most effective medium to use to publicise consultations. It was acknowledged that alternative methods of communication might elicit a higher response rate and the matter would be looked at further however the availability of resources did place constraints on what could be done. A licensing newsletter was produced and a piece would be added to the next newsletter asking those who wished to be contacted in the event of future consultations to contact the Licensing Team.

RESOLVED that the Committee:

- i. Notes the results of the consultation
- ii. Agrees the adoption and implementation of the Criminal Convictions Policy document at Annex A of the Chief Officer: Environment and Public Protection's report, from 9 October 2015.

25. Review of Statement of Licensing Policy

The Committee received a report setting out the results of recent consultation on the Council's revised Statement of Licensing Policy and seeking its agreement to its submission to Council for approval on 24 November 2015.

Section 5 of the Licensing Act 2003 required licensing authorities to prepare and publish a Statement of Licensing Policy every five years. The Policy outlines the general approach of the licensing authority when making licensing decisions under the Act and can be reviewed and revised by the Authority at any time.

In addition to consulting with statutory consultees, the draft Policy had been listed on the Council's Public Consultation Portal and a working group set up with members of the Licensing and Safety Committee to review the revised Statement. Two comments were received from the consultation, one from the Council's Head of Drug and Alcohol services and one from Thames Valley Police. These comments were reviewed and the Policy amended to reflect the feedback received.

RESOLVED that revised Statement of Licensing Policy, at Annex A of the Chief Officer: Environment and Public Protection's report, be approved for submission to Council on 25 November 2015.

26. Review of Statement of Gambling Principles

The Committee received a report seeking the Committee's approval to submit the revised Statement of Gambling Principles to Council for approval on 20 January 2016.

Section 349 of the Gambling Act 2005 required all licensing authorities to prepare and publish a statement of the principles they propose to apply in exercising their functions under the Act. The statement must be reviewed and revised at least once every three years. The Council's present statement was published on 31 January 2013 and therefore must be reviewed and republished by 31 January 2016.

In addition the consultation with statutory consultees, the revised Statement was published on the Council's Public Consultation Portal from August to October 2015 and three responses were subsequently received. As a result of these responses the following amendments would be made to the Statement:

- Paragraph 2.1 would be amended to clarify whether or not the requested written operating schedule would be required in addition to a local risk assessment when submitting an application or if it formed part of the risk assessment
- The Gambling Commission's Machine Technical Standards would be double checked to ascertain whether they require fixed odds betting machines to clearly display the odds. If this proved to be the case then paragraph 2.9 would be amended accordingly
- The comments made in relation to Paragraphs 2.2 and 2.5 had been noted but the paragraphs would not be amended

RESOLVED that, subject to the amendments outlined above, the revised Statement of Gambling Principles, at Annex A of the Chief Officer: Environment and Public Protection's report, be approved for submission to Council on 20 January 2016.

27. **Licensing Panel Hearings**

The Committee received and noted the minutes of Licensing Panel Hearings held since their last meeting.

CHAIRMAN

**TO: LICENSING AND SAFETY COMMITTEE
7 JANUARY 2016**

PET SHOP LICENCE CONDITIONS Chief Officer: Environment and Public Protection

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to consider adoption of the Model Licence Conditions for Pet Vending Licensing as published by the Chartered Institute of Environmental Health (CIEH) in 2013, which can be found at Annex A. Our existing model conditions are attached as Annex B.
- 1.2 If agreed it is proposed that existing licence holders are consulted to seek their views on the model licence conditions so that a report can be brought to a future Committee meeting, with a view to implementation on any new licences with immediate effect and on renewed licences from 1 January 2017.

2 RECOMMENDATION

- 2.1 **That the Committee approves a consultation exercise with all existing pet shop licence holders in respect of the potential adoption of the Model Licence Conditions document at Annex A.**

3 REASONS FOR RECOMMENDATIONS

- 3.1 The contents of the CIEH Model Licence Conditions are widely accepted as representing the minimum standards to be applied in order to ensure appropriate standards of health, safety and welfare. The current conditions appear to date back to 1998, and have not been reviewed since the Model Licence Conditions were published in 2013. The current licence conditions can be found at Annex B.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 None, officers are of the view that the Council's current licence conditions are outdated and the Council's Animal Health Inspector has strongly recommended adoption of the Model Licence Conditions.

5 SUPPORTING INFORMATION

- 5.1 Pet shops are licensed once a year, following an inspection which is currently carried out by a City of London Animal Health Inspector. The licence specifies the species of animals permitted to be sold at the licensed premises.
- 5.2 Under section 1(3) of the Pet Animals Act 1951, a local authority can attach licence conditions to ensure:
 - i) that animals will at all times be kept in accommodation suitable as respects size, temperature, lighting, ventilation and cleanliness;
 - ii) that animals will be adequately supplied with suitable food and drink and (so far as necessary) visited at suitable intervals;
 - iii) that animals, being mammals, will not be sold at too early an age;
 - iv) that all reasonable precautions will be taken to prevent the spread among animals of infectious diseases;

v) that appropriate steps will be taken in case of fire or other emergency.

5.3 Under the Animal Welfare Act 2006, those responsible for animals including pet vendors must take reasonable steps to meet the welfare needs of animals in their care which would include

- i) its need for a suitable environment
- ii) its need for a suitable diet
- iii) its need to be able to exhibit normal behaviour patterns
- iv) any need to be housed with, or apart from, other animals
- v) its need to be protected from pain, suffering, injury and disease.

5.4 The Model Licence Conditions document at Annex A covers both the requirements of the Pet Animals Act and the provisions of the Animal Welfare Act.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

6.1 The legal implications are identified within the report.

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 implications arising from the recommendation in this report.

7 CONSULTATION

Principal Groups Consulted

7.1 No consultation carried out at this stage.

Method of Consultation

7.2 No consultation carried out at this stage.

Representations Received

7.3 No consultation carried out at this stage.

Background Papers

None

Contact for further information

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Model Conditions for Pet Vending Licensing 2013



September 2013

This document has been prepared in the best interests of animal welfare and to improve pet shop management. No liability rests with contributing bodies for the circumstances arising out of the application of conditions contained within the document.

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Introduction

The Model Conditions set out in this document are the working group's recommendations for the basic minimum standards considered necessary to ensure the health, safety and welfare of animals in pet shops.

Licensing authorities should apply and enforce the licence conditions sensibly and appropriately.

These Model Conditions should not be considered as a complete manual on animal husbandry. It is a living document which will be revised from time to time to take into account new knowledge of animal physiology and behaviour as well as advances and development in standards of animal welfare.

Local authorities in England, Scotland and Wales issue licences to proprietors of pet shops and other pet vendors under the provisions of the Pet Animals Act (1951). Before granting a licence the local authority must be satisfied that the animals are kept in accommodation that is suitable; that they are supplied with appropriate food and drink; and are adequately protected from disease and fire. The local authority may attach conditions to the licence, may inspect the licensed premises at all reasonable times and may refuse a licence if the standards at the premises are unsatisfactory or if the terms of the licence are not being complied with.

Under the Animal Welfare Act (2006)¹ which applies in England and Wales and the Animal Health and Welfare (Scotland) Act 2006² in Scotland those responsible for animals, including pet vendors, have a responsibility towards the welfare of the animals in their care. Under these Acts it is an offence to cause unnecessary suffering to a protected animal, whether by an act or omission. Vendors also have a legal 'duty of care' towards the animals in their care. Vendors must therefore take such steps as are reasonable in all the circumstances to meet the welfare needs of the animals, to the extent required by good practice. The Acts define an animal's needs as including:

- Its need for a suitable environment
- Its need for a suitable diet
- Its need to be able to exhibit normal behaviour patterns
- Any need to be housed with, or apart from, other animals
- Its need to be protected from pain, suffering, injury and disease

During the inspection, prior to the issue of a licence, it is important that the five needs as outlined above are considered. Defra, the Welsh Assembly Government and the Scottish Government have produced various Codes of Practice under the Animal Welfare Acts, which outline in more detail certain species' needs that can be referred to for guidance. Issues specific to pet shops and other pet vendors are covered in this document.

The Animal Welfare Acts also increased the minimum age at which a person can buy an animal to 16 and prohibit giving animals as prizes to unaccompanied children under this age. In Scotland, there is a prohibition on giving animals as prizes.

Another key objective in developing these model licensing conditions is to encourage conditions in pet shops licensing and a consistency of approach across local authorities which minimises the risk of transmission of disease from animals to humans, alongside the need to protect animals from cruelty and ill-treatment and to encourage good standards of animal husbandry in pet vending.

Humankind shares a world with animals; it is unsurprising therefore that we also share some diseases. Zoonoses, or zoonotic disease are infectious diseases transmissible between humans and other animals; many thousands of zoonotic disease have been identified. While the reported instances of transmission are infrequent, they nevertheless represent significant disease prevalence. The risk to humans depends on the kind of disease and the type of exposure.

¹ www.defra.gov.uk/foodfarm/farmanimal/welfare/act

² www.oqps.gov.uk/legislation/acts/acts2006/pdf/asp_20060011_en.pdf

Legislation/Orders that are relevant³:

England

- Pet Animals Act 1951
- Dangerous Dogs Act 1991
- Dangerous Wild Animals Act 1976
- Breeding of Dogs Act 1973
- EU Regulation on the protection of animals during transport (EC) 1/2005
- Welfare of Animals (Transport)(England) Order 2006
- Animal Welfare Act 2006
- Docking of Working Dogs' Tails (England) Regulations 2007
- Mutilations (Permitted Procedures)(England) Regulations 2007
- EU Wildlife Trade Regulations: Council Regulation (EC) No. 338/97, implements CITES (Convention on International Trade in Endangered Species of Flora and Fauna) in the European Community
- The Conservation of Habitats and Species Regulations 2010, implements the EU Habitats Directive: Council Directive 92/43 EEC.

Scotland

- Pet Animals Act 1951
- Dangerous Dogs Act 1991
- Control of Dogs (Scotland) Act 2010
- Dangerous Wild Animals Act 1976
- Breeding of Dogs Act 1973
- EU Regulation on the protection of animals during transport (EC) 1/2005
- Welfare of Animals (Transport)(Scotland) Order 2006
- Animal Health and Welfare (Scotland) Act 2006
- The Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Regulations 2010
- The Licensing of Animal Dealers (Young Cats and Young Dogs) (Scotland) Regulations 2009

Wales

- Pet Animals Act 1951
- Animal Welfare Act 2006
- The Welfare of Animals (Transport) (Wales) Order 2007
- The Docking of Working Dogs' Tails (Wales) Regulations 2007
- Mutilations (Permitted Procedures) (Wales) Regulations 2007
- Dangerous Dogs Act 1991
- Dangerous Wild Animals Act 1976
- Breeding of Dogs Act 1973
- EU Regulation on the protection of animals during transport (EC) 1/2005
- The Conservation of Habitats and Species Regulations 2010, implements the EU Habitats Directive: Council Directive 92/43 EEC.

The working group agreed that the LGA Model Standards⁴ needed to be updated whilst anticipating secondary legislation under the Animal Welfare Act 2006. These conditions should therefore not be seen as a substitute for secondary legislation.

³ All legislation referred to in this document is intended to represent the most recent version

⁴ Local Government Association (1998) "The Pet Animals Act 1951: Model standards for pet shop licence conditions", LGA Publications

The groups consulted included:

- British Veterinary Association
- Cats Protection
- Chartered Institute of Environmental Health
- Department for Environment, Food and Rural Affairs (Defra)
- Dogs Trust
- Federation of Companion Animal Societies
- Feline Advisory Bureau
- Local Government Association
- Ornamental Aquatic Trade Association
- Pet Industry Federation
- Rabbit Welfare Association & Fund
- Reptile and Exotic Pet Trade Association
- Royal Society for the Prevention of Cruelty to Animals

Special thanks also to:

- Peter Scott – Zoo and Aquatic Veterinary Group/Companion Animal Welfare Council
- William H Wildgoose – Fish Veterinary Society/Midland Veterinary Surgery
- Ian Strachan – Scottish Government
- Wood Green Animal Shelters
- OneKind

Definition of terms

****** A batch should be defined as a group of animals arriving from the same supplier, at the same time

******m² is a measurement of area. One m² measures one metre by one metre. Consequently two m² measures 2 metres by 1 metre. (4 square metres measures 2 metres by 2 metres).

Schedule A – General conditions

1. Licence Display

1.1 Condition

The licence or a copy of the licence must be suitably displayed to the public in a prominent position

Guidance

For security reasons, the licence should not display the licence holder's home address.

2. Accommodation

2.1 Condition

Animals must at all times be kept in accommodation designed to prevent escape and an environment suitable to their species and condition with respect to behavioural needs, situation, size, temperature, ventilation, and cleanliness. All accommodation must avoid drafts and overexposure to direct sunlight and must be kept in good repair.

Guidance

Animals should be able to move around freely, climb, fly, swim and jump where appropriate, and be comfortable in their environment. Definitions of appropriate sizes and materials are in the appropriate schedules to this document. Regular maintenance and repair will prevent injury from damaged housing. Temperature monitoring devices should be provided. It is important to avoid draughts.

2.2 Condition

Ventilation must be provided to all interior areas without the creation of excessive, localized draughts. Ventilation is important as an aid to disease control and aims to decrease smell accumulation and prevent excessive humidity of the atmosphere.

Guidance

The spread of airborne infections can be a significant risk. Excessive or inadequate humidity can cause other health problems.

2.3 Condition

If animals are displayed outdoors, they must have protection appropriate to their species

Guidance

This should include shelter from wind, rain or snow and/or the sun and predators if appropriate.

2.4 Condition

In order to control the spread of disease, and to prevent injury, housing must be constructed of non-porous materials or be appropriately treated. Junctions between all sections need to be fully cleanable.

Guidance

Appropriate housing will prevent direct transmission of disease and injuries. This will maintain structural integrity and ensure dry, easily cleansed surfaces. In general, untreated wood is not an appropriate material as it cannot be thoroughly cleaned.

2.5 Condition

Animals must be kept in housing which minimises stress from other animals or the public. Signage must be in place to deter public interference.

Guidance

An area to hide away, if needed, will help to reduce stress levels for the animals. In addition to signs, other measures may be required, such as limiting access to some sides of animal enclosures. Care should be taken to avoid sensory contact between prey and predator species.

2.6 Condition

All animals for sale must be readily accessible and easy to inspect by staff.

Guidance

This should help to ensure that the cage is kept clean and hygienic and animals can be easily observed for illness or injury

2.7 Condition

Accommodation must be cleaned as often as necessary to maintain good hygiene standards

Guidance

To maintain a clean environment, a cleaning Standard Operating Procedure (SOP) should be provided and should detail the routine daily cleaning regime and the procedure for cleaning between periods of occupation. Soiled bedding should be removed frequently to ensure animals do not have to lie in it.

2.8 Condition

Where accommodation is on a tiered system, water, food or droppings must not be allowed to enter the lower housing

Guidance

This will prevent contamination of the lower cages. This does not apply to centrifuged fish systems or aviaries where perching and ground birds are housed together.

2.9 Condition

All accessories provided for environmental enrichment in the accommodation must be appropriate for the species.

Guidance

To stimulate the performance of natural behaviours.

3. Exercise Facilities

3.1 Condition

Suitable and sufficient facilities must be available where appropriate.

Guidance

Animals must be able to exhibit normal behaviour patterns and this may require the provision of suitable space for exercise.

4. Register of Animals

4.1 Condition

A purchase register must be maintained for all animals detailing their source and identification where appropriate,

Guidance

This can be by cross referenced to an invoice file. The purpose of the register is to ascertain the source of the animals.

4.2 Condition:

A sales register must be maintained for:

4.2.1 Dogs

4.2.2 Cats

4.2.3 Psittacines

4.2.4 Species contained in the Schedule to the Dangerous Wild Animals Act 1976

Guidance

The purpose of the register is for emergency contact of purchasers. The name, address and telephone number of the purchaser should be obtained. This is not required for other species.

4.3 Condition

Animals under veterinary treatment must be identifiable.

5. Stocking Numbers and Densities

5.1 Condition

No animals other than those specified in the licence, may be stocked.

The licence conditions should clearly state the numbers for each species or species group that may be kept on the premises, except fish. Please refer to Schedules for individual species for more details.

Animals are defined as any vertebrate animals; invertebrates are exempted from the regulations.

5.2 Condition

Where appropriate, all animals must be housed in social groups of suitable size.

Guidance

Details can be found in the relevant schedules.

6. Health Disease and Acclimatisation

6.1 Condition

All animals for sale must be in good health

Guidance

Vendors and staff are responsible for providing the animals' needs including good health care. Illness and obvious parasitic infection should be addressed before the animal is sold. Veterinary advice should be sought in any case of doubt.

Transport and the introduction to a novel environment are stressful and animals should be allowed to acclimatise before being further stressed by being offered for sale. Where animals are obtained for sale to a specific client it may be acceptable for the animal to be sold immediately.

All animals should receive appropriate vaccination where required for the species, as advised by the retailer's veterinary surgeon. Veterinary advice must be sought whenever necessary.

A Record of Treatment should be provided to the purchaser. Vaccination courses should begin at the appropriate age for each species.

6.2 Condition

Any sick or injured animal must receive appropriate care and treatment without delay. These must only be treated by appropriately competent staff or veterinary surgeons.

Guidance

"Care and treatment" may include euthanasia but under no circumstances may an animal be euthanised other than in a humane and effective manner. In case of doubt, veterinary advice must be sought.

6.3 Condition

Provision must be made for the isolation of sick/injured/infectious animals and those that might reasonably be expected to be carrying serious infectious diseases.

Guidance

Isolated animals should be kept in a secure, comfortable location where their condition and needs can be kept, also detailing treatment. For ornamental fish, in-line UV treatment or other sterilising devices effectively provide a means of isolating individual tanks in multiple tank systems. They must be of a proper size and maintained in accordance with manufacturers' recommendations.

6.4 Condition

Any animal with an abnormality which would materially affect its quality of life, must not be offered for sale. When in doubt, veterinary advice should be sought.

Guidance

Information on any known conditions should be provided to the new owner.

6.5 Condition

All reasonable precautions must be taken to prevent the outbreak and spread of disease. No animal which is suffering from, or could reasonably be suspected of having come into contact with any other animal suffering from any infectious or contagious disease or which is infested with parasites, shall be brought into or kept on the premises unless effectively isolated.

Guidance

Precautions should include regular cleaning (see 2.6) and good personal hygiene of staff in addition to effective quarantine of incoming groups of animals except for fish. Staff handling animals should wash or disinfect, and rinse if appropriate, their hands between groups. The shop should be registered with a veterinary practice and there should be veterinary input to SOPs where appropriate. It is important that the supplying breeders should have a policy for inherited and infectious disease control agreed. Staff should be aware of zoonotic transmission.

6.6 Condition

All necessary precautions must be taken to prevent harbourage, or the introduction to the premises, of rodents, insects and other pests.

Guidance

"Rodent" and "Insect" excludes animals for sale or feeding

7. Food and Drink

7.1 Condition

Animals must be supplied with adequate amounts of food and drink, appropriate to their needs at suitable intervals. All food must be suitable for the species concerned.

Guidance

Water should be available at all times except for those species where it may be harmful. An SOP should be produced for basic nutritional needs for each species or species group, and age group if appropriate. The owner should be advised to continue feeding consistent with the diet given by the pet shop.

7.2 Condition

Food and Drink receptacles must be appropriate to the species, constructed and positioned to minimise faecal and urine contamination and spillage. Receptacles must be cleaned out at regular intervals.

Guidance

Faecal and urine contamination is a risk to health. Maintaining a clean environment may require regular cleaning of receptacles. Receptacles should be thoroughly cleaned before being moved between batches/groups

8. Food Storage

8.1 Condition

All food, excluding live foods intended for feeding to animals on the premises, must be stored in impervious closed containers.

Guidance

Such containers prevent spoilage of the food or attraction of rodents or pests to the premises.

8.2 Condition

The containers and equipment used for feeding must be kept in a clean and sound condition.

Guidance

There must be suitable facilities for cleaning of receptacles and equipment which should be separate from staff facilities.

9. Observation

9.1 Condition

All animals must be attended to at regular intervals, except where defined in the schedule, at least once daily, and appropriate to the individual animal.

Guidance

Regular checks and observation records aid in early detection of illness, injury or behavioural problems and should be considered very important for all animals.

A system of recording observation should be maintained.

10. Disposal of Waste

10.1 Condition

All excreta and soiled bedding for disposal must be kept in a hygienic manner and stored in impervious containers with close fitting lids - away from direct sunlight.

Guidance

This is important for biosecurity and odour reduction.

Excreta and soiled bedding should be removed from the premises on a regular basis, at least weekly, disposed of to the satisfaction of the appropriate local authority, and in accordance with current regulations and good waste management practice. Premises should maintain a contract for removal with an appropriate company and adhere to local authority regulations.

There should be appropriate arrangements in place for removal of dead animals.

11. Transportation to the Premises

11.1 Condition

When receiving animals, the licensee must make reasonable effort to ensure that they are transported in a suitable manner.

11.2 Condition

Any animals received or consigned shall be transported according to the regulations laid down in current legislation.

11.3 Condition

Animals must be transported or handed to purchasers in suitable containers,

Guidance

Buyers should be advised how to transport animals home so as to minimise stress.

12. Sale of Animals

12.1 Condition

No mammal shall be sold un-weaned or, if weaned, at an age at which it should not have been weaned.

Guidance

Young mammals require nutritional and behavioural support from their mothers.

12.2 Condition

In the case of non-mammals, they must be capable of feeding themselves.

13. Dangerous Wild Animals as defined by the Dangerous Wild Animals Act 1976

13.1 Condition

When dangerous wild animals are kept, the cages must be of a secure construction appropriate to the species and kept locked.

Guidance

Safety of staff and the general public should be of utmost importance and safety barriers may aid in this, as well as prevention of escape.

13.2 Condition

The local authority must be notified in the event that the pet shop wishes to offer for sale, any animal on the Schedule to the Dangerous Wild Animals Act.

Guidance

The primary requirements of the Act are to protect the public but there are also welfare implications.

Although it is acknowledged that there is an exemption contained within the Act in relation to pet shops, it is recommended that consideration should be given to complying with any special requirement(s) specified in the Act for the safe accommodation and care of the animal.

Licensees selling animals on the Schedule to the Dangerous Wild Animals Act should inspect the purchaser's licence to keep such an animal, and inform the issuing authority of the details of the purchase. Licensees should take note of the latest guidance from Defra/Scottish Government.

14. Pet care advice, staff training and knowledge

Condition

New applicants must have a qualification or be registered with a recognized body such as City & Guilds. They must have suitably progressed in 12 months and have completed the qualification within 2 years.

Guidance

Qualifications should be City & Guilds or Level 3 equivalent and appropriate to the species kept.

14.1 Condition

The licensee must ensure that the purchaser is informed of the correct care of the animal covering feeding, housing, handling, husbandry, accessories and veterinary care.

Guidance

Pet care leaflets or other similar written instructions suitable for the species (or group of species) in question should be made available to customers free of charge at the time of purchase, in addition to any offer to purchase pet care books or leaflets. Information can be in the form of Codes of Practice issued by governments. In addition, information may also be made available electronically.

14.2 Condition

Appropriate reference materials on the care of each species must always be available for use by staff.

Guidance

Further advice can be obtained from the organisations listed in the 'Useful Contacts' section at the back of this document.

14.3 Condition

Staff members must be able to provide suitable advice to purchasers and answer questions as required by them.

No animal should be stocked or sold unless the staff or at least one member of staff on call is familiar with the care and welfare of the animals stocked and has a recognised qualification and/or suitable experience/training.

14.4 Condition

The licensee must be able to demonstrate appropriate staff training is carried out and that that staff are competent in pet shop management and animal handling.

Guidance

Further advice, guidance and training can be obtained from the organisations listed in the Useful Contacts section.

15. Fire and other emergency precautions

15.1 Condition

Suitable emergency precautions and written procedures must exist and be made known to all staff, including arrangements for evacuation of animals.

Guidance

Staff should be aware of these procedures and a copy should be displayed for staff to refer to as and when needed. Evacuation should be regularly practised and practices recorded. All staff should undergo regular training and records should be kept of such training.

15.2 Condition

Entrances and exits must be clear of obstructions at all times.

Guidance

To facilitate risk free evacuation if needed, when designing accommodation, consideration should be given to using systems which would allow timely removal of the animals in the case of emergency. This provision would not usually apply to aquaria and ponds.

15.3 Condition

Suitable fire fighting, prevention and detection equipment must be provided, maintained, regularly serviced and sited as advised by the local fire protection/prevention officer and approved by the local authority.

Guidance

This will ensure that, if needed, the equipment will function correctly. Staff should be properly trained on the use of equipment provided.

15.4 Condition

The licensee, or a designated key holder, must at all times be within reasonable travelling distance of the premises and available to attend in case of emergency.

Guidance

A reasonable distance would, in normal conditions, be interpreted as no more than 20 minutes travelling time.

15.5 Condition

A list of key holders must be logged with the local police and local authority.

Guidance

For contact in cases of emergency.

15.6 Condition

In the interests of animal welfare, the following notice must be displayed prominently at the front of the premises: "In case of an emergency dial 999".

Guidance

For information of the public in cases of emergency, when a staff member is not on site.

15.7 Condition

When pet shops are sited within other premises, the licensee or key holders must have access at all times to the premises containing the animals.

Guidance

This is vital for access to the animals at all times to ensure correct care is provided

15.8 Condition:

All electrical installations and appliances must be maintained in a safe condition.

Guidance

For health and safety of staff and animals.

15.9 Condition

There must be an effective contingency plan for essential heating, ventilation and aeration/ filtration systems, as appropriate.

Guidance

Some species are very sensitive to temperature fluctuation.

Schedule B – Dogs

1. Condition

Puppies must be weaned before leaving the mother.

Guidance

To ensure puppies can eat the food provided. Puppies must be 8 weeks old or over. Council Regulation (EC) No. 1/2005 on the protection of animals during transport and related operations prohibits the transport of puppies without their mother before this age.

2. Condition

The minimum kennel size must be:

2.1 For a batch of small breed puppies – max 6 pups – 1.5m² for sleeping, plus 2m² for exercise

2.2 For a batch of medium breed puppies – max 4 pups – 2m² for sleeping, plus 2m² for exercise

2.3 For a batch of large breed puppies – max 2 pups – 2m² for sleeping, plus 2m² for exercise

These are minimum requirements, for larger batches the size of the pens should be adjusted pro-rata accordingly. Ideally the puppies should have free access to the exercise area at all times. Any covered pens should have a minimum height of 1.8m or removable covers to allow adequate access by staff for cleaning. These are minimum standards and meeting the correct size of pens alone are not a defence if the welfare of the animals are in question.

Guidance

The kennel area should be large enough to allow separate sleeping and activity areas. The kennel should allow each puppy to be able to walk, turn around and wag its tail without touching the sides of the kennel. The puppies should have sufficient room to play, stand on their hind limbs and to lie down without touching another individual. The kennel size required will increase in relation to the size and number of puppies housed at any one time. The length and the width should be sufficient to allow all the puppies to lie outstretched without their noses or tails touching the walls or other individuals. In certain circumstances it is permissible to have separate exercise areas to sleeping areas but in such cases puppies must be given access to the exercise area at

least four times a day. Any separate exercise area should be fully cleaned and disinfected between its use by different batches of puppies.

3. Condition

Suitable and sufficient exercise facilities must be available and accessible where appropriate..

4. Condition

Extreme temperatures must be avoided.

Guidance

Puppies are relatively sensitive to high/ low temperatures. Temperatures should not normally go below 12°C or exceed 26°C

5. Condition

General bedding must include an adequate amount of absorbent material.

Guidance

The use of enough absorbent material allows urine and faeces to be contained and reduce contamination of the puppies.

6. Condition

Any soiled material must be removed at least four times a day or as required to ensure the puppy does not have to lie in a soiled area.

Guidance

Puppies do not discriminate in where they toilet and this maintains a clean environment. A cleaning schedule or SOP should be provided

7. Condition

A specific lying place must be provided lined with soft material,

Guidance

The use of soft material will prevent skin lesions being caused by soiling or pressure sores.

8. Condition

Puppies must be fed at least four times daily, at appropriate intervals.

Guidance

The diet should be appropriate for puppies.

9. Condition

Puppies must have frequent, quality contact time with staff.

Guidance

“Suitable intervals” for puppies to be visited are frequent, as they require to be socialised. It is recommended that this should be a minimum of 4 times per day with 20 minutes of interaction per batch. There should be an SOP.

10. Condition

Batches of puppies must not be mixed until they have been on the premises for seven days or have shown no sign of infectious disease for seven days.

Guidance

Puppies are particularly susceptible to disease as they have immature immune systems. The new owner should be advised to register the puppy with a vet.

11. Condition

Ideally, single puppies must not be left alone in a kennel, but where they are, special attention should be paid to specific human interaction. When they are mixed they should be of similar size, age and temperament and there should be good supervision of mixing.

Guidance

Isolating healthy puppies does not allow them to exhibit natural behaviour patterns.

12. Condition

There must be environmental enrichment in all kennels.

Guidance

To allow puppies to exhibit normal behaviour patterns. Toys should only be given under supervision and should be easily cleaned or replaced between batches.

** Please see ‘Schedule A – General Conditions’ for food, water and isolation conditions

Schedule C – Cats

1. Condition

Kittens must be weaned before leaving the mother.

Guidance

To ensure kittens can eat the food provided. Kittens must be 8 weeks old or over. Council Regulation (EC) No. 1/2005 on the protection of animals during transport and related legislation prohibits the transport of kittens without their mother before this age.

2. Condition

The minimum pen floor area for a batch of up to 4 kittens, up to 12 weeks of age, must be 1 m², with a minimum height of 0.6m (for example, 0.6m x 1 x 1) No dimension must be less than 0.6m. Any shelving or platforms must be in addition to the minimum floor area. Each additional kitten must have 0.25m² additional floor space.

Guidance

Kittens require adequate space to play together and to have space for a litter tray and bed. Varying heights to enable climbing should each also be provided. There should be adequate space for feeding, drinking, sleeping and litter tray to be kept separate.

3. Condition

Extreme temperatures must be avoided.

Guidance

Kittens are relatively sensitive to low temperatures owing to their small body weight. Temperatures should not normally go below 15°C or exceed 26°C.

4. Condition

Disposable or washable bedding must be provided and kept clean.

Guidance

Kittens need a warm sleeping, soft area, away from the litter tray and food.

5. Condition

A litter tray and appropriate litter must be available at all times and cleaned and disinfected at least once daily with an

appropriate disinfectant which is safe for use with cats and cleaned as appropriate. The disinfectant should be anti-viral and used in accordance with manufacturers' instructions, as some disinfectants are toxic to cats.

6. Condition

Kittens must be fed at least four times daily, at appropriate intervals.

Guidance

The diet should be appropriate for kittens.

7. Condition

Batches must not be mixed and if several batches are kept in one area then the pen must have solid sides.

Guidance

Diseases spread very easily between litters, both by direct contact or by sneezing. Kittens are particularly susceptible to disease as they have immature immune systems. The new owner should be advised to register the kitten with a vet.

8. Condition

Kittens must have frequent, quality contact time with staff.

Guidance

It is recommended that this should be a minimum of 4 times per day with 20 minutes of specific interaction per batch. Kittens should be protected from over-handling by staff or the public as they require time to rest.

9. Condition

There must be environmental enrichment in all cages such as toys, climbing frames and platforms.

Guidance

To allow kittens to exhibit normal behaviours, particularly climbing. Toys should be easily cleaned or replaced between batches.

Schedule D – Rabbits

1. Condition

Rabbits must be correctly sexed and housed in same sex groups.

Guidance

Rabbits are easier to sex at 8 weeks than any earlier, which will help prevent mis-sexing and unwanted litters.

2. Condition

The minimum enclosure size must be:

0.4m² for up to 4 standard juvenile rabbits and a height of 0.4m. 0.5m² for up to 2 giant breed juvenile rabbits and a height of 0.5m.

These are minimum requirements, for larger batches, larger breeds or adult rabbits the size of the pens should be adjusted pro-rata accordingly.

Guidance

Dwarf Lops/Dutch rabbits are the most commonly available in pet shops and weigh up to 4kgs. The height should allow the rabbit to rear up to perform natural behaviour. Rabbits should be kept in store in groups. Rabbits need to be able to move freely and to be able to perform vital behaviours such as caecotrophy and rearing.

3. Condition

There must be environmental enrichment in all enclosures. A hiding place must be provided.

Guidance

To allow rabbits to exhibit normal behaviours, indestructible toys; cardboard boxes; chewing substrates should be provided. Toys should be easily cleaned or replaced between batches. Rabbits are prey animals and should have the opportunity to hide if scared or stressed.

4. Condition

Extreme temperatures must be avoided.

Guidance

Ambient temperature should not normally go lower than 12°C or exceed 26°C. Providing cool water, cool packs in their bedding, air movement and air conditioning may each help to avoid the stress caused to rabbits by high environmental temperatures.

5. Condition

Rabbits must be provided with a suitable substrate and bedding material in sufficient amounts.

Guidance

Rabbits need a warm, softly-bedded sleeping area away from the litter and food/water.

6. Condition

Visibly soiled substrate and bedding must be removed daily. The pen should be thoroughly cleaned and disinfected before introducing a new animal.

Guidance

The disinfectant should be effective against both viral, bacterial and parasitic infection and safe for use on rabbits. Check with a vet or manufacturer if unsure. Diseases such as E-cuniculi can be spread via urine, so thorough cleaning is required between new occupants. Rabbits often choose to toilet in the sleeping area of a hutch and a litter tray could be placed here.

7. Condition

If batches are mixed you must ensure all animals are free from obvious parasitic infection.

Guidance

Diseases spread very easily between litters. Rabbits should be housed with batch mates where possible.

8. Condition

Rabbits must have a constant supply of fresh hay and water, and be offered an appropriate amount of dry food for the breed and age. Feed dishes should be suitable to ensure feed does not get contaminated by urine or faeces.

Guidance

Rabbits teeth are open rooted and therefore constant access to good quality hay is essential, for dental health, gastrointestinal health (without a constant supply of fibrous food, rabbit GI tracts slow down) and behavioural reasons (to relieve boredom). It is vital that hay is available throughout the day and sufficient provided for them at closing time to last them until the next business day. Dry food should be provided for youngsters to assist growth, see manufacturers instructions, but should not be fed ad-lib.

9 Condition

Animals must be provided with an appropriate diet and any new feeds must be introduced slowly.

Guidance

Due to the delicate digestive system, particularly under stress, if diets are to be changed then a slow transition between diets is advisable.

Schedule E – Other small mammals

1. Condition

All small mammals must be correctly sexed and housed in single sex groups unless a solitary species (or sold as a breeding pair),

Guidance

To help avoid unwanted litters, all animals should be sexed immediately on arrival to the premises and housed in single sex groups. Animals from different sources should not be mixed.

2. Condition

Animals must at all times be kept in suitably sized accommodation.

Guidance

Animals should be able to freely move around the accommodation and be able to perform natural behaviours. See attached table for species relevant sizing.

3. Condition

Animals must be provided with a suitable substrate in sufficient amounts.

Guidance

Providing sufficient and appropriate substrate keeps the accommodation clean and dry and allows digging where appropriate. There are a number of substrates available and the type used will depend on the animal kept.

4. Condition

Animals must be provided with a suitable bedding material in sufficient amounts.

Guidance

Bedding provides a place to sleep and rest, the type used will depend on the animal kept. It should be provided in sufficient quantities to enable the animal to feel secure and warm.

5. Condition

Animals must be provided with places to hide. Accessories and enrichment should be provided, suitable to the species.

Guidance

Animals must be given the opportunity to hide as a natural instinct and be given suitable accessories to allow for stimulation and to

reduce stress. Chinchillas and Degus should be given the opportunity to use a sand bath by offering one on a regular basis, e.g. 10 minutes daily. Rodents need to express natural behaviour such as running and chewing/ gnawing. Toys such as hides, tunnels, paper bags filled with hay and fruit twigs are ideal for expressing natural foraging behaviour. Animals should be able to move away from direct lighting. Cool hides should be provided to prevent over heating.

6. Condition

Suitable food and drink receptacles must be provided and positioned to avoid faecal contamination.

Guidance

Water for small animals is usually provided in clean gravity fill drinking bottles, (which should be of a suitable size for the species) or automatic or semi – automatic drinking systems. Fresh water should be available at all times, or as appropriate to the species; some desert-dwelling species such as jerboas [family Dipodidae] should not be given water ad- lib. Bottles should be kept clean and free from algae.

7. Condition

All rodents must be fed a suitable diet, ad lib and have free access to hay where required.

Guidance

The diet should be appropriate for the breed, life stage and species. Food should be refreshed regularly. Guinea pigs should have sufficient vitamin C in their diet. Guinea pigs are unable to synthesise Vitamin C.

8. Condition

All rodents must be fully weaned on admission.

Minimum accommodation requirements – small rodents

Area in square metres

No. of Animals	1-4	5	6	7	8	9	10	Minimum Cage Height (m)	Minimum Cage Depth (m)
Mice, Hamsters, Gerbils	0.068	0.079	0.09	0.100	0.113	0.124	0.135	0.30	0.25
Rats	0.135	0.157	0.18	0.202	0.225	0.247	0.27	0.30	0.28
Guinea Pigs, Degus	0.225	0.263	0.3	0.338	0.375	0.413	0.45	0.30	0.30
Chinchillas	0.25	0.375	0.5	0.625	0.75	0.875	1.0	0.45	0.45
Chipmunk	0.25	0.375	0.5	0.625	0.75	0.875	1.0	0.90	0.45

Schedule F – Ferrets

1. Condition

Ferrets must be at least eight weeks old

Guidance

Ferret kits can find separation from their mother very stressful and the stress response in a ferret often results in diarrhoea which can prove fatal.

2. Condition

Ferrets must be housed with batch companions

Guidance

Ferrets are naturally social animals that depend on the companionship of their own kind. Lone ferrets often suffer depression including poor appetite and lack of enthusiasm to move or play.

3. Condition

Ferrets must be housed in groups or pairs of either sex. Adult hobs (males) require individual accommodation.

Guidance

Ferret kits can be easily be sexed at 8 weeks of age. Adult, un-neutered hobs (males) may exhibit dominant behaviour and fight, so requiring individual accommodation. House the Jill (female) kits at a reasonable distance to prevent aggression between the hobs as they mature at around 20 weeks. Adult jills (females) should be prevented from having repeated seasons. Jills (females) left in season are prone to estrogen induced anaemia, a factor in shortening their normal lifespan. Veterinary advice should be sought.

4. Condition

Batches of ferrets must not be mixed.

Guidance

Not mixing will reduce the risk of disease spreading. Mixing can be stressful for ferrets.

5. Condition

The minimum pen floor area for a litter of up to 4 ferrets, up to 12 weeks of age, must be 1 m², with a minimum height of 0.6m. No dimension must be less than 0.6m. Any shelving or platforms must be in addition to the minimum floor area. Each additional ferret must have 0.25m² additional floor space.

Guidance

Enclosures should be placed on a hard surface and anchored to the ground. Ferrets require space for their toilet area removed from their sleeping or eating areas. Ferrets require space to exhibit their normal active behaviour – running backwards, forwards and sideways and to climb, explore and play. Ferrets are naturally clean and will usually select one corner as their toilet

6. Condition

Sleeping quarters must be draught free and dark.

Guidance

Ideally sleeping quarters should be raised. Ferrets seek dark areas for sleeping and sleep for long hours, up to twenty a day in the winter. Their natural instinct is to hide whilst sleeping.

7. Condition

Ferrets must have suitable bedding.

Guidance

Suggested bedding includes fabric items that can be laundered, straw and dust extracted wood shavings.

8. Condition

Extreme temperatures must be avoided.

Guidance

Temperatures should not normally go below 12°C or exceed 26°C. Ferrets tolerate cold better than heat. Provide plenty of warm bedding for when it is cold. Be aware heat prostration is likely at 32°C.

9. Condition

Ferret kibble must be provided at appropriate intervals.

Guidance

Feed a recognised and branded ferret kibble / biscuit. Small, frequent meals or ad lib feeding are recommended as ferrets have a rapid rate of digestion

10. Condition

Water must be supplied in both a heavy based bowl and a water bottle attached to the side of the enclosure.

Guidance

Ferrets are renowned for tipping bowls

Schedule G – Birds

1. Condition

There must be adequate perching space for all birds at the same time. Outdoor aviaries must include sufficient sheltered and non-sheltered space. Cage size must be adequate to allow birds to open their wings fully in all directions. Cages must include appropriate environmental enrichment.

Guidance

Stocking densities will depend on the type of bird as well as cage dimensions and number of perches. Access to rain can be beneficial for plumage. Some species will need adequate space to fly. Chickens require an appropriate area and substrate to perch.

2. Condition

Perches must be positioned so that birds do not defecate on each other and must be of appropriate size and shape for each species.

3. Condition

Ambient temperature must be appropriate for the species. Extremes of temperatures must be avoided.

Guidance

Birds are more sensitive to high temperatures.

4. Condition

There must be adequate drinkers/feeders commensurate with the number of birds and these must be cleaned regularly. Bowls etc. must be positioned so that birds do not defecate in food/water.

Guidance

Birds should not have to compete for drinkers/feeders and risk exclusion. Passerines should have food available at all times. Enrichment and feeding devices need to be provided for larger psittacids. For parrots, it is preferable to use swinging systems such that the keeper does not need to enter the cage in order to change food/ water. Bowls should not be able to be removed from holders by the parrot.

5. Condition

Cages must be constructed from materials suitable to the type and size of birds. Materials must be safe to birds and in good repair.

Guidance

Enclosures should be placed on a hard surface. Some species require more robust materials. Materials such as loose zinc coating can be toxic to birds.

6. Condition

Windproof nest boxes must be provided in all outside housing and inside where appropriate.

Guidance

Many birds find sleeping or sheltering in nest boxes an essential form of security or for sheltering from inclement weather but it is recognised that some species, such as canaries, will rarely if ever voluntarily enter nest boxes.

7. Condition

Flooring must be drop-through or easily washed/hosed.

Guidance

If ground living birds are kept with perching birds then attention should be paid to flooring such that bumblefoot issues are addressed - i.e. no concrete/rough stone. Where natural turf flooring is used, parasite status of the birds should be checked on a regular basis every few weeks.

Stocking Densities for Birds in Cages

Type	Length of Bird (cm)	Floor Area (m ²) housing up to 4 birds	Linear cms per additional bird on either cage length or depth ^{*3}
Budgerigar		0.15	5
Canary		0.15	5
Cockatiel		0.48	7.5
Finches	Less than 12.5	0.113	5
	12.5 – 17.5	0.15	5
	more than 17.5	0.225	7.5
Parakeets and Lovebirds ^{*1}	less than 25	0.42	7.5
	25-30*1	0.48	7.5
	more than 30*1	0.675	7.5
Parrots	less than 30	0.225	10
	30 – 35*2	0.4050	15
	more than 35*2	0.4725	20
Chickens		1.6	
Bantams		1.6	
Quail		16	

- *1. It is recommended that, wherever possible, these species are displayed for sale in aviaries or flights rather than cages per se.
- *2. It is recommended that, wherever possible, these species are displayed for sale in aviaries or flights if more than two birds are housed together.
- *3. The extra-linear centimetre per additional bird, is intended to refer to an increase in either width or length or a combination of the two ie, a 20cm increase could refer to 20cm width, 20cm length or say 10cm width combined with 10cm length.

Stocking Densities for Birds in Aviaries and Flights

Type	Length of Bird (cm)	Number of Birds per 'Standard' Aviary (1.8 x 0.9 x 1.8 m)
Budgerigar		18
Canary		18
Cockatiel		8
Finches	Less than 12.5	24
	12.5 – 17.5	18
	more than 17.5	12
Parakeets and Lovebirds *1	less than 25	10
	25-35	6
	more than 35	4
Parrots	less than 30	10
	30 – 35	6
	more than 35	4
Chickens		4 (min height 0.9m)
Bantams		6 (min height 0.9m)
Quail		8 (min height 0.9m)

Schedule H – Reptiles and Amphibians

1. Condition

Stocking and density must be appropriate to the species.

Guidance

Most reptiles and amphibians are not social and may, therefore, be kept individually. Communal enclosures should not be stocked as to appear overcrowded, common sense should be observed.

Mixing of species, although possible, should be undertaken with caution. Some species may require or seek seclusion or privacy either sporadically or permanently and provision for this should be made.

Snakes: may be housed individually or in small groups, of the same species. Snakes known to be cannibalistic, e.g. king snakes (*Lampropeltis* sp), should be housed individually.

Lizards: only species of similar size and from similar habitat and geographical areas should be kept communally. Lizards known to be cannibalistic, e.g. *Gambelia* sp, should be housed individually. Generally adult male lizards in breeding condition should not be housed together and groups of lizards housed communally should be regularly observed for signs of aggression.

Tortoises and Terrapins: only terrapins of similar size and habit and from the similar geographical area should be kept communally. Tortoises of different species should be housed individually. Also, adult males in breeding condition should be housed individually.

Frogs and Toads: only species of similar size, and from similar habitats and geographical areas, should be kept communally. Mixing of taxa (e.g. frog & toad) is not generally recommended. Cannibalistic species, such as horned frogs (*Ceratophrys* sp.) and African bull frogs (*Pyxicephalus* sp.) should be housed individually.

Newts and Salamanders: only species of similar size and from similar geographical areas should be kept together.

Generally mixed taxa [e.g. lizards and tortoises] are not recommended, although paludaria

which combine fish with small reptiles and/or amphibians of appropriate species are acceptable.

2. Condition

The enclosure size must be appropriate to the species and adjusted according to its size.

Guidance

Snakes: the length of the enclosure should be no less than two-thirds the overall length of the snake,.

Lizards: the length of the enclosure should be three times the full length of the lizard, or larger.

Tortoises and Terrapins: the length of the enclosure should be a minimum of 90cms, or four times the length of the animal, or larger. For aquatic species [turtles, terrapins] the enclosure should allow the animal to swim adequately, i.e. have water depth at least 4 times that of the animal, although some terrapins (e.g. *Cuora* sp., *Terrapene* sp. and *Glyptemys* sp.) do not require such deep water. Terrapins must also have an adequate land basking area.

Frogs and Toads: the length of the enclosure should be minimum 30cm x 30 cm x 30cm, or at least three times the length of the animal, or larger. For sedentary species, such as horned frogs (*Ceratophrys* sp.) and African bull frogs (*Pyxicephalus* sp.) the enclosure can be smaller. Fully aquatic species should be able to swim adequately, i.e. water depth should be at least 4 times the depth of the animal.

Newts and Salamanders: the length of the enclosure should be minimum 30cm x 30 cm x 30cm, or at least three times the full length of the amphibian, or larger. Aquatic species should be able to swim adequately, i.e. water depth should be at least 4 times the depth of the animal.

Height and Width: of the enclosure should be appropriate to the species, with arboreal species requiring more height than terrestrial species.

3. Condition

Temperature, humidity, lighting and ventilation must be appropriate to the species.

Guidance

Ambient and basking temperatures should be appropriate to the species concerned, with the following guidance for commonly kept species.

These are guidelines only and individual species should be researched as requirements for some species will fall outside of these recommendations. Vendors and staff must have access to relevant reference material (books, internet etc.). Basking spots may be provided by convection or radiant heat sources (e.g. light bulb, or heat mat), as appropriate to the species. Ventilation should be appropriate to the species and should allow sufficient change of air without jeopardising the temperature or humidity in the enclosure.

4. Condition

Lighting must be appropriate to the species.

Guidance

An appropriate light period should be observed. Species requiring UVB lighting, e.g. diurnal lizards and tortoises, should have appropriate UVB emitting lamps. These should be replaced according to manufacturer's recommendations. Mercury Vapour or Metal Halide UVB emitting lamps may also be used to provide a daytime heat source. UV light sources must not be screened by non UV transmitting glass or plastic. Animals should have areas of shade so that they can escape from the light if desired.

5. Condition

Substrate appropriate to the species must be present.

Guidance

Substrate should be appropriate to the species concerned and may include, but not be limited to: newspaper, paper towel, bark chip, wood chip, terrarium humus, moss, gravel, calcium carbonate, terrarium sand etc. Measures should be taken to ensure that substrate is not ingested.

6. Condition

Enrichment must be provided appropriate to the species.

Guidance

Décor should be appropriate to the species and should not be harmful, e.g. sharp rocks, toxic or injurious plants. Décor should be secure and not able to fall and cause injury. Enclosure should be furnished in such a fashion as to allow inhabitants to exhibit natural behaviour, e.g. climb or hide where appropriate.

7. Condition

Food and water must be provided in the appropriate manner for the species.

Guidance

Feeding habits vary between species and between individuals. Staff should have knowledge of the requirements for all the species held. Food should be presented in a form or pattern that is acceptable to the species concerned. Food supplements [vitamin and minerals] should be provided as appropriate to the species concerned. Live food intended for use should be housed in suitable escape proof containers, and fed appropriately. Fresh foods [salads] should be kept refrigerated where appropriate. Frozen foods intended for use must be stored in an appropriate deep freeze and defrosted thoroughly before use. Feeding records for hatchling snakes should be kept and made available to purchasers. Fresh water should be available at all times, with the exception of certain desert species, such as *Uromastix* sp. which should be offered water periodically. Certain species, such as chameleons, do not drink from standing water and should be offered water appropriately, e.g. by a dripper system or sprayer.

8. Condition

Hygiene: enclosures must be cleaned appropriately.

Guidance

Spoiled food stuffs should be removed at appropriate time periods, at least daily. Substrates should be replaced as appropriate, and spot cleaned daily. Décor should be sanitised as appropriate. Enclosures should be disinfected with appropriate disinfectant as necessary and always between different batches of animals. Disinfectant should be

appropriate for the contaminants likely to be encountered. Disinfectant hand gels should be available for staff to use between animals, to prevent the external environment being contaminated. Water bowls should be cleaned as appropriate and disinfected at least weekly. Slough [shed skins] should be removed daily.

9. Condition

Handling must be kept to a minimum at all times.

Guidance

Handling must be kept to a minimum at all times. Staff should receive training on how to handle animals and animals which may be aggressive should only be handled by competent staff. Staff and customers should wash hands after handling specimens, and any equipment used should also be disinfected.. Customers handling animals prior to purchase should be supervised and offered facilities to wash their hands afterwards.

Schedule I – Fish

1. Condition

Water quality is a key determinant of fish welfare. To assess it, levels of ammonia and nitrite must be checked first. Only if such measurements exceed the recommended standards below, or there is an unexplained problem, is there any need to proceed further. Minimum water standards must be:

Cold Water Species

Free Ammonia	max 0.02mg/l
Nitrite	max 0.2mg/l
Dissolved Oxygen	min 6mg/l
Nitrate	max 50mg/l above ambient tap water

Tropical Freshwater Species

Free Ammonia	max 0.02mg/l
Nitrite	max 0.2mg/l
Dissolved Oxygen	min 6mg/l
Nitrate	max 50mg/l above ambient tap water

Tropical Marine Species

Free Ammonia	max 0.01mg/l
Nitrite	max 0.125mg/l
Nitrate	max 100mg/l
pH	min 8.1
Dissolved Oxygen	min 4.0 mg/l

Guidance

It is virtually impossible to determine the quantity of aquatic organisms to be kept in a system purely on a weight or number of aquatic organisms per unit, volume, or water surface area. The variation in holding system used, the quality of husbandry and the types of aquatic organisms stocked vary so greatly that it would render any such system too complicated to be practical or too simple to be useful. The maintenance of water quality standards can be used to determine working stocking densities. The water quality standards should not be met at the expense of a correct feeding regime. Exceptions to these standards might occur e.g. when aquatic organisms are diseased, after transport or other stress. However in these cases appropriate remedial actions e.g. treatment,

acclimatisation or isolation should be undertaken. Sea water holds less oxygen than fresh water. The recommended level is 5.5 mg/l so extra care is needed to ensure that levels do not routinely fall below this.

2. Condition

Water quality must be checked regularly and records kept of all tests. Centralised systems must be tested weekly. 10 % of individually filtered tanks or vat must be tested weekly. On aquaria or vats in which visual inspection indicates unusual behaviour or deaths, water quality inspections should be undertaken.

Guidance

One test is representative of all the water in the system of centralised systems. Standalone systems must each be tested. Poor water quality is often the underlying cause of problems presenting as disease or mortalities.

3. Condition

Holding systems must be cleaned and checked regularly.

Guidance

Aquaria must be checked daily and cleaned as often as is necessary to maintain good hygiene standards, consistent with the rate of stock turnover and consequent stocking densities.

4. Condition

No aquatic organisms should be exposed to excessive light or heat, or lack of adequate warmth.

Guidance

No fish or other aquatic organism should be subject to rapid fluctuation in light (lights should be on dimmers if automated), temperature and chemical composition of their water, other than for the controlled treatment of disease or as part of a controlled breeding programme. There are in excess of 4000 fish species in trade and thus the acceptable conditions may vary substantially and often counter intuitively. In case of doubt expert advice should always be sought.

Information

Register of Wild Animals and Endangered Species

Some species are listed on the Annexes of EU Wildlife Trade Regulations which implement CITES [Convention on International Trade in Endangered Species]. Species listed on Annex A of EU Wildlife Trade Regulations [Council Regulation (EC) No. 338/97] must have a valid Article 10 Certificate and may require microchipping or closed ring. Species listed on Annex B do not require Certificates but the vendor should be able to provide proof the animal was acquired legally.

Further information is available from Animal Health, Wildlife Licensing and Registration Service:
1-15 Temple Quay House, 2 The Square,
Bristol, BS1 6EB

Wild-caught specimens listed on Annex IV of the EU Habitats Directive [Council Directive 92/43 EEC] collected within the EU require the appropriate Certification. Captive-bred specimens are exempted from such requirements.

Breeding and Sale of Dogs Act

Puppies/dogs should be identifiable whilst at the shop. Under this legislation, the record should show:

- The identification of the animal
- The date of birth, breed, sex and any distinguishing features
- Details of any veterinary care provided while under care of the shop In addition, it is also good practice to record:
 - Details of any feedback provided to the breeder on health issues such as disease or inherited defects
 - Details of any health screening tests performed on the parents

Microchip is the preferred method of identification.

Useful Contacts

All pet shop licences are issued by your local authority who should be your first point of contact

General

British Veterinary Zoological Society

Email: secretary@bvzs.org

Chartered Institute of Environmental Health

Chadwick Court, 15 Hatfields, London SE1 8DJ
Telephone: 020 7928 6006
www.cieh.org

Department for Environment, Food and Rural Affairs

Animal Welfare Unit, Nobel House, 17 Smith Square
London SW1P 3JR Telephone: 08459 33 55 77
Email: helpline@defra.gsi.gov.uk
<https://www.gov.uk/government/topics/wildlife-and-animal-welfare>

Local Government Association,

c/o LGconnect, Local Government Group,
Local Government House, Smith Square,
London SW1P 3HZ
Telephone: 020 7664 3000
Email: info@local.gov.uk
www.lga.gov.uk

Veterinary Contacts

British Small Animal Veterinary Association

Woodrow House, 1 Telford Way,
Waterwells Business Park, Quedgeley,
Gloucester GL2 2AB
Telephone: 01452 726700
www.bsava.com

British Veterinary Association

7 Mansfield Street,
London W1G 9NQ
Telephone: 020 7636 6541
Email: bvahq@bva.co.uk
www.bva.co.uk

Royal College of Veterinary Surgeons

Belgravia House, 62-64 Horseferry Road,
London SW1P 2AF
www.rcvs.org.uk

All Species

The Blue Cross

Shilton Road, Burford, Oxon OX18 4PF
Tel: 01993 822651
Email: info@bluecross.org.uk
www.bluecross.org.uk

Pet Industry Federation

Bedford Business Centre,
170 Mile Road, Bedford MK42 9TW
Telephone: 01234 273 933
www.petcare.org.uk

People's Dispensary for Sick Animals (PDSA)

Head Office, Whitechapel Way,
Priorslee, Telford, Shropshire TF2 9PQ
Telephone: 01952 290999
www.pdsa.org.uk

Royal Society for the Prevention of Cruelty to Animals

RSPCA Enquiries Service, Wilberforce Way,
Southwater, Horsham, West Sussex RH13 9RS
Telephone: 0300 1234 555
www.rspca.org.uk

Wood Green Animal Shelters

Kings Bush Farm, London Road,
Godmanchester, Cambs PE29 2NH
Telephone: 0844 248 8181
Email: info@woodgreen.org.uk
www.woodgreen.org.uk

Cats

International Cat Care

Taeselbury, High Street, Tisbury,
Wiltshire SP3 6LD
Telephone: 01747 871872
Email: info@icatcare.org
www.icatcare.org

Governing Council of the Cat Fancy

5 King's Castle Business Park,
The Drove, Bridgwater, Somerset TA6 4AG
Telephone: 01278 427575
Email: info@gccfcats.org
www.gccfcats.org

Dogs

Dogs Trust

17 Wakley Street, London EC1V 7RQ
Telephone: 0207 833 7685
Email: info@dogstrust.org.uk
www.dogstrust.org.uk

The Kennel Club

1-5 Clarges Street, Piccadilly, London W1J 8AB
Telephone: 08444 633 980
Email: info@thekennelclub.org.uk
www.thekennelclub.org.uk

Fish

Ornamental Aquatic Trade Association

1st Floor Office Suite, Wessex House,
40 Station Road, Westbury,
Wiltshire BA13 3JN
Tel: 01373 301353
www.ornamentalfish.org

Permanent identification databases

Microchipping Advisory Group

[www.bsava.com/Advice/MicrochipAdvice/
tabid/154/Default.aspx](http://www.bsava.com/Advice/MicrochipAdvice/tabid/154/Default.aspx)

National Dog Tattoo Register

Telephone: 01255 552455
www.dog-register.co.uk

Animalcare

Telephone: 01904 487 687
Email: office@animalcare.co.uk
www.animalcare.co.uk

AVID Plc

PO Box 190, Lewes, East Sussex BN7 9GD
Telephone: 0800 652 7 977
Email: pettrac@avidplc.com
www.avidplc.com

Petlog

The Kennel Club, 4A Alton House,
Gatehouse Way, Aylesbury, Bucks HP19 8XU
Telephone: 0844 463 3999
Email: petlogadmin@thekennelclub.org.uk
www.petlog.org.uk

Pet Protect

Furness House, 53 Brighton Road,
Redhill, Surrey RH1 6RD
Telephone: 0800 587 0660
www.petprotect.co.uk

Rabbits and small mammals,

British Rabbit Council

Purefoy House, 7 Kirkgate,
Newark, Notts NG24 1AD
Telephone: 01636 676042
www.thebrc.org

Rabbit Welfare Association and Fund

PO Box 603, Horsham,
West Sussex RH13 5WL
Telephone: 0844 324 6090
Email: hq@rabbitwelfare.co.uk
www.rabbitwelfare.co.uk

Reptiles

REPTA (Reptile & Exotic Pet Trade Association)

Telephone: 02380 440999
Email: info@repta.org www.repta.org

Qualifications and Training

Contact your trade association, local technical
or agricultural college for information on current
training and qualifications

Animal Medicines Training Regulatory Authority

Unit 1c, Woolpit Business Park,
Windmill Avenue, Woolpit,
Bury St. Edmunds IP30 9UP
Telephone: 01359 245801
Email: info@amtra.org.uk
www.amtra.org.uk

City & Guilds

1 Giltspur Street, London EC1A 9DD
Telephone: 0844 543 0000
www.cityandguilds.com

LANTRA

Lantra House, Stoneleigh Park,
Coventry, Warwickshire CV8 2LG
Telephone: 0845 707 8007
Email: connect@lantra.co.uk
www.lantra.co.uk

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Chartered Institute of Environmental Health
Chadwick Court, 15 Hatfields, London SE1 8DJ
Telephone 020 7928 6006
Email info@cieh.org **Web** www.cieh.org
Registered charity no. 290350

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Bracknell Forest Council: Pet Shop Licence Conditions

1 Licence Display

- 1.1 The licence, or a copy shall be suitably displayed to the public in a prominent position.
- 1.2 No livestock shall be sold in any area at the premises other than in the designated area.
- 1.3 Only livestock listed in the Additional Conditions to the licence may be stocked for sale.

2 Accommodation

Animals shall at all times be kept in accommodation and environment suitable to their species with respect to situation, size, temperature, lighting, ventilation and cleanliness and not exposed to draughts. All accommodation shall be kept in good repair.

- 2.1 No animal shall be displayed for sale outdoors.
- 2.2 Housing for animals shall be constructed of non-porous materials and shall be appropriately treated.
- 2.3 In order to prevent the spread of disease, and to prevent injury, animals shall not be kept in housing in such a way that they can be disturbed by other animals or by the public.
- 2.4 All livestock for sale shall be readily accessible and easy to inspect, with cages sited so that the floor of the cage is readily visible.
- 2.5 Accommodation shall be cleaned as often as necessary to maintain good hygiene standards.
- 2.6 Where accommodation is on a tiered system, water, food or other droppings shall not be allowed to enter the lower housing.
- 2.7 All accessories provided in the accommodation shall be suitable for the species.

3 Exercise facilities

- 3.1 Suitable and sufficient facilities shall be available where appropriate.
- 3.2 For puppies a covered exercise area of at least 4.46 square metres (26 square feet) shall be provided. Exercise areas shall have a minimum height of 1.8 metres (6 feet) to facilitate adequate access by staff.

4 Register of Animals

- 4.1 A livestock purchase register shall be maintained for all livestock. A sales register shall be maintained for:

Kittens

Psittacines

Species contained in the Schedule to the Dangerous Wild Animals Act 1967 (as modified).

- 4.2 A register shall be kept recording the Name and Address of the supplier of all livestock. All registers shall be made available to any Council Officer, Veterinary Practitioner or Veterinary Surgeon authorised by the Council.

5 Stocking numbers and densities

- 5.1** The maximum number of animals to be stocked on the premises shall be governed by the accommodation available, as stated in the stocking density listed below. No other animals, other than those specified in the licence conditions shall be stocked without written permission from the Council. These stocking densities are insufficient for stocking marmosets. Marmosets shall be housed in cages sufficiently large enough to allow for natural movement, such as climbing and swinging.

Animal Type	Animals Numbers	1-4	5	6	7	8	9	10	Minimum cage height	Minimum cage depth
Mice, hamsters, gerbils	sq. cm	450	525	600	675	750	825	900	25	25
Rats	sq. cm	675	785	900	1010	1125	1235	1350	30	30
Guinea pigs	sq. cm	1350	1570	1800	2020	2250	2470	2700	30	30
Rabbits up to 2kg, kittens,										
ferrets, chinchillas, chipmunks	sq. cm	2250	2625	3000	3375	3750	4125	4500	40	40
Maximum	sq. cm	10,000	12,500	15,000	17,500	20,000	22,500	25,000	Double height	0.9m
									at shoulder minimum 50	

5.2 Stocking Densities for Cage Birds

No species of bird shall be housed in accommodation which does not afford that species sufficient space for natural free and full wing stretching and the number of birds housed shall be such that overcrowding does not significantly reduce that freedom. Long tailed birds or birds in full plumage must be provided with properly placed perches and feeding and watering points to prevent that plumage being fouled or otherwise damaged.

- 5.3** For perching birds, a sufficient number of perches (as appropriate) shall be provided at such a height that the bird can rest its head without its head touching the top, and its tail the bottom of the cage.

5.4 Water Quality for Ornamental Fish

- 5.5** Water quality testing shall take place at least once a week in a centralised system and 10% of individual tanks shall be likewise tested. Unsatisfactory test results shall be recorded in a register together with the corrective action taken. Further tests shall be carried when a visual inspection of the tanks indicates the need.

Water quality criteria

Cold Water

Dissolved oxygen	-min	6mg/litre
Free ammonia	-max	0.02mg/litre
Nitrite	-max	0.2mg/litre
Nitrate	-max	50mg/litre above
		ambient tap water

Tropical Fish

Dissolved oxygen	-min	6mg/litre
Free ammonia	-max	0.02mg/litre
Nitrite	-max	0.2mg/litre
Nitrate	-max	50mg/litre above
		ambient tap water

Tropical Marine Species

Dissolved oxygen	-min	5.5mg/litre	
Free ammonia	-max	0.01mg/litre	
Nitrite	-max	0.125mg/litre	
Nitrate	-max	40mg/litre	
		This is an absolute figure. It does not relate to ambient tap water.	
PH	-min	8.1	

6 Health, Disease and Acclimatisation

- 6.1** All stock for sale shall be in good health and free from obvious parasitic infestation as far as reasonably determined without veterinary inspection.
- 6.2** Any sick or injured animals shall receive appropriate care and treatment without delay. Inexperienced staff shall not treat sick animals unless under appropriately experienced supervision. Care and Treatment may include euthanasia but shall under no circumstances shall an animal be euthanised other than in a humane manner. In case of doubt, veterinary advice shall be sought.
- 6.3** Facilities shall be provided to isolate sick and injured animals.
- 6.4** All animals shall receive appropriate inoculations where required for the species, as advised by a veterinary practitioner. Veterinary advice shall be sought whenever necessary.
- 6.4** Any animal with an obvious, significant abnormality, which would materially affect its quality of life, shall not be offered for sale. When in doubt, veterinary advice shall be sought.
- 6.5** All animals shall be allowed a suitable acclimatisation period before sale.
- 6.6** All reasonable precautions shall be taken to prevent the outbreak of disease. No animal which is suffering from, or could reasonably be suspected of having come into contact with any other animal suffering from infectious or contagious disease, or which is infested with parasites, shall be brought into or kept on the premises unless actively isolated.
- 6.7** Individual litters of puppies and kittens shall be kept separate from other litters.
- 6.8** All necessary precautions shall be taken to prevent harbourage, or the introduction to the premises, of rodents, insects and other pests. Rodents and Insects excludes livestock for sale for feeding.

7 Food and Drink

- 7.1** Animals shall be supplied with adequate amounts of food and drink, appropriate to their needs, and at suitable intervals.
- 7.2** All food must be suitable for the species concerned.
- 7.3** All food and drink receptacles shall be constructed and positioned to minimise faecal contamination and spillage.

- 7.4** A suitable and sufficient number of receptacles shall be provided and cleaned at regular intervals.

8 Food Storage

- 8.1** All food, excluding live foods intended for feeding to livestock on the premises, shall be stored in impervious closed containers.
- 8.2** The container and equipment used for feeding shall be kept in a clean and sound condition.
- 8.3** All necessary steps shall be taken to prevent infestation from rodents, insects and other pests.

9 Observation

- 9.1** All livestock shall be attended to at regular intervals, at least once daily, appropriate to the species.

10 Excreta and Soiled Bedding

- 10.1** All excreta and soiled bedding shall be kept in a hygienic manner and stored in impervious containers with close fitting lids, away from direct sunlight.
- 10.2** Excreta and soiled bedding shall be removed from the premises on a regular basis, at least once weekly disposed of to the satisfaction of the Council, and in accordance with current regulations and good waste management practice.
- 10.3** All containers shall be kept in a clean condition.

11 Transportation

- 11.1** When receiving livestock, the licensee shall make every effort to ensure that it is transported in a suitable manner. A record of the registration number of the vehicle used for the transportation of livestock shall be kept.
- 11.2** All livestock received shall be transported according to regulations laid down in current legislation; such as the Welfare of Animals (Transport) Order 1997.

12 Transportation Containers

- 12.1** Livestock shall be transported or handed to purchasers in suitable containers.

13 Sale of Livestock

- 13.1** No mammal shall be sold unweaned or, if weaned, at an age at which it should not have been weaned.
- 13.2** In the case of non-mammals, they must be capable of feeding themselves.
- 13.3** No animal shall be sold to any person under the age of 16 years unless that person is accompanied by a parent or legal guardian or provides appropriate written consent. Sales to juveniles less than 16 years (but over 12 years) of age who is known to the licensee are permitted in the absence of a parent or legal guardian or the appropriate written consent provided that:

- (a) The parent or guardian would not object to the acquisition;

(b) The juvenile is sufficiently knowledgeable as to the needs, care and nature of the species acquired;

(c) The juvenile's intention towards the acquisition is consistent with the well being of the animal concerned.

14 Dangerous Wild Animals

- 14.1** When dangerous wild animals are kept, the cage shall be of a secure construction appropriate to the species. A fine wire mesh, glass or plastic safety barrier shall be incorporated into the cage system.
- 14.2** The Council shall be notified in the event that dangerous wild animals are to be sold for the first time, any animal on the Schedule to the Dangerous Wild Animals Act.
- 14.3** Before any animal on the Schedule to the Dangerous Wild Animals Act is sold the Licence to keep such animals by the purchaser shall be inspected.
- 14.4** A register shall be kept recording the Name and Address of the purchaser of any animal on the Dangerous Wild Animal. The register shall be made available to any Council Officer, Police Constable, Veterinary Practitioner or Veterinary Surgeon authorised by the Council.

15 Pet Care Advice

- 15.1** Pet care leaflets or other similar written instructions shall be made available to customers free of charge at the time of purchase, in addition to any offer to purchase pet care books and leaflets.
- 15.2** Purchasers shall be given proper advice on the care of any animal sold and where necessary, on the maintenance and use of any accessories.
- 15.3** Appropriate reference materials shall always be available for use by staff.

16 Staff Training and Livestock Knowledge

- 16.1** No animal shall be stocked or sold unless the staff (or at least one member of the staff) is familiar with the care and welfare of the animals stocked and has a recognised qualification or suitable experience.
- 16.2** A written training policy for all permanent members of staff shall be provided and evidence that a systematic training program is in place.

17 Fire and other Emergency Precautions

- 17.1** Suitable emergency precautions and written procedures shall exist and be made known to all members of staff, including arrangements for evacuation of livestock.
- 17.2** All entrances and exits shall be clear of obstructions at all times.
- 17.3** Suitable fire fighting equipment shall be provided, maintained and regularly serviced.
- 17.4** The licensee, or a designated keyholder, shall at all times be within reasonable distance of the premises and available to visit the premises in case of an emergency.
- 17.5** A list of keyholders shall be lodged with the local Police and the Council.

- 17.6** The following notice shall be displayed at the front of the shop and visible from the outside:

"In case of emergency, dial 999"

Also, the telephone number of the local Police station shall be displayed.

- 17.7** If the pet shop is sited within other premises, the licensee or keyholders shall have access at all times to the premises containing the livestock.
- 17.8** All electrical installations and appliances shall be maintained in a safe condition and evidence of this provided to the satisfaction of the Council.

18 Boarding of Animals

- 18.1** No boarding of animals shall take place of any species of animal for which there is no licence to sell. If it is intended to board cats and dogs, suitable and sufficient accommodation shall be provided.
- 18.2** If cats and dogs are to be boarded then the appropriate licence shall be obtained from the Council.

19 Categories of Animals to be Sold

- 19.1** The following animals may be sold:

1. Kittens
2. Smaller domesticated mammals e.g. rabbits, guinea pigs, gerbils, hamsters, rats, mice, chinchillas, chipmunks, ferrets.
3. Primates e.g. marmosets.
4. Parrots parakeets and macaws
5. Reptiles.
6. Amphibians.
7. Fish and aquatic invertebrates.
8. Other (specify).

**TO: LICENSING AND SAFETY COMMITTEE
7 JANUARY 2016**

SAFEGUARDING TRAINING FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVERS

Chief Officer: Environment and Public Protection

1 PURPOSE OF REPORT

- 1.1 Addressing the issue of child sexual exploitation (CSE) has become a priority and a matter of great importance for the community and public authorities. This report seeks approval of the Committee to introduce compulsory safeguarding training for all licensed hackney carriage and private hire vehicle drivers and operators within Bracknell Forest.

2 RECOMMENDATIONS

2.1 That the Committee agrees

- i) **to the introduction of mandatory safeguarding training for all hackney carriage and private hire vehicle drivers and operators, and**
- ii) **that the trade and the general public be consulted on the content and extent of any training provision prior to implementation.**

3 REASONS FOR RECOMMENDATIONS

- 3.1 This report sets out information collected over a number of years which evidences that there is an identified serious risk to the safety of children which can be reduced through appropriate training of taxi drivers and operators. The Council has an obligation to take measures to protect the safety of children and the proposal delivers this through the use of legal powers granted to the Council.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The Council could provide information on safeguarding to taxi drivers and operators and not require attendance at a training session. Evidence from training already conducted for drivers and operators involved in home to school transport is that training is vital for drivers to fully understand the safeguarding implications for children and themselves.

5 SUPPORTING INFORMATION

- 5.1 There have been a number of high profile and significant cases in recent years pertaining to the sexual exploitation of children. The exposure of poorly managed cases of CSE in Rotherham and also the subsequent enquiries and reports have been a watershed on how society deals with the identification and processing of CSE incidents. Within the report 'Independent Inquiry into Child Sexual Exploitation in Rotherham (1997 – 2013) Alexis Jay OBE August 2014' the role of taxi drivers in facilitating the abuse of children was identified and highlighted with the following comments made by the author:

"Time and again we read in the files and other documents of children being violently raped, beaten, forced to perform sex acts in taxis and cars when they were being transferred between towns".

- 5.2 Attached as Annex 1 is a section from the report on Taxis and Licensing and their association with cases of CSE within Rotherham.
- 5.3 When a taxi driver applies for a licence in Bracknell Forest they are required to demonstrate that they are a “fit and proper person”. This includes the submission of an enhanced DBS check at the highest level which includes the right for the Police to provide information which has not been the subject of a criminal prosecution. The Council has approximately 350 licensed drivers and within the last four years two taxi drivers have had their licences revoked following accusations of CSE related behaviour.
- 5.4 Officers have prepared a fact sheet for licensed drivers on matters of CSE and human trafficking which is attached as Annex 2. This will be distributed to all licensed drivers and operators and will be included within our guidance book at its next re-print in 2016. The question is “are we, as a Licensing Authority given the known connections of the taxi trade to CSE, presently doing enough to protect children?”
- 5.5 A more recent case of CSE, centred in Oxfordshire under the name Operation Bullfinch, resulted in 13 convictions for CSE. A report “Child Sexual Exploitation – Making a Difference” was released in June 2015 by Maggie Blyth of Oxfordshire Safeguarding Children’s Board. Attached as Annex 3 are some extracts from that report relating to taxis and their association with CSE. Within the recommendations there are references to:
- (1) Mandatory safeguarding training for taxi drivers, and
 - (2) Robust contracts for the transportation of vulnerable children to school.
- 5.6 Bracknell Forest, as part of its role as a provider for home to school transport, uses a variety of transport methods including a significant number of taxis. It has for the last 2 years been a condition of the service contract that a driver must undertake mandatory safeguarding training, covering areas such as child abuse, neglect and CSE. At present approximately 70 drivers/operators have undertaken the training which is provided by BFC at the Commercial Centre and is completed within 2 hours. It is anticipated that the cost based upon this arrangement is likely to be in the region of £20-25 per person and that it will be funded through a charge upon applicants for licences.
- 5.7 A hackney carriage or private hire vehicle driver will often find themselves in a position of transporting children who are either on their own or accompanied by adults. They will have the opportunity of observing behaviour that might be indicative of abuse, CSE or human trafficking. In addition they may find themselves as a potential target for unfounded allegations of CSE or abuse. It is therefore vitally important for drivers to be aware of the signs and know how to react to them, and in doing so safeguard children and themselves.
- 5.8 The recommendation is that the Council should introduce a condition within a driver licence requiring compulsory attendance at safeguarding training approved by the Council. Such measures would it is believed make children much safer and meet our duty under the Care Act 2014 through the implementation of necessary processes and procedures to protect children.
- 5.9 Prior to the implementation of any measures consultation will be carried out with the general public and the taxi trade. The consultation will examine options for the

subject areas, how training could be delivered including costs and how it would be implemented with both existing licence holders and new applicants. The results of the consultation would be brought back to this Committee with recommendations upon how compulsory safeguarding training could and should be delivered.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 The Council as licensing authority has the power to require licensed drivers and operators to undertake safeguarding training including refresher training in accordance with their policy.

Borough Treasurer

- 6.2 It is intended that the training will be funded through a new charge to be included within the licensing fees.

Equalities Impact Assessment

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

Strategic Risk Management Issues

- 6.4 The Council has a duty to protect children and there is clear evidence that the taxi trade has been implicated in CSE previously. To take no action could be criticised should there be a public enquiry into an incident in Bracknell Forest.

7 CONSULTATION

Principal Groups Consulted

- 7.1 No consultation carried out at the time of writing this report.

Method of Consultation

- 7.2 Not applicable.

Representations Received

- 7.3 Not applicable.

Background Papers

None

Contact for further information

Robert Sexton
Head of Regulatory Services
01344 352580
Robert.sexton@bracknell-forest.gov.uk

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**Extract from Independent Inquiry into Child Sexual Exploitation in Rotherham
(1997 – 2013) Alexis Jay OBE, August 2014**

Taxis and Licensing

8.16 One of the common threads running through child sexual exploitation across England has been the prominent role of taxi drivers in being directly linked to children who were abused. This was the case in Rotherham from a very early stage, when residential care home heads met in the nineties to share intelligence about taxis and other cars which picked up girls from outside their units. In the early 2000s some secondary school heads were reporting girls being picked up at lunchtime at the school gates and being taken away to provide oral sex to men in the lunch break.

8.17 A diagram and backing papers supplied to the Police in 2001 by Risky Business linked alleged perpetrators with victims, taxi companies and individual drivers.

8.18 In the Borough at present there are 1200-1300 licensed taxi drivers, though they may not all be active. There are also well over 100 licensed taxi operators. The licensing of the vehicles and drivers is the responsibility of the local authority. There are statutory tests that must be complied with before a driver licence may be granted. The primary concern is for the 'fit and proper' test of the individual, although there is no legal definition of what this means. In Rotherham, applicants are obliged to obtain an enhanced disclosure from the Disclosure and Barring Service (DBS). The DBS check uses the same Police National Computer (PNC) information as the standard check but also includes a check of police intelligence records held locally. Any information held locally can at the discretion of the Chief Officer of Police be disclosed on the certificate.

8.19 The occupation of 'taxi driver' is a notifiable occupation. If a taxi driver is arrested or charged or convicted or is the subject of an investigation then the Licensing Authority is informed. The Licensing Authority may immediately suspend or revoke the licence if it is in the interests of public safety to do so. In 2010, the Council decided to locate all matters of temporary suspension with the relevant director, rather than with a less senior member of staff.

8.20 The Responsible Authorities' meetings in Rotherham were introduced in 2006 to share and discuss matters in relation to licensed premises such as late night takeaways, but they were later extended to include other matters related to licensing such as taxi and private hire licensing and safeguarding issues. Taxis are a standing item on the meeting's agenda. They are now held once every eight weeks with members including the Police, Fire, Child Safeguarding, Public Health and others. In March 2005, the Council's Task and Finish Group on CSE asked that discussions take place about safe travel, though there is no record of what specific actions followed. In June 2008 the Safeguarding Board learned that work had started involving taxi drivers and licensed premises as part of the preventive agenda by encouraging recognition and referral of young people thought to be at risk of sexual exploitation.

8.21 The Safeguarding Unit convened Strategy meetings from time to time on allegations involving taxi drivers. We read some of the most serious, from 2010, and were struck by the sense of exasperation, even hopelessness, recorded as the professionals in attendance tried to find ways of disrupting the suspected activity. Strategy meetings about one specific taxi firm had been held on four occasions in a seven week period. The minutes of one meeting record a total of ten girls and young women, three of whom were involved in three separate incidents of alleged attempted abduction by taxi drivers. The seven other girls had alleged that they were being sexually exploited in exchange for free taxi rides and goods. Two of the girls involved were looked after children. The Licensing Enforcement Officer took the step of formally writing to the Police following the incidents of alleged attempted abductions by

drivers, complaining about the Police failure to act. In one incident, a driver accosted a 13-year-old girl. She refused to do what he asked and reported this to her parents who followed the taxi through the town, where they managed to identify the driver and dialled 999 for assistance. According to the Licensing Enforcement Officer, the Police did not attend until later and took no action. In his email to the Police he stated that 'a simple check would have revealed that the driver had been arrested a week previously in Bradford for a successful kidnapping of a lone female.' He concluded by acknowledging that police priorities were not the same as Licensing, but he 'should not be holding this together on his own'.

8.22 A further issue of safeguarding concerned those taxi firms which had a contract with the Council to transport some of the most vulnerable children to various resources within the authority. Some of the Council's difficulty was that they did not always have the drivers' names when allegations were made. Nor did they have a list of the drivers who transported children as part of the Council contract.

8.23 Following a review undertaken in 2012, the Council's Housing and Neighbourhood Services developed a formal procedure for the referral and communication of concerns about the safeguarding of children and vulnerable adults. This replaced a more informal arrangement. A plan for child safeguarding training for taxi drivers has also been put together with Sheffield City Council. Once finalised, it is intended that the training package will be delivered to all new applicants in Rotherham. This will be mandatory as part of the application process, and the existing drivers will be targeted in a phased way. The Council has also produced a 'Taxi Driver's Handbook', which includes CSE and safeguarding issues.

8.24 We were advised that four CSE related cases of taxi drivers had resulted in revocation of licence since 2009. They worked for four different companies. In one instance, the driver was arrested for sexual offences and supplying a controlled drug to a 15 year old girl. The CPS decided not to charge him, due to the perceived unreliability of one of the prosecution witnesses and the driver requested that the immediate suspension of his licence be lifted. However, the Licensing Board fully revoked the suspended driver licence. Council licensing staff described their relations with the taxi trade as being 'very difficult' on occasions, but they had always taken the right course of action on safeguarding issues. They worked closely with the Police, mostly on 'soft' intelligence, since written information tended to be much blander.

8.25 In a number of different meetings, the Inquiry talked to 24 young people, aged 14-25, who lived in the Council area. One of the main items for discussion with them was safe transport. When asked about taxis, there was an immediate and consistent response from the young women and men on every occasion. All avoided the use of taxis if at all possible. Their parents and partners strongly discouraged, even forbade, them from being on their own at night in a taxi, unless it was a company they personally knew. The girls described how on occasions they would be taken on the longest, darkest route home. One said the driver's first question would be 'How old are you, love?'. All talked about the content of their conversation quickly turning flirtatious or suggestive, including references to sex.

8.26 All the young people we met preferred to use the bus, despite their nervousness and dislike of the Rotherham Interchange, which they described as attracting drug dealers, addicts and people involved in a range of criminal activity. Many of these people congregated outside the Bus Station. The young people described their sense of intimidation and 'running the gauntlet' to get to their buses.

8.27 The use of limousines for purposes of sexual exploitation was raised by a number of people as a historic and current issue. It was also discussed at the Safeguarding Board in 2011. Such vehicles with more than 8 seats are nationally regulated by the Driver and Vehicle Standards Agency. In Rotherham, they have recently been seen waiting for young girls outside school gates. The Police have targeted limousine companies as part of organised operations to prevent sexual exploitation.

**HUMAN TRAFFICKING AND CHILD SEXUAL EXPLOITATION
GUIDANCE FOR LICENSED DRIVERS**



Why do I need to know?

Recently there have been high profile cases involving Human Trafficking and Child Sexual Exploitation in the national media. We want to protect those who are vulnerable in our society; and due to their role in the community, drivers of licensed vehicles can play a key role in helping to identify potential victims and report concerns to the authorities.

You should also be aware that if you transport a child, knowing or believing that the child will be sexually exploited during or after the journey, you could be found guilty of the offence of Human Trafficking with a potential sentence of up to 14 years imprisonment.

Please read the following information carefully so you know what to look out for and how to report concerns. If you need more information, please ask.

What is Human Trafficking?

Moving a person (adult or child) from one place to another into conditions of exploitation, using deception, coercion, the abuse of power or the abuse of someone's vulnerability.

What is Child Sexual Exploitation (CSE)?

Situations, contexts and relationships where young people receive "something" as a result of them performing sexual activity or having another person perform sexual activity on them.

Those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability.

Those being exploited might receive things like food, accommodation, drugs, alcohol, cigarettes, gifts, money or affection.

Young people may be targeted if they are perceived as vulnerable, for reasons such as: coming from a dysfunctional household, loneliness, homeless or in residential care, learning disabilities.

What should I look out for?

- Dropping off or collecting young people (girls and boys) from hotels/B&Bs/house parties
- Picking up young people from other cars
- Young people who look distressed or intimidated
- Observing suspicious activity in hot-spot areas, such as pubs or takeaways
- Young people under the influence of drugs and/or alcohol
- Attempts to avoid paying fares in return for sexual favours
- Regular males requesting taxi rides to and from locations - taking young people with them
- Taking young people to A&E who are not in the presence of parents
- Young people with injuries
- Customers who do not know the destination of the journey or those who allow others to speak for them when addressed directly
- Changes in behaviour, e.g. becoming withdrawn, aggressive or depressed

Annex 2

What should I do?

To report concerns:

Dial 999 – in an emergency, such as when you believe a child is about to be exploited

Dial 101 – Police non-emergency number, to record and report non-emergency concerns

Dial 0800 555 111 – Crimestoppers can take details anonymously if you do not want to talk to the police.

Behave professionally:

- Never touch a child or young person unnecessarily or inappropriately
- Do not make offensive or inappropriate comments (such as the use of swearing or sexualised language)
- Try not to be over-friendly or talk about personal or intimate issues
- Do not misuse personal details obtained via the business (for example communicating with a child using mobile phones, at their postal address or by social network)
- Never accept or solicit an offer of a sexual favour instead of payment
- Seat lone customers in the rear of the vehicle
- Discuss with or notify your customer before deviating from an agreed route or before using a central locking system
- Report other drivers or colleagues who you believe have acted inappropriately

Things to remember

- A child may not consider themselves to be being exploited, they may see their abuser as a boyfriend/girlfriend or other person of trust
- Victims and abusers can be male or female

More information

If you would like more information in relation to Human Trafficking or CSE, please use the following contacts:

Bracknell Forest Council Licensing: 01344 352000 or licensing@bracknell-forest.gov.uk

Child Protection: 01344 352020 or childrens.social-care@bracknell-forest.gov.uk

Thames Valley Police: 101 or 999 in an emergency, also see www.thamesvalley.police.uk/cse

NSPCC: 0808 800 5000 or help@nspcc.org.uk

**Extract from Report “Child Sexual Exploitation – making a difference” Maggie Blyth
Oxfordshire Safeguarding Children’s Board June 2015**

There are two areas in particular that require further work involving the regulation and use of taxi drivers and the commissioning of services to provide help and ‘I have no doubt the Kingfisher team would have been very helpful to us if they had existed 12 years ago.’ Oxfordshire county council has set a high bar for ensuring the children it is responsible for are transported safely, but maintaining such standards requires robust strategic co-ordination across different departments within the county council. Oxfordshire licensing authorities (district councils) need to improve how they share information about drivers, delegate enforcement powers and require taxi drivers to complete safeguarding training as part of any knowledge test.

The regulation of the contracts to transport vulnerable children across Oxfordshire and the licensing of taxi drivers should be more robust.

The district councils are committed to sharing information to improve the regulation of taxi licensing across Oxfordshire and deal with safeguarding issues in a pro-active way. However, collaboration across all the district councils is needed, with monitoring of this, to overcome the challenge presented by licensing rules that make it increasingly common for a driver to be licensed in one area but drive a private hire vehicle in another area. This has the effect of cancelling out any council’s attempt to protect the public by raising the bar for its licensing criteria. Information exchange between licensing authorities needs to be set on a formal footing to enable the effective assessment of whether a driver passes the ‘Fit and Proper Person’ test. This determines whether a license is refused or revoked due to conduct.

We recommend that licensing of taxi drivers should be linked to mandatory safeguarding training across Oxfordshire and the rest of the country. Work has begun to co-ordinate practice across the district council areas and local police area command areas on the roll out of ‘Say Something If You See Something’ training to hotels, guest houses, door staff, parks and street scene staff and others who can act as ‘eyes and ears’ on the ground.

Oxfordshire county council and all district councils must work more closely together to ensure that the regulation of the contracts to transport vulnerable children and taxi licensing across Oxfordshire is more robust.

Summary of risks and gaps

There should be core national standards for the licensing of taxis and private hire vehicles which include safeguarding factors. This would help to eliminate risks because of differential standards across neighbouring licensing authorities. The standards should include mandatory safeguarding training and the requirement for a driver to prove that the majority of their work is in the area in which they are licensed.

For Oxfordshire County Council, with district councils, to develop a single joint operator framework covering all aspects of transportation of children and taxi licensing arrangements to ensure the highest standards of practice are in place to safeguard children.

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**TO: LICENSING AND SAFETY COMMITTEE
7 JANUARY 2016**

STREET COLLECTION POLICY **Chief Officer: Environment and Public Protection**

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to consider the adoption of a Policy in respect of the licensing of street collections held in the Borough.

2 RECOMMENDATION

- 2.1 **That, subject to any amendments made, the Committee agrees the proposed changes to the current Policy and approves the revised Street Collection Policy as highlighted and set out in Annex A.**

3 REASONS FOR RECOMMENDATIONS

- 3.1 The current Policy requires minor amendments to better reflect local needs.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 None, officers are of the view that the Policy will assist applicants for street collection permits and no current document exists for this purpose.

5 SUPPORTING INFORMATION

- 5.1 Street collection permits are a means of enabling collections for charitable or other purposes to take place on streets or in public places where it is appropriate to do so under the provisions of the Police, Factories etc. (Miscellaneous Provisions) Act 1916. In accordance with Section 5 of the 1916 Act, the Council has made regulations to control these activities.
- 5.2 This Policy does not impact on the collections carried out for direct debit mandates to give regular amounts to charity. These collections are controlled under a Site Agreement with the Public Fundraising Regulatory Association, which is due for review later in 2016.
- 5.3 In 2003, the Licensing and Safety Committee limited the total number of street collections during any one year for specific locations, for example 50 within Bracknell Town Centre. Officers are of the view that a limit of 1 collection per location per week would be easier to monitor, and in addition would avoid situations where there are collections on a number of consecutive days in summer weeks for different charities. The proposed point 5 of the Policy would replace the existing arrangements.
- 5.4 At present, no persons under the age of 16 are permitted to act as collectors. The proposed point 8 of the Policy would allow supervised children over the age of 11 to assist with collections. Otherwise the Policy document reflects current working practices which have been in place for a number of years.
- 5.5 The revised Policy assists applicants for street collection permits to understand the principles applied by the Council in determining their application. It seeks to ensure that charity collections are beneficial to the charities involved and that persons in the areas where collections take place are not bombarded with requests to part with money.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 The legal implications are identified within the report.

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 implications arising from the recommendation in this report.

7 CONSULTATION

Principal Groups Consulted

- 7.1 None.

Method of Consultation

- 7.2 N/A

Representations Received

- 7.3 N/A

Background Papers

None

Contact for further information

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01344 352517
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Annex A**STREET COLLECTION POLICY**

1. This Policy applies to all street collections taking place in the Bracknell Forest Council area. Each application will be assessed on its merits and individual circumstances, but the below guiding principles shall be applied.
2. Applications should be submitted no later than one month prior to the date of the collection.
3. Permits will be issued on a first come first served basis, except for applications for the following calendar year which will be stored on file and processed in the last week of November.
4. Where an organisation's preferred date(s) cannot be granted, alternative dates may be suggested where practicable.
5. Only one street collection is permitted per location per week unless there are exceptional circumstances and save for the exceptions detailed in point 6 below. A permit may cover multiple areas.
6. In order to allow as many organisations as possible an opportunity of collecting, no organisation will be granted more than two collections per calendar year. Each collection will last no more than one day. The following exceptions will apply:
 - a) Poppy appeal collections organised by the Royal British Legion will be permitted for up to a maximum of 7 days in November of each year.
 - b) "Children in Need" collections will be permitted on both the Friday and Saturday to coincide with the "Children in Need" Appeal.
7. The Council reserves the right to make more detailed enquiries about an applicant and the proposed collection in certain circumstances. Failure to provide adequate information may result in a delay or refusal of the application. The Council may take into account information or advice received from the Police, Charity Commission and/or other local authorities in deciding whether to grant a permit.
8. Cadets, Scouts, Guides and members of similar organisations are permitted to collect for their particular organisation, but must not be less than 11 years old and must collect or sell under the direct supervision of an adult and dress in the uniform of their organisation.
9. If the applicant is wishing to carry out a collection on privately-owned land which is open for public access, such as the area outside supermarkets, a copy of written permission from the landowner must be submitted with the application.
10. There is no right of appeal against a decision by the Council not to grant a permit unless challenged by way of an application to the High Court for a judicial review of the decision.
11. In exceptional circumstances, a charity or organisation may hold more than 2 collections in any one calendar year, or they may hold a collection in the same area on the same day as another collection. The Head of Regulatory Services or the Chief Officer can authorise this only in exceptional circumstances, such as national or international disasters, or in agreement with the Chair of the Licensing and Safety Committee.

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**TO: LICENSING AND SAFETY COMMITTEE
7 JANUARY 2016**

**LICENSING ACT 2003: DEREGULATION UPDATE
Chief Officer: Environment and Public Protection**

1 INTRODUCTION

- 1.1 This report highlights a recent amendment to the Licensing Act 2003 ('the Act') which permits licensing authorities to relax the requirements for licensing of late night refreshment in certain circumstances.
- 1.2 Section 71 of the Deregulation Act 2015 came into effect on 5 November 2015 and amends Schedule 2 of the Licensing Act to allow licensing authorities to exempt the supply of late night refreshment if it takes place:
- a) on or from premises which are wholly situated in a designated area;
 - b) on or from premises which are of a designated description; or
 - c) during a designated period (beginning no earlier than 23:00 and ending no later than 05:00).

2 SUPPORTING INFORMATION

- 2.1 Late night refreshment is defined as the sale of hot food and hot drink between 23:00 and 05:00. There are a number of existing exemptions, such as sales of hot drinks from a vending machine, supplies by a registered charity, supplies made on trains or coaches, staff canteens or to persons staying overnight in a hotel.
- 2.2 The provision of late night refreshment is regulated primarily because it is often linked to alcohol-fuelled crime and disorder in the night-time economy, such as at fast-food takeaways where late-night drinkers congregate.
- 2.3 When choosing to designate a particular area as exempt as per 1.2(a), the licensing authority must define the location, which can be of any size. Guidance issued in respect of these changes states 'Areas which are likely to be considered for exemption by licensing authorities (for example, an area outside a town centre) are unlikely to be areas in which mobile kebab vans would frequently operate.'
- 2.4 When choosing to designate particular categories of premises as exempt as per 1.2(b), a licensing authority can only exempt types of premises set out in the regulations. These are:
- petrol stations and motorway service areas;
 - local authority premises and schools (except domestic premises) unless there is an event taking place at which more than 500 people are present;
 - hospitals (except domestic premises);
 - community premises (church, chapel, village, parish or community hall or other similar building) unless there is an event taking place at which more than 500 people are present;
 - premises licensed to sell by retail alcohol for consumption on the premises between the hours of 23:00 and 05:00.

A list of the premises currently licensed for late night refreshment in the Borough is attached at Annex A. Many of these premises require a premises licence for other matters, such as sale by retail of alcohol, so it is unlikely that the majority of premises listed would benefit from any exemption.

- 2.5 When choosing to exempt the provision of late night refreshment at particular times as per 1.2(c), the relevant licensing authority must determine the times between 23:00 and 05:00 when the exemption applies. The exemption and any subsequent change to the time will apply to the whole licensing authority area.
- 2.6 The Government have given licensing authorities powers to choose to apply an exemption specifically where they think it will be helpful to businesses and where there are no problems with antisocial behaviour or disorder associated with the night time economy. When deciding which exemption to use, if any, the licensing authority should always first consider what the risks are in terms of the promotion of the licensing objectives. The decision to make an exemption is a licensing function that should be included within the Statement of Licensing Policy, and would therefore be subject to the statutory consultation process with other responsible authorities and relevant parties as set out in the Act. It is for the licensing authority to decide on the detail and extent of any consultation beyond the statutory minimum. It is also for the licensing authority to decide whether the power to grant exemptions is delegated to its licensing committee or to an officer.
- 2.7 The Guidance also confirms that whilst a licensing authority can use more than one type of exemption, it cannot use different forms of exemption in conjunction with one another, giving the example that an authority is not permitted to change the times premises require permission to sell hot food and drink in one geographic area only; it would have to change the hours across the entire areas for the licensing authority.
- 2.8 Licensing authorities can review their exemptions at any time, to change the times, locations or types. However, there is no recourse to bring a premises back into the licensing regime if there is a problem with that particular premises. In such cases the licensing authority would have to take a decision about the entire exemption.
- 2.9 Licensing authorities do not have to use the exemptions at all and can continue to require all late night refreshment providers to be licensed. However, licensing authorities should consider deregulation where appropriate.

3 EQUALITIES IMPACT ASSESSMENT

- 3.1 None.

4 STRATEGIC RISK MANAGEMENT ISSUES

- 4.1 None.

Background Papers

None

Contact for further information

Laura Driscoll, Licensing Team Leader - 01344 352517

laura.driscoll@bracknell-forest.gov.uk

Reference	Premises	Type
LN/200800210	Crown Wood Community Centre, Opladen Way, Bracknell, RG12 0PE.	Community / education
LN/201100138	Garth Hill College, Bull Lane, Bracknell, RG42 2AD.	Community / education
LN/200600054	Binfield Memorial Hall, Terrace Road South, Binfield, Bracknell, RG42 4DJ.	Community venue
LN/201000621	Waitrose Sports And Social Club, Willoughby Road, Bracknell, RG12 8FB.	Employee club
LN/200500443	Partners Dining Room (Waitrose), Waite House, Doncastle Road, Bracknell, RG12 8YA.	Employee club
LN/200500109	Hilton National Hotel, Bagshot Road, Bracknell, RG12 0QJ.	Hotel
LN/200500201	Easthampstead Park Conference Centre, Old Wokingham Road, Wokingham, RG40 3DF.	Mixed use
LN/200500548	South Hill Park, Ringmead, Birch Hill, Bracknell, RG12 7PA.	Mixed use
LN/200500382	BP Bracknell SF Connect, Wokingham Road, Bracknell, RG42 1NB.	Petrol station
LN/200500408	BP East Berks Service Station, London Road, Bracknell, RG12 2TB.	Petrol station
LN/200500410	Little Waitrose, Shell Petrol Station, Bagshot Road, Bracknell, RG12 9SE.	Petrol station
LN/200500417	The Grange Bracknell Hotel, 28A Charles Square, Bracknell, RG12 1DF.	Petrol station
LN/200500433	BP Petrol Station, Bagshot Road, Bracknell, RG12 9RP.	Petrol station
LN/200500702	Twin Bridges Service Station, Downshire Way, Bracknell, RG12 1QN.	Petrol station
LN/200500051	The Golden Retriever, Nine Mile Ride, Wokingham, RG40 3DR.	Pub / restaurant
LN/200500053	The Goose, Station Road, Bracknell, RG12 1HY.	Pub / restaurant
LN/200500129	The Shepherds House, Maidenhead Road, Warfield, Bracknell, RG42 6ER.	Pub / restaurant
LN/200500137	The Green Man, Crowthorne Road, Bracknell, RG12 7DL.	Pub / restaurant
LN/200500139	The Old Manor, Grenville Place, Bracknell, RG12 1BP.	Pub / restaurant
LN/200500170	The Prince, 2 High Street, Crowthorne, RG45 7AZ.	Pub / restaurant
LN/200500171	The Crown Wood, Opladen Way, Bracknell, RG12 0PE.	Pub / restaurant
LN/200500193	Chillies Restaurant, 204 Dukes Ride, Crowthorne, RG45 6DS.	Pub / restaurant
LN/200500198	Spice Lounge, The Three Legged Cross, Forest Road, Newell Green, Warfield, RG42 6AE.	Pub / restaurant
LN/200500199	The Woodcutters, 1-2 Horndean Road, Bracknell, RG12 0XQ.	Pub / restaurant
LN/200500219	The Royal Hunt, 177 New Road, Ascot, SL5 8PU.	Pub / restaurant
LN/200500231	Frankie & Benny's, The Point, Skimped Hill Lane, Bracknell, RG12 1EN.	Pub / restaurant
LN/200500261	The Horse And Groom, Bagshot Road, Bracknell, RG12 9RB.	Pub / restaurant
LN/200500289	The White Swan, Swan Lane, Sandhurst, GU47 9BU.	Pub / restaurant
LN/200500293	The Hideout, West Road, Wokingham, RG40 3BT.	Pub / restaurant
LN/200500366	The Wellington Arms, 203 Yorktown Road, Sandhurst, GU47 9BN.	Pub / restaurant
LN/200500409	The Downshire Arms, Downshire Way, Bracknell, RG12 7AA.	Pub / restaurant
LN/200500412	The Italo Argentinian, 8-10 High Street, Crowthorne, RG45 7AZ.	Pub / restaurant
LN/200500416	Don Beni, Winkfield Row, Bracknell, RG42 6NH.	Pub / restaurant
LN/200500424	The Stag And Hounds, Forest Road, Binfield, Bracknell, RG42 4HA.	Pub / restaurant

List of premises licensed for late night refreshment

Annex A

LN/200500448	The William Twigg, Great Hollands Square, Bracknell, RG12 8UX.	Pub / restaurant
LN/200500450	Squirrels, North Street, Winkfield, Windsor, SL4 4TF.	Pub / restaurant
LN/200500471	The Victoria Arms, Terrace Road North, Binfield, Bracknell, RG42 5JA.	Pub / restaurant
LN/200500473	The Mango Tree, 63 Church Street, Crowthorne, RG45 7AW.	Pub / restaurant
LN/200500481	The Running Horse, London Road, Bracknell, RG12 2UJ.	Pub / restaurant
LN/200500482	The Bridge, Wokingham Road, Bracknell, RG42 1PP.	Pub / restaurant
LN/200500494	Pizza Hut, The Point, Skimped Hill Lane, Bracknell, RG12 1EN.	Pub / restaurant
LN/200500504	The Silver Birch, Liscombe, Bracknell, RG12 7DE.	Pub / restaurant
LN/200500506	Rackstraw Farm, 221 Yorktown Road, College Town, Sandhurst, GU47 0RT.	Pub / restaurant
LN/200500512	The Royal Foresters, London Road, Ascot, SL5 8DR.	Pub / restaurant
LN/200500513	Amir Restaurant, 9 Oakmede Place, Binfield, Bracknell, RG42 4JF.	Pub / restaurant
LN/200500517	Kabirs, 1-3 Dukes Ride, Crowthorne, RG45 6LZ.	Pub / restaurant
LN/200500518	Koh-I-Noor Restaurant, 3-5 Priestwood Square, Bracknell, RG42 1UD.	Pub / restaurant
LN/200500522	Shahi India, 8 Wildridings Square, Bracknell, RG12 7SJ.	Pub / restaurant
LN/200500526	The Boot, 48 Park Road, Bracknell, RG12 2LU.	Pub / restaurant
LN/200500527	The Duke Of Edinburgh, Woodside Road, Winkfield, Windsor, SL4 2DP.	Pub / restaurant
LN/200500528	The Old Hatchet, Hatchet Lane, Winkfield, Windsor, SL4 2EE.	Pub / restaurant
LN/200500537	The Winning Post, Winkfield Street, Winkfield, Windsor, SL4 4SW.	Pub / restaurant
LN/200500538	The Weather Vane, Wokingham Road, Bracknell, RG42 1NA.	Pub / restaurant
LN/200500549	Raj Tandoori, 366 Yorktown Road, College Town, Sandhurst, GU47 0PU.	Pub / restaurant
LN/200500551	The Winkfield, Lovel Road, Winkfield, Windsor, SL4 2ES.	Pub / restaurant
LN/200800121	The Travel Lodge, London Road, Bracknell, RG12 2UT.	Pub / restaurant
LN/200800252	Loch Fyne Restaurant, The Crispin, Windsor Road, Winkfield, Windsor, SL4 2DE.	Pub / restaurant
LN/201100170	Taj Mahal, 7-8 Market Street, Bracknell, RG12 1JG.	Pub / restaurant
LN/201400029	Zizzi, Unit 6 Eagle Lane, Broadway, Bracknell.	Pub / restaurant
LN/201400030	Pizza Express Restaurants Ltd, Unit 6 Eagle Lane, Broadway, Bracknell.	Pub / restaurant
LN/201400062	Peacock Farm Public House, Peacock Lane, Bracknell, RG12 8SS.	Pub / restaurant
LN/201400448	Coast to Coast, Unit 6 Eagle Lane, Broadway, Bracknell.	Pub / restaurant
LN/201500001	The Yorkshire Rose, Forest Road, Newell Green Warfield, Bracknell, RG42 6AE.	Pub / restaurant
LN/201500039	Wagamama Ltd, Unit 5c Eagle Lane, Broadway, Bracknell.	Pub / restaurant
LN/201500140	Pizza Hut, 2 Westview, Market Street, Bracknell, RG12 1AJ.	Pub / restaurant
LN/201500189	Las Iguanas, Unit 6 Eagle Lane, Broadway, Bracknell.	Pub / restaurant
LN/201500415	Carluccio's, Unit 5F Eagle Way, Broadway, Bracknell.	Pub / restaurant
LN/200500184	Star Supermarket, Reeds Hill, Bracknell, RG12 7LS.	Shop / supermarket
LN/200500403	Bentalls Department Store, 57-67 High Street, Bracknell, RG12 1DW.	Shop / supermarket

LN/200500436	Marks & Spencer, The Meadows, Marshall Road, Sandhurst, GU47 0FD.	Shop / supermarket
LN/200500502	Sainsbury's, Ringmead, Birch Hill, Bracknell, RG12 7SS.	Shop / supermarket
LN/200500127	Hollywood Bowl, The Point, Skimped Hill Lane, Bracknell, RG12 1EN.	Sport / leisure
LN/200500172	Bracknell Leisure Centre, Bagshot Road, Bracknell, RG12 9SE.	Sport / leisure
LN/200500222	Odeon Cinema, The Point, Skimped Hill Lane, Bracknell, RG12 1EN.	Sport / leisure
LN/200500236	Point Bingo, The Point, Skimped Hill Lane, Bracknell, RG12 1EN.	Sport / leisure
LN/200500447	Lavender Park Golf Course, Swinley Road, Ascot, SL5 8BD.	Sport / leisure
LN/200500458	Virgin Active, Nine Mile Ride, Bracknell, RG12 7PB.	Sport / leisure
LN/200500476	Bracknell Drama Club, Charles Square Car Park, The Ring, Bracknell, RG12 1BW.	Sport / leisure
LN/200500509	Royal Berkshire Polo Club, North Street, Winkfield, Windsor, SL4 4TH.	Sport / leisure
LN/200500519	Mill Ride Golf Club, Mill Ride, Ascot, SL5 8LT.	Sport / leisure
LN/201200132	Berkshire Golf Club, Swinley Road, Ascot, SL5 8AY.	Sport / leisure
LN/201400020	Trilakes Country Park And Fishery, Yateley Road, Sandhurst, GU47 8JQ.	Sport / leisure
LN/200500056	The Best Kebab, Marshall Road, Sandhurst.	Street trader
LN/200500143	Star Kebab, Market Street, Bracknell.	Street trader
LN/200500144	Sammys Kebabs, Easthampstead Road, Bracknell.	Street trader
LN/200500163	Murat's Kebabs, Eastern Road, Bracknell.	Street trader
LN/200500202	Kose Kebabs, Ringmead, Birch Hill, Bracknell.	Street trader
LN/200500511	Kebab Kitchen, Crown Row, Bracknell.	Street trader
LN/200700297	The Lord of the Grills, Lily Hill Park, Lily Hill Road, Bracknell.	Street trader
LN/200800611	Best Kebab in Town, 12 Wildridings Square, Bracknell, RG12 7SJ.	Street trader
LN/200500773	Pizza GoGo, 2 High Street, Bracknell, RG12 1AA.	Takeaway
LN/200500868	Tops Pizza, 6 Horndean Road, Bracknell, RG12 0XQ.	Takeaway
LN/200501094	Dominos, 6 Yorktown Road, Sandhurst, GU47 9DT.	Takeaway
LN/201100060	Dominos Pizza, 22 High Street, Bracknell, RG12 1LL.	Takeaway

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