

LICENSING COMMITTEE

Tuesday, 6 October 2015 at 6.30 p.m.

Room MP702, 7th Floor, Town Hall, Mulberry Place, 5 Clove Crescent,
London, E14 2BG

The meeting is open to the public to attend.

Members:

Chair: Councillor Khales Uddin Ahmed
Vice-Chair: Councillor Peter Golds
Councillor Rajib Ahmed
Councillor Mahbub Alam
Councillor Shah Alam
Councillor Gulam Kibria Choudhury
Councillor Amy Whitelock Gibbs
Councillor Clare Harrison
Councillor Denise Jones
Councillor Md. Maium Miah
Councillor Muhammad Ansar Mustaqim
Councillor Joshua Peck
Councillor Candida Ronald
Councillor Rachael Saunders
1 Vacancy

Ward Represented

Bromley North;
Island Gardens;
Lansbury;
St Dunstan's;
Mile End;
Poplar;
Bethnal Green;
St Peter's;
St Katharine's & Wapping;
Canary Wharf;
St Peter's;
Bow West;
Blackwall & Cubitt Town;
Mile End;

[The quorum for this body is 3 Members]

Contact for further enquiries:

Simmi Yesmin, Democratic Services,
1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG
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Web: <http://www.towerhamlets.gov.uk/committee>

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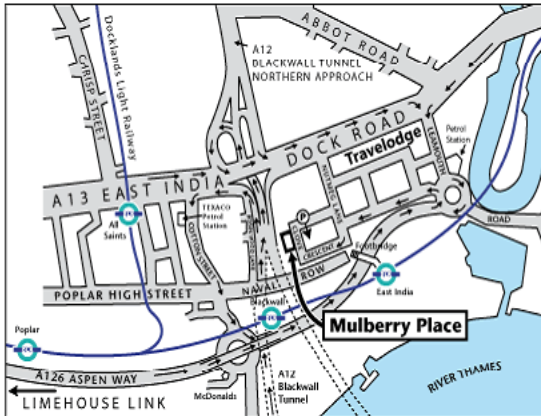
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APOLOGIES FOR ABSENCE

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST (Pages 1 - 4)

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Monitoring Officer.

	PAGE NUMBER	WARD(S) AFFECTED
2. MINUTES OF THE PREVIOUS MEETING(S)		

5 - 8

To confirm the minutes of the meeting of the Licensing Committee held on 21st July 2015 as an accurate record of the proceedings.

3. ITEMS FOR CONSIDERATION

3.1 Fees Review - London Local Authorities Act 1991 and the Performing Animals (Regulation) Act 1925	9 - 86	All Wards
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3.2 Update in relation to Prosecutions and Appeals- Quarter 2 2015/2016	87 - 92	All Wards
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4. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

Next Meeting of the Licensing Committee

Tuesday, 8 December 2015 at 6.30 p.m. to be held in The Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

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Agenda Item 1

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-

Melanie Clay, Director of Law, Probity & Governance & Monitoring Officer, Telephone Number:
020 7364 4801

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE LICENSING COMMITTEE

HELD AT 6.30 P.M. ON TUESDAY, 21 JULY 2015

**ROOM C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**

Members Present:

Councillor Khaled Uddin Ahmed (Chair)
Councillor Rajib Ahmed
Councillor Mahbub Alam
Councillor Shah Alam
Councillor Gulam Kibria Choudhury
Councillor Amy Whitelock Gibbs
Councillor Peter Golds
Councillor Clare Harrison
Councillor Denise Jones
Councillor Muhammad Ansar Mustaqim
Councillor Rachael Saunders

Apologies

Councillor Md. Maium Miah
Councillor Joshua Peck
Councillor Candida Ronald

Officers Present:

Agnes Adrien	– (Team Leader, Enforcement & Litigation, Legal Services, Chief Executive's)
David Tolley	– (Head of Consumer and Business Regulations Service, Safer Communities, Communities Localities & Culture)
Simmi Yesmin	– (Senior Committee Officer, Democratic Services)

The Chair welcomed Members to the first meeting of the Licensing Committee for the Municipal Year 2015/16.

1. ELECTION OF VICE-CHAIR FOR THE MUNICIPAL YEAR 2015/16

The Chair sought nominations for election of Vice-Chair.

Councillor Rajib Ahmed nominated Councillor Peter Golds as Vice Chair. Councillors Shah Alam, Khales Ahmed and Ansar Mustaqim seconded the nomination.

There being no further nominations it was;

RESOLVED

That Councillor Peter Golds be elected Vice-Chair of the Licensing Committee for the Municipal Year 2015/2016.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of disclosable pecuniary interests.

3. MINUTES OF THE PREVIOUS MEETING(S)

RESOLVED

That the minutes of the Licensing Committee meeting held on 10th March 2015 and the Extraordinary Licensing Committees held on 17th March, 14th April, 28th April, 12th May and 23rd June 2015 were confirmed and agreed as a correct record.

Subject to one amendment on 28th April and on 23rd June 2015 to note apologies for Councillor Amy Whitelock-Gibbs as apologies were received in advance.

4. ITEMS FOR CONSIDERATION

4.1 Licensing Committee, Terms of Reference, Membership, and Quorum

The Committee received a brief report which detailed the Licensing Committee's terms of reference, quorum, membership and schedule of dates for the Municipal Year 2015/16 as agreed by Full Council at its meeting held on 24th June 2015.

RESOLVED

1. That the Licensing Committee Terms of Reference, Membership and Quorum as set out in Appendices 1 & 2 be noted.

4.2 Establishment of Licensing Sub Committees, Terms of Reference & Schedule of Dates

The Committee received a report which detailed the need to establish Licensing Sub Committees, appoint Sub Committee Chairs and membership to the Sub Committees.

The Chair asked for nominations and volunteers to be Chairs of the Licensing Sub Committees, a short discussion followed and it was;

RESOLVED

- 1) That the Licensing Sub Committees be established.
- 2) That nine Licensing Sub Committee Chairs be appointed.
- 3) That Councillors Amy Whitelock-Gibbs, Candida Ronald, Joshua Peck, Rachael Saunders, Rajib Ahmed, Denise Jones, Clare Harrison, the Vice-Chair Peter Golds and the Chair, Councillor Khales Ahmed be appointed as Chairs of the Licensing Sub Committees.
- 4) That all Members of the Licensing Committee serve on the Sub Committees (a Sub Committee consisting of a named Chair and any two other members).
- 5) That the Licensing Sub Committee Terms of Reference attached as Appendix 1, the Schedule of Dates attached as Appendix 2 and the Rules of Procedure attached as Appendix 3 be noted.

4.3 Application to increase Licence Fee for the London Tattoo Convention

Mr David Tolley, Head of Consumer and Business Regulations introduced the report which detailed the application to increase the licence fee for the tattoo convention. It was noted that the Tattoo Convention was a 3 day event which had taken place in Tobacco Dock for the last 7 years. It involves around 300 Tattooists from all over the world providing tattoos to members of the public over the 3 days. It was further noted that a Special Treatment licence was required for each operator therefore an increase in the licensing fee had been requested so that Officers can carry out the relevant checks, inspections, and if needed, corrective actions for each operator to ensure that the event is safe and the risk associated with blood borne viruses are managed.

Mr Tolley explained that the convention would be taking place on 25th, 26th and 27th September 2015 and Officers will be liaising with the organiser and tattooists, (approximately 300), to assess their individual plans and risk assessments leading up to the event.

In response to questions the following was noted;

- That the increased fee included officers carrying out review and audits of the overall event management plan and the individual risk assessments for each operator.
- That Mr Tolley would ask officers to speak to the promoters about displaying signage directing visitors to the nearest tube stations and suitable signage asking visitors to leave the area quietly and respect the needs of local residents.
- That Officers would also ask the promoters to address the issues of litter/bottles left on the pavements after the event.
- That adequate number of security staff would be employed to keep visitors within the venue so not to disturb local residents.

RESOLVED

1. That the application fee for a massage and special treatment licence for 2015 London Tattoo Convention be set at £2,866.

4.4 Update in relation to Prosecutions and Appeals - Quarter 4 2014/2015 & Quarter 1 2015/16

Ms Agnes Adrien, Team Leader, Enforcement and Litigation briefly introduced the report which detailed licensing related prosecutions and appeals for Quarter 4 2014/2015 and Quarter 1 2015/2016.

Members welcomed the report, noted the results of the prosecutions and appeals detailed in the report.

RESOLVED

That the report be noted.


5. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

There was no other business.

The meeting ended at 6.50 p.m.

Chair, Councillor Khales Uddin Ahmed
Licensing Committee

Agenda Item 3.1

Non-Executive Report of the: Licensing Committee 6 October 2015	 TOWER HAMLETS
Report of: Steve Halsey: Head of Paid Service and Corporate Director of Communities, Localities and Culture	Classification: Unrestricted
Fees Review: London Local Authorities Act 1991 and the Performing Animals (Regulation) Act 1925	

Originating Officer(s)	David Tolley: Head of Consumer and Business Regulations
Wards affected	All

1 SUMMARY:

- 1.1 This report advises the Members of a review that has taken place with regards to licence fees that can be set locally. The fees under consideration are those for Massage and Special Treatments, Performing Animals Registration and Animal Boarding Establishments.
- 1.2 The report also requests that Members approve the adoption of the Chartered Institute of Environmental Health Model Licence conditions for Animal Boarding Establishments.

2 RECOMMENDATIONS:

The Licensing Committee is recommended to:-

- 2.1 Agree that the fee for Massage and Special Treatment licences, including Intense Pulse Light laser treatment, be increased by 1.0% raising Massage and Special Treatment Licences from £319 to £322 and Intense Pulse Light laser treatment licences from £513 to £518.
- 2.2 Agree that where a business operates a selection of beauty treatments and Intense Pulse Light laser treatment, that only the higher fee is payable.
- 2.3 Agree that the fee for Performing Animals registration is increased by 1.0% raising Performing Animals registration from £360 to £364.
- 2.4 Agree that a fee for a Variation of a Performing Animals registration is increased by 1.0% raising a Variation of a Performing Animals registration from £269 to £272.
- 2.5 Agree that a fee for Animal Boarding Establishment, (including Home Boarding Establishments), be set at £363 based on the calculations in Appendix One.
- 2.6 Approves the licence conditions for Animal Boarding Establishments.
- 2.7 Agree that all fees are non- refundable once an application has been submitted, due to the commencement of processing the licence.
- 2.8 Resolve that these fees will commence on 1November 2015 and will apply to all new and renewed licences applications and all performing animal registrations and variation applications received on or after that date.

3. REASONS FOR THE DECISIONS

- 3.1 (a) To ensure that charges for licence fees are proportionate and reasonable and cover but do not exceed the costs associated with the operation of the licencing regime

(b) To ensure that the Council has model conditions for Animal Boarding Establishments that is fit for purpose.

4. ALTERNATIVE OPTIONS

- 4.1 No revisions to existing charging regimes. This would not be consistent with the Councils best value duty.
- 4.2 Do not agree to the model conditions for animal boarding establishments.

This could result in the council attempting to impose conditions that are not fit for purpose. Again this would not be consistent with the Councils best value duty

5. DETAILS

5.1 When considering licence fees, Members must have regard to the requirement that charges must be proportionate and reasonable in the circumstances to the fees or costs payable under the provisions of the scheme. In essence, the fees must not exceed the costs of the procedures and formalities (effectively the costs to administer the process). The costs of paying for enforcement of the unlicensed operators should not be a consideration when setting fees.

5.2 The Licensing Committee terms of reference enables the Committee to determine the licence fees for the licences specified above.

London Local Authorities Act 1991 – Massage and Special Treatment Licences and Pulse Light Laser Treatments

5.3 The London Local Authorities Act 1991 required all business that offers any of the following treatments to be licensed by the Local Authority:

- Massage
- Manicure
- Acupuncture
- Tattooing
- Cosmetic Piercing
- Chiropody
- Light Treatment
- Electric Treatment
- Other Treatment of a Like Kind
- Vapour
- Sauna or Other Baths (Including Infra-red Sauna cabin)

5.4 However, exemptions do apply if any of the following situations are applicable and if the operators of the massage or special treatment are:

- Supervised by registered medical practitioners
- Bona fide members of a body of health practitioners
- Appropriately registered dentist practising acupuncture
- Hospital registered Nursing Homes.

5.5 The Local Authority is able to set a local fee to enable cost recovery from the process of issuing such licences. Currently there are 108 licence holders in the Borough.

5.6 The RPI of 1.0% has been added to the licence fee as agreed by the

Licensing Committee. When adding the increase of RPI, the Massage and Special Treatment licence fee increases from £319 to £322, the Intense Pulse Light licence increases from £513 to £518., the fee for Performing Animals registration increases from £360 to £364 and the fee for a Variation of a Performing Animals registration is increased from £269 to £272 and based on the calculations in Appendix One a fee for Animal Boarding Establishment, (including Home Boarding Establishments), is set at £363.

Animal Boarding Establishments Act 1963

- 5.7 Establishments where the boarding of animals is being carried on as a business, (catteries and kennels), are subject to the 1963 Act, which requires such establishments to be licensed by the local council. For the purpose of this Act the keeping of such establishments is defined as the carrying on at any premises, including a private dwelling, of a business of providing accommodation for other people's cats and dogs. The licence is granted at the discretion of the local council. There are exceptions to licensing requirements if keeping of the animals are not the main activity of the premises. Examples of this would be a vets or dog grooming business.
- 5.8 Applications must contain details about the animals and premises they are kept at. Applications are subject to a fee and Licences are renewable annually. New applicants will be required to submit a veterinary surgeon or practitioner's report, (costs to be paid by themselves), in support of their application for an Animal Boarding Establishment Licence. .
- 5.9 When considering a license application the following matters are taken into account
- (a) that animals will at all times be kept in accommodation suitable as respects construction, size of quarters, number of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness;
 - (b) that animals will be adequately supplied with suitable food, drink and bedding material, adequately exercised, and (so far as necessary) visited at suitable intervals;
 - (c) that all reasonable precautions will be taken to prevent and control the spread among animals of infectious or contagious diseases, including the provision of adequate isolation facilities;
 - (d) that appropriate steps will be taken for the protection of the animals in case of fire or other emergency;
 - (e) that a suitable consistent level of management is maintained including a register be kept containing a description of any animals received into the establishment, date of arrival and departure, and the name and address of the owner, such register to be available for inspection at all times by an officer of the local authority, veterinary surgeon or veterinary practitioner authorised under section 2(1) of this Act;

and shall specify such conditions in the licence, if granted by them, as appear to the local authority necessary or expedient in the particular case for securing all the objects specified in paragraphs (a) to (e) above.

- 5.10 Licences shall also incorporate the requirements of the Animal Welfare Act 2006. The Act requires that those responsible for an animal take all reasonable steps to meet the needs of that animal, which are set out in the Act as follows:
- a) it's need for a suitable environment;
 - b) it's need for a suitable diet;
 - c) it's need to be able to exhibit normal behaviour patterns;
 - d) any need it has to be housed with, or apart from, other animals;
 - e) it's need to be protected from pain, injury, suffering or disease.
- 5.11 Any person disqualified from: -
- keeping a boarding establishment for animals; or
 - keeping a pet shop; or
 - having the custody of animals,
- will not be granted a boarding establishment licence.
- 5.12 An Environmental Health Officer from the Council will inspect the premises to be used to ensure that the above conditions are met. The Council must also maintain a public register.
- 5.13 The aim of the licence conditions is to ensure high standards of animal care, health and safety and welfare are maintained in animal boarding establishments. Any person who contravenes the provisions of the Animal Boarding Establishments Act 1963 shall be guilty of an offence; and if any condition subject to which a licence is granted in accordance with the provisions of the Act is contravened or not complied with, the person to whom the licence was granted shall be guilty of an offence.
- 5.14 There are currently no Animal Boarding Establishments in the borough and so the Council has not made provision to charge for an application for an Animal Boarding Establishment. Reports on market trends suggest that the UK pet industry is diversifying and that such premises are on the increase.
- 5.15 There is a national trend towards Council's extending the boarding remit to allow for the boarding of dogs in particular, to be kept in domestic dwellings, these are known as Home Boarders. It is not the intention to unreasonably burden home boarding businesses and all enforcement activities will be undertaken in a sensible and proportionate manner in line with the Council's enforcement policy.
- 5.16 Recognised national guidance covering the regulation of Dog and Cat Boarding Establishments were drawn up by the Chartered Institute of Environmental Health and recognises the trend for home boarding for dogs. The Working Party that drew up the Model Licence Conditions and Guidance

recommends that local authorities licence premises and apply appropriate and relevant conditions to ensure the prevention of spread of disease between animals and to ensure the health, safety and welfare of the individual animal being boarded. These proposed conditions are contained in Appendix 3, Model Licence Conditions and Guidance for Cat Boarding Establishments, and Appendix 4, Model Licence Conditions and Guidance for Dog Boarding Establishments.

- 5.17 The maximum number of cats and dogs which will be boarded is dependent on the size of the area designated for the boarding of cats and dogs in the dwelling house and will be determined by the Health and Safety Inspector at the time of the inspection, taking into account the findings of the Report of the Veterinary Surgeon or Practitioner.
- 5.18 Dogs will live in the house as family pets but will have access to an exercise area and they should be controlled so as not to create a nuisance or annoyance to neighbouring properties.
- 5.19 Licensing for home boarding will follow the current process for kennels as it is in effect a scaled down version of a commercial operation.
- 5.20 The same application form will be used and the procedure will include an inspection of the dwelling similar to the current inspection of kennels.
- 5.21 Application for a licence will need to consider whether planning permission is required for the proposed licensed activity and seek advice from the Planning Department.
- 3.22 The calculation shown in Appendix One has determined the cost of processing an Animal Boarding Establishment licence to be £363.

Performing Animals (Regulation) Act 1925

- 5.23 The registration for the performance of animals is controlled under the Performing Animals (Regulation) Act 1925 and anyone who wishes to use animals to perform must first register with the local authority. Applications must contain details about the animals and the performances they are to take part in. Applications are subject to a fee.
- 5.24 Registration under The Performing Animals (Regulation) Act 1925 is not renewable and the registered person can keep that registration for life, unless their registration is suspended or cancelled by a court of law. Once a registration is issued, it is unlikely that the authority will have much interaction with applicants unless there are some reportable changes to the registration. Lack of involvement in this way could result in the Council having out of date information on the validity of existing registrations.
- 5.25 When considering a registration the following matters are taken into account.
- transport of animals to and from the event

- access to suitable accommodation at all times, with regard to the size, temperature, lighting, ventilation, and cleanliness;
- animals will be suitably fed, watered, rested and visited at suitable intervals;
- reasonable precautions to prevent the spread among animals of infectious and zoonotic diseases;
- appropriate steps will be taken to protect the animals in the event of a fire or other emergency;
- anyone in contact with the animals should be made aware of any risks associated with such contact;
- all the necessary risk assessments should have been conducted on the proposed performances to be engaged in by the animals.

5.26 An Environmental Health Officer from the Council will visit the premises to be used to ensure that the above conditions are met. The Council must also maintain a public register.

5.27 The registered person may make an application to have the details entered in the register varied, and where there is such a variation to the details, then the existing registration must be cancelled and a new one issued. The Council may charge a fee as appears to be appropriate for processing an application made under the legislation.

5.28 When the RPI of 1.0% has been added to the licence fee the fee for Performing Animals registration increases from £360 to £364 and the fee for a Variation of a Performing Animals registration is increased from £269 to £272.

6. COMMENTS OF THE CHIEF FINANCIAL OFFICER

6.1 This report seeks approval for the review undertaken on the licence fees and recommends that they be increased by 1% from the 1st November 2015 as followed:

- Massage and Special Treatment Fees increased to £322
- New Application and Renewal for Intense Pulse Light laser treatment increased to £518
- Performing Animals registration £364 and the fee for a variation to the registration to be set at £272

6.2 Members are also asked to approve the adoption of the Chartered Institute of Environmental Health Model Licence conditions for Animal Boarding Establishments and the licence fee set at £363 as calculated in Appendix One.

6.3 The proposed fee increases are set at values that will enable the council to recover the administrative and enforcement costs associated with issue of the relevant licence and therefore will contribute to the service being cost neutral.

7 LEGAL COMMENTS

- 7.1 This report is seeking to have the Licensing Committee set fees for certain types of licence applications.
- 7.2 Special treatments licences are granted in accordance with Part II of the London Local Authorities Act 1991 (as amended). Such licences authorise the activities listed in paragraph 3.3 of the report. Section 7(6) of that Act provides that an applicant for the grant, renewal or transfer of a license shall pay such a reasonable fee as determined by the Council.
- 7.3 The Animal Boarding Establishments Act 1963 makes the boarding of cats and dogs a licensable activity. Section 1(2) of that Act deals with grants upon application for a licence and expressly refers to payment of a fee to be determined by the local authority.
- 7.4 The Performing Animals (Regulation) Act 1925 places restrictions on the exhibition and training of performing animals without formal registration with the Local Authority. Section 1(2) of that Act provides (that “Every local authority shall keep a register for the purpose of this Act, and any person who exhibits or trains animals as aforesaid on making an application in the prescribed form to the local authority of the district in which he resides, or if he has no fixed place of residence in Great Britain, to the local authority of such one of the prescribed districts as he may choose, and on payment of [such fee as appears to the local authority to be appropriate] shall be registered under this Act, unless he is a person, who, in pursuance of an order of the court made under this Act, is prohibited from being so registered”.
- 7.5 Pursuant to its terms of reference, it is a function of the Licensing Committee “to determine fees and charges for the issue, approval, consent, license, permit or other registration for functions for which the Committee has responsibility”, which includes inter alia the above.
- 7.6 As per section 4 above fees are set on a costs recovery basis. There is an annual increase to ensure that fees are kept in line with the on-cost to the Council.

8. ONE TOWER HAMLETS CONSIDERATIONS

- 8.1 No adverse impacts have been identified

9. BEST VALUE (BV) IMPLICATIONS

- 9.1 The review of fees and adoption of revised fees ensures that the Council can

demonstrate that it has complied with its best value duty in this specific technical area to ensure that costs are recovered but that charges do not exceed the costs associated with the operation of the licencing regime.

- 9.2 Adoption of a strong standard for Model Licence conditions for Animal Boarding Establishments demonstrates the best value requirement to continuously improve.

10. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 10.1 There are no adverse impacts identified

11. RISK MANAGEMENT IMPLICATIONS

- 11.1 The Council will be at risk of legal challenge if its decision making process on determining fees is not transparent and evidentially based.

12. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 11.1 One of the key licensing objectives is to prevent licensed premises from being a source of crime and disorder. This report supports and assists with crime and disorder reduction by controlling those who manage premises open to members of the public and imposing conditions on relevant premises licences.

Linked Reports, Appendices and Background Documents

Linked Report

NONE

Appendices

- Appendix 1 Calculation for a Performing Animals Registration and Variation Certificate
Appendix 2 Performing Animals Registration and Variation Certificate Background Information
Appendix 3 Model Licence Conditions and Guidance for Cat Boarding Establishments
Appendix 4 Model Licence Conditions and Guidance for Dog Boarding Establishments

**Local Government Act, 1972 Section 100D (As amended)
List of “Background Papers” used in the preparation of this report**

List any background documents not already in the public domain including officer contact information.

- NONE.

Officer contact details for documents:

- N/A

Appendix One

Animal Boarding Establishment Licence

There are currently no Animal Boarding Establishments in the borough and so the Council has not made provision to charge for an application for an Animal Boarding Establishment. Reports on market trends suggest that the UK pet industry is diversifying and that such premises are on the increase.

Reports on market trends suggest that the UK pet industry is diversifying and that such premises are on the increase. There is a national trend towards Council's extending the boarding remit to allow for the boarding of dogs in particular, to be kept in domestic dwellings, these are known as Home Boarders. Home Boarding is still considered to be Animal Boarding under the provisions of the 1963 Act and as such is legally enforceable, albeit the boarding takes place in a person's home. There are no changes to the way in which licences are considered or in the way that inspections are carried out.

A fee has been set for home boarding which is considered to be proportionate to the work necessary to issue the licence and carry out the Council's standard inspection/enforcement regime.

Licences are renewable annually and new applicants will be required to submit a veterinary surgeon or practitioner's report, (costs to be paid by themselves), in support of their application for an Animal Boarding Establishment Licence.

Total cost of Registration £363.20

Process – New and renewal Application	Officer	Administration Officer
1. Receipt of application, dealing with the fee		1 hour
2. Application Review	2 hour	
3. Consultation	1 hour	
4. Inspection	3.5.hours	
5. Officer Administration	2 hours	
6. Re-inspection	2 hours	
7. Issue	1 hour	
8. Inform consultees	1hour	
9. Administration of licence maintaining public register		1 hour 30 minutes
Total	12 hours 30 minutes	2 hours 30 minutes

Officer cost £26.00 per hour

Admin officer cost £15.28 per hour

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Appendix Two

Animal Boarding Establishment Licence Fees in 5 neighbouring LA's The current situation

Licence type	LB Waltham Forest	LB Newham	LB Hackney	LB Barking and Dagenham	LB Haringey
<ul style="list-style-type: none">• Animal Boarding Establishment Licence	Under 50 Animals Boarded £210 50-150 Animals Boarded £250 150+ Animals Boarded £280	314.15	235.00	423.00	300.00

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CIEH Model Licence Conditions and Guidance for Cat Boarding Establishments 2013



This document has been prepared in the best interests of animal welfare and to advise those tasked with inspecting, advising and licensing catteries under the Animal Boarding Establishments Act 1963. No liability rests with contributing bodies for the circumstances arising out of the application of conditions contained within the document.

Thanks to Rachel and Brian Bland, The Cats Whiskers, Wilstead MK45 3DP for use of the front page photograph

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Introduction

The Chartered Institute of Environmental Health (CIEH) model licence conditions and guidance for cat boarding establishments was first produced in 1995.

Since then there have been developments in understanding of animal welfare and also the introduction of the Animal Welfare Act in 2006. It was, therefore, felt timely to revise and update this document so that it better reflects the legal and animal welfare considerations inspectors should consider when looking at catteries and making recommendations for licensing and any conditions applicable.

This document is aimed at all those who are tasked with inspecting, advising and licensing catteries under the Animal Boarding Establishments Act 1963 ('the 1963 Act'). It may also be useful to owners and managers of catteries and those planning to build boarding catteries who wish to better understand what their legal requirements are under both the 1963 Act and the Animal Welfare Act 2006 ('the 2006 Act') as well as other related legislation.

The main legal requirements

There are two main pieces of legislation that attention should be drawn to, namely; the Animal Boarding Establishments Act 1963, and the Animal Welfare Act 2006.

1. Animal Boarding Establishments Act 1963

The 1963 Act requires anyone who wishes to keep a boarding establishment (i.e. in this context a cattery) to be licensed by the local authority and abide by the conditions of the licence. If they do not they are in breach of the law. In particular the local authority will consider the ability of the establishment to ensure:

- accommodation is suitable as respects construction, size, number of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness,
- adequate supply of suitable food, drink and bedding material for the animals and that they are adequately exercised, and visited at suitable intervals,

- all reasonable precautions are taken to prevent and control the spread of infectious or contagious diseases, including the provision of isolation facilities,
- appropriate steps are taken for the protection of animals in the case of fire or other emergency,
- a detailed register is maintained of any animals received into the establishment that is available for inspection at all times.

Those responsible for a cattery must ensure that a copy of the licence and its conditions (maximum number of cats and number of holding units) is displayed prominently in the boarding establishment.

No animals other than cats are to be boarded within the licensed facilities without the written approval of the local authority.

2. Animal Welfare Act 2006

Sections 1 and 2 of the 2006 Act set out which animals are protected. This includes any animal (vertebrate) other than man (section 1) which is commonly domesticated in the British Isles, or under the control of man whether on a permanent or temporary basis, or is not living in a wild state (section 2). Thus cats and kittens are protected by this piece of legislation.

Section 3 of the 2006 Act sets out who can be found to be responsible for an animal and this includes on a permanent or temporary basis as well as being in charge of it or owning it. Therefore, the establishment owner as well as their employees can be found liable under this piece of legislation. No one under the age of 16 years can be deemed to be responsible for an animal.

Section 4 of the 2006 Act sets out offences concerning unnecessary suffering. An offence is committed here if someone's act or failure to act causes an animal to suffer, whether the person knew (or ought to have reasonably known) that the act (or failure to act) was likely to cause such suffering - it is still an offence as the suffering was unnecessary. An offence can also be committed whereby someone permits this to happen. Again, this can apply

to not just employees of an establishment but also an owner. In particular the suffering may be deemed unnecessary if it could reasonably have been avoided or reduced, if it was not in compliance with relevant legislation, licence, or codes of good practice, if it was not for a legitimate purpose, if it was not proportionate, if it was not the conduct of a reasonably competent and humane person.

Under Section 9 of the 2006 Act those responsible for animals (in England and Wales) have a duty to ensure reasonable steps are taken to ensure the welfare needs of the animals are met to the extent required by good practice. This includes:

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

This guidance also notes that additionally there are Codes of Practice concerning cats that the Welsh Government and DEFRA have produced and they provide further information on these points. To access copies of these Codes please see –

www.gov.uk/government/uploads/system/uploads/attachment_data/file/69392/pb13332-cop-cats-091204.pdf

www.wales.gov.uk/docs/drah/publications/110817catcodea5en.pdf

Other current relevant regulations and legislation:

Other Legislation which is relevant to the running of a boarding cattery includes, but is not restricted to the following:

- The Regulatory Reform (Fire Safety) Order 2005
- Health and Safety at Work etc Act 1974
- Environmental Protection Act 1990

- Electricity at Work Regulations 1989
- Control of Substances Hazardous to Health Regulations 1988
- Controlled Waste Regulations 1992
- Town & Country Planning Act 1990
- Welfare of Animals (Transport) (England) Order 2006
- Welfare of Animals (Transport) (Wales) Order 2006
- Regulation on the protection of animals during transport (EC) 1/2005

Further information on the above is available from Business Link – www.businesslink.gov.uk

Training

All staff who handle and care for cats must be adequately trained in ensuring the cats' welfare (as per the Animal Welfare Act) as well as their safe handling.

Staff must also be trained in emergency procedures to follow, and all other aspects of the licence conditions which are pertinent to their work. Obtaining relevant qualifications is strongly recommended.

This guidance document recommends that written policies and procedures setting out how the cattery will ensure all aspects of the welfare of cats in their care as well as their staff should be provided. It further recommends that a systematic training programme should be implemented including provision of evidence of its use for permanent, temporary, and part-time employees and regular reviews of training.

Supervision/responsibility

The cattery proprietor or a responsible person over the age of 18 years should always be present to exercise supervision and deal with any emergencies whenever cats are boarded at the premises.

It is strongly recommended that the cattery proprietor or a responsible person lives on site or a key-holder must live within a reasonable distance of the cattery. An emergency contact number must be clearly displayed at the entrance to the cattery.

The groups consulted included:

- British Small Animal Veterinary Association
- British Veterinary Association
- Cats Protection
- Chartered Institute of Environmental Health
- Corporation of London
- Daisy Bank Kennels & Cattery
- Dogs Trust
- Epping Forest DC
- International Cat Care (Formerly Feline Advisory Bureau)
- Kennel Design (David & Kay Key)
- Pet Industry Federation (Formerly Pet Care Trust)
- Royal Society for the Prevention of Cruelty to Animals

How to use this document:

Each of the sections relates to a Requirement, elaborating why it is important to meet this from the perspective of the cat and/or legal requirements where applicable. Good care is based on some simple principles and these are shown where relevant as bullet points (•) in the document.

In order to link the licence guidelines with the check lists for use by Licence inspectors, each factor which enables the associated legal requirement to be met has been given an individual code linking it to the appropriate section. These must be followed in order to achieve the licence. It should be noted that the order in which the requirements are listed under each section is arbitrary and does not indicate any order of importance. All requirements listed under the sections are equally important.

The Identification code is made up of a 'letter. number' combination, the letter indicating the section (relating to each of the 5 welfare needs as stipulated under the Animal Welfare Act 2006), and the number relating to the requirement's numerical order within that section:

SECTION	IDENTIFICATION CODE
Environment	A
Diet	B
Behaviour	C
Company	D
Health and welfare	E

Attached at Annex A is a Model Licence Conditions Inspection Sheet for Cat Boarding Establishments.

Section A – Environment: Providing the cat(s) with a suitable place to live/stay

Good care is based on some simple principles and these are shown where relevant as bullet points (•) in the document.

Poor housing has a substantially negative impact on both the health and wellbeing of cats. Housing systems must be suitable for the needs of the species in question. The cattery must be designed, built and managed to provide safe, disease free, comfortable, clean, draught free, animal friendly conditions, which are minimally stressful and which offer environmental choice for the animal, sensory stimulation, physical and mental exercise.

The following requirements list what must be present in a cat's environment, and details further measures that can be taken. Please note that the requirements are not presented in any order of importance but all hold equal standing with respect to the environmental needs of cats.

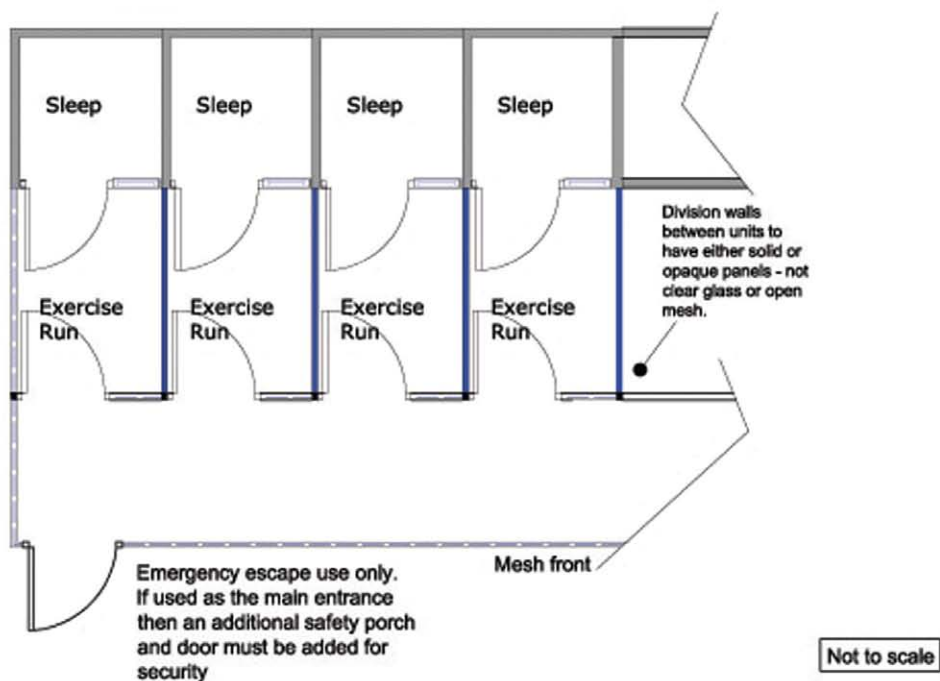
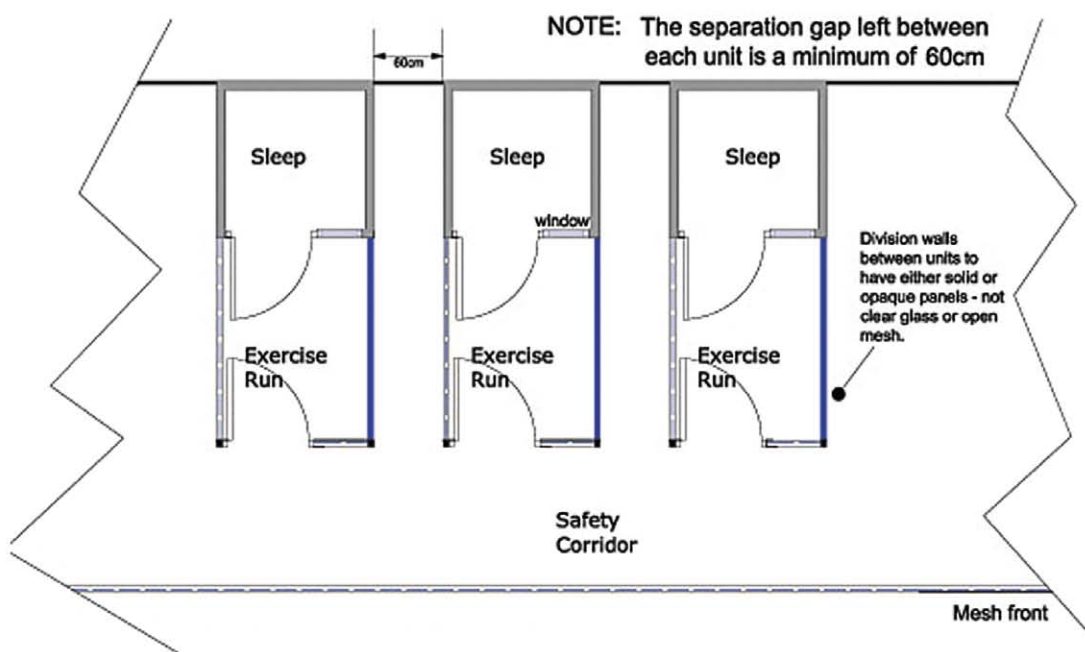
Cattery construction and principles of design

- The correct design and construction of a cattery is vital to prevent escape, minimise disease spread and stress to the cats, and to make maintenance and hygiene management straightforward and achievable by cattery proprietors.
- For disease control there must be no possibility of cats within the cattery (other than those from the same household), or other animals outside the cattery, coming into direct contact with each other or contacting droplets sneezed out by cats (for further information see Section E – Health and Welfare).
- **Designs MUST include:**
 - Cat units with sleeping accommodation (with solid sides) and an individual attached run.
 - Full height, full width, sneeze barriers between units. Alternatively, some catteries have gaps between units (minimum 0.6 m (see page 27 – New Build).

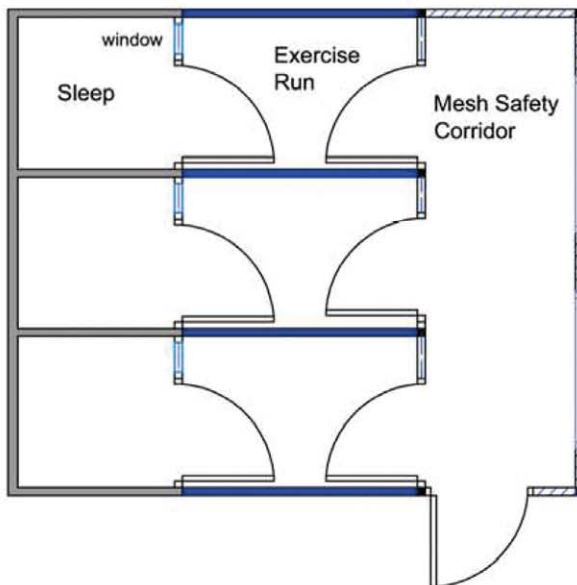
- An enclosed area (corridor or lobby) outside the cat unit to minimise risk of escape.
- Provision to isolate cats if necessary.
- Ancillary facilities including a separate kitchen with hot and cold running water and refrigeration for food.
- A separate hand-washing facility for staff.
- A litter tray cleaning area.
- A reception area.

- Cattery design usually falls into three categories with the sleeping accommodation comprising of a full-height walk-in area or a penthouse (see A3):

Outdoor – catteries with indoor sleeping accommodation and individual covered outdoor exercise runs – accessed individually from a covered outdoor safety corridor.

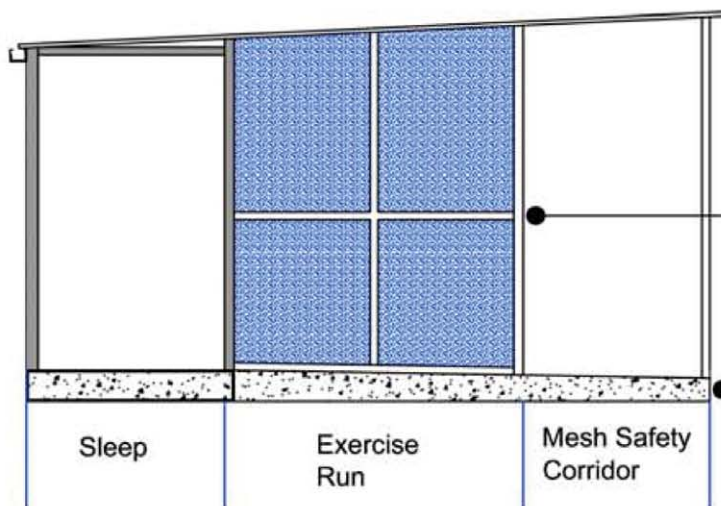


Semi-outdoor/indoor – catteries with indoor sleeping accommodation and individual covered outdoor exercise runs – usually accessed individually from a common indoor safety corridor.



Staff access the sleeping and exercise run via the safety corridor in front of the units

Typically the safety corridor has a solid appearance with large opening windows with mesh safety guards to allow light and fresh air into the units

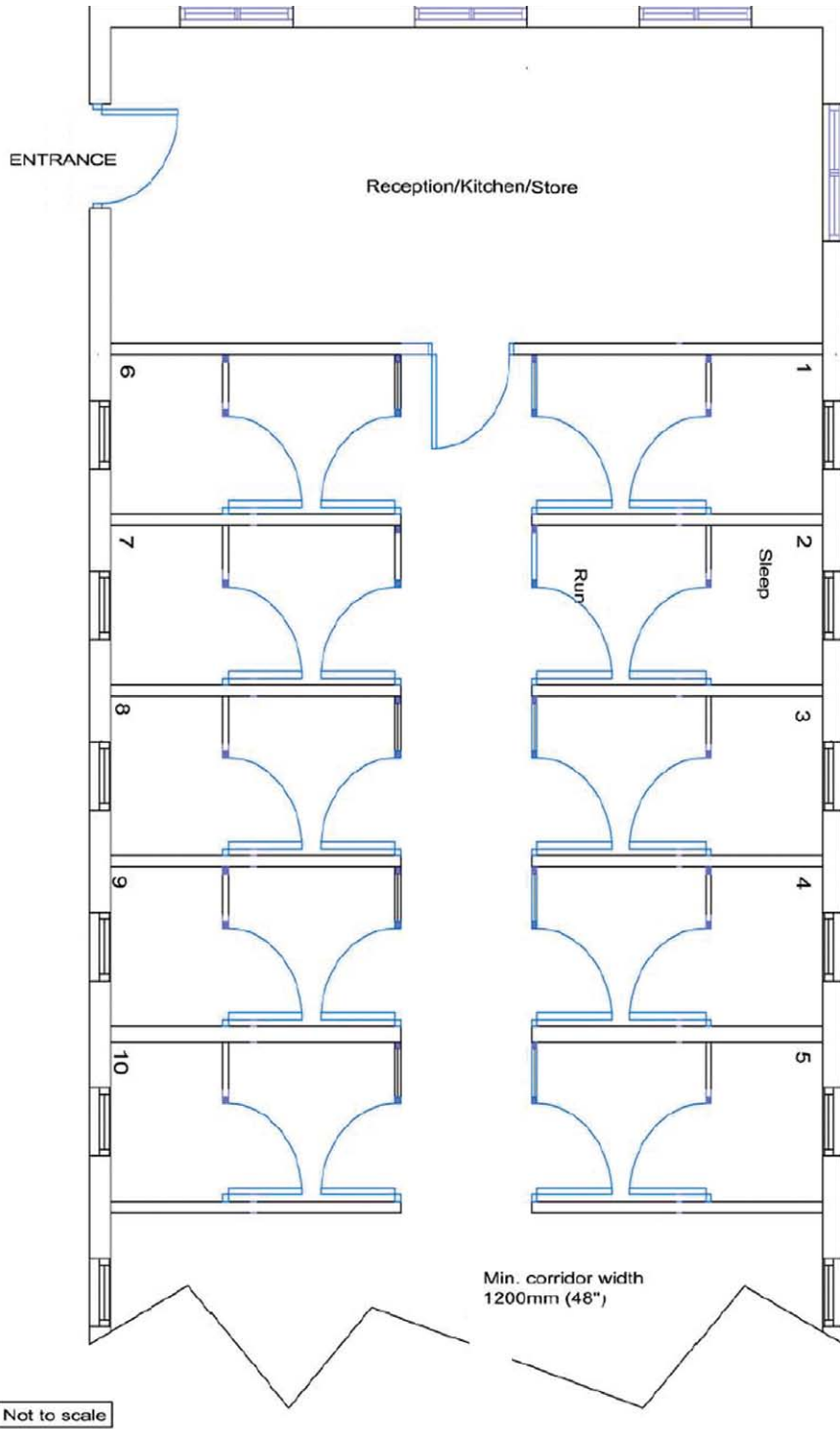


Division walls between units to have either solid or opaque panels – not clear glass or open mesh

Concrete surface laid to fall to allow rain water to drain

2013 minimum size (suitable for up to 2 cats):
Sleep – 1.5m² (1.2m x 1.25m)
Run – 2.2m² (1.2m x 1.85m)

Totally indoor – catteries with indoor sleeping accommodation and indoor exercise runs – usually accessed individually from a common indoor corridor.



A.1 Physical construction and integrity

General

- The cattery must be safe, secure and free from hazards, to minimise any chance of injury to a cat or escape of a cat.

- A.1.1 The cattery must be structurally sound.
- A.1.2 The cattery must be constructed of materials that are robust, safe and durable and be well maintained in good decorative order and repair.
- A.1.3 Materials used in construction or maintenance must not expose cats to any harmful chemicals.
- A.1.4 The cattery must be built in compliance with good building practice (e.g. local authority guidelines), on a concrete base with a damp proof membrane. Where Building Regulations apply these must be adhered to.
- A.1.5 There must be no sharp edges, projections, rough edges or other hazards which present risk of injury to a cat.
- A.1.6 Windows must be escape-proof at all times.
- A.1.7 Doors must have secure latches or other closing devices.
- A.1.8 All wire mesh/fencing must be strong and rigid and kept in good repair to provide an escape-proof structure.
- A.1.9 Timber, if used, must be of good quality, well maintained and any scratched areas sealed or over-clad.
- A.1.10 Any storage areas must be dry and free from vermin.
- A.1.11 Electrical equipment must be installed in line with current legislation and maintained in a safe condition.

Drainage

- Drainage must be effective to ensure there is no standing water in the cattery, as this can be a reservoir for infectious agents.
- A.1.12 Waste water must not run off into adjacent pens.

A.1.13 Adequate drainage must prevent pooling of liquids.

A.1.14 Any drain covers in areas where cats have access must be designed and located to prevent toes/claws from being caught.

Safety corridor/entrance lobby

- An enclosed area (safety corridor/entrance lobby) is essential to ensure that if cats manage to slip out from their individual cat unit, they are still kept safely inside the cattery.
- A.1.15 There must be an escape-proof area (safety corridor/entrance lobby) at the exit of each cat unit.
- A.1.16 For catteries where there are facing units accessed by an indoor corridor, the corridor must be at least 1.2 m wide, or the doors of the units must be solid or have sneeze barriers.
- A.1.17 At the end of the safety corridor there must be a securable door through which the inside of the cattery can be viewed from the outside and this must be kept closed when not in use.
- A.1.18 The door from the cat unit to the safety corridor must be escape-proof, securable, strong enough to resist impact and scratching and kept closed at all times.
- A.1.19 The floor must be finished to produce a smooth, impervious surface which is easy to clean and disinfect. Holes or gaps between tiles or paving slabs are not acceptable.
- A.1.20 Outdoor safety corridors must be roofed.
- A.1.21 External doors/gates must be lockable and staff must have easy access to keys in case of emergency.
- A.1.22 Sufficient lighting must be provided in the safety corridor to illuminate all year round. Where practicable this should be natural light during the day.
- A.1.23 The safety corridor must not be used as an exercise area.

Roofing

- Roofing provides protection from the weather and prevents escape of cats. In a timber construction it is strongly recommended that the run should also be roofed with wire mesh, as an added precaution against escape. The mesh should extend over the top of the run under the roof and be attached firmly to the framework.

In catteries where substantial roofing is placed over the whole cattery (including the safety corridor) the need for wire mesh roofing is diminished. However, care must be taken to ensure that no gaps appear to allow escape of a cat.

- A.1.24 There must be a safe, secure, waterproof roof over all of the cat units (sleeping accommodation and run) and the safety corridor. For the run, materials used must be capable of filtering UV light and providing adequate shade.

A.2 Cat units

- A boarded cat is accommodated in a 'unit' comprising enclosed sleeping accommodation and an adjoining individual covered exercise run.

- A.2.1 Cats from different households must not share cat units.

Lighting

- Lighting enables adequate observation of the animals and for cleaning and working in the cattery.

- A.2.2 There must be adequate lighting in the cat unit.

Ventilation and humidity

- Fresh air is essential for the maintenance of good health and well-being as well as limiting the spread of infectious disease. Proper ventilation removes heat, dampness, odour, airborne microbes and pollutant gases such as ammonia.

- A.2.3 Ventilation must be appropriate all year round (both cool in hot weather and avoiding cold draughts in winter). Localised draughts in the sleeping accommodation

must be avoided.

Interior surfaces

- For disease prevention units must be easy to clean and disinfect.

- A.2.4 All interior surfaces to which cats have access must be durable, smooth and impervious, capable of being cleaned and disinfected, and be kept in good decorative order and repair.

- A.2.5 Where concrete or other building blocks or bricks are used, they must be sealed to be smooth and impervious.

- A.2.6 Surfaces which are peeling, scratched, chipped or in disrepair must be repaired or resealed to an acceptable standard, or replaced.

- A.2.7 Ceilings must be capable of being easily cleaned and disinfected.

- A.2.8 Junctions between sections must be covered or sealed.

- A.2.9 Floors must be finished to produce a smooth, non-slip, solid surface and all surfaces must be capable of being easily cleaned and disinfected. (There must be no open gaps if using concrete slabs or tiling).

Accessing the cat unit

- Each unit needs to be easily accessible and provide a means of identification for each cat.

- A.2.10 Each unit must be designed to allow staff to access and clean all parts of the cat unit safely. (For further information on cleaning see Section E – Health and Welfare).

- A.2.11 The unit must have a securable, full height door for access.

- A.2.12 Each unit must be clearly marked (e.g. numbered) and a system in place which ensures that relevant information about the cat in that unit is readily available.

Litter trays

- Cats are meticulous animals and a dirty litter tray may deter use. Natural behaviour is to scratch in loose material (litter), to dig a hole or cover waste. The tray should be large enough (average size is 30 x 42 cm (12" x 16") to let the cat turn around and the litter deep enough (a minimum of 3 cm is recommended) to allow digging activity. Loose sawdust, shredded or sheet newspaper, or soil, are not considered acceptable as litter material.
- A.2.13 Litter trays of a suitable size or type must be provided at all times.
- A.2.14 Each unit must have space to allow for at least 60 cm separation between the litter tray, resting place and feeding area. This allows cats to sit, rest and eat away from areas where they urinate and defecate.
- A.2.15 Trays must be impermeable, easy to clean and disinfect, or be disposable.
- A.2.16 A safe and absorbent litter material must be provided.
- A.2.17 In a multiple cat unit the number of trays must be appropriate to the number of cats (see also D3).
- A.2.18 Trays must be regularly and appropriately cleaned (See section E – Health and Welfare, for information on cleaning protocols, and waste disposal).

A.3 Sleeping accommodation

- Cats need separate sleeping accommodation which in most cases (except some indoor catteries) must be separate from the run and provide somewhere for the cat to hide away. Most designs fall within the guidelines detailed here:

Full-height unit – cat sleeping accommodation in the form of a full-height ‘shed’ which opens into the exercise run and is accessed via a full-height door.

Penthouse unit – cat sleeping accommodation in the form of an enclosed raised ‘box’ which opens into the exercise run and is accessed via a ramp from the cat flap.

It can also be accessed by opening the front door(s) to the box.

The sleeping accommodation must be large enough to allow cats to move and lie comfortably and provide enough space to spread resources.



Timber full height walk-in unit



Timber penthouse style unit



uPVC full height walk-in unit



uPVC penthouse style cattery unit

Size of full height walk-in unit sleeping accommodation:

- A.3.1 The following minimum areas and dimensions must be achieved in order to give cats a suitable and appropriate comfortable space and for ease of cleaning and management.

Existing buildings, floor area and dimensions			
	Minimum area	Smallest dimension must be a minimum of:	Minimum height
One cat	0.85 m ²	0.9 m (eg 0.90 m x 0.95 m)	1.8 m
Up to two cats	1.5 m ²	1.2 m (eg 1.20 m x 1.25 m)	1.8 m
Up to four cats	1.9 m ²	1.2 m (eg 1.20 m x 1.60 m)	1.8 m

Shelving or raised area for a full height walk-in unit

- Shelves or raised areas are important to allow cats to rest high up. Shelving must be able to be kept clean, be large enough for cats to lie on (usually between 0.75 and 1.5 m above the ground) and accessible.

- A.3.2 All resting areas/shelving must be large enough for each cat to lie on.

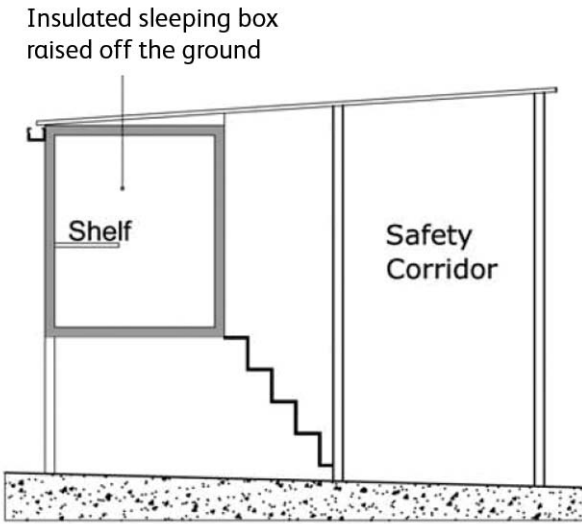
- A.3.3 Facilities must be easily accessible and provide safe easy access to the shelf for elderly, ill, very young or disabled cats if required.

- A.3.4 Shelving or raised areas must be made of impervious, easily cleanable materials.

Size of penthouse sleeping accommodation (an enclosed boxed sleeping area raised off the ground)

A.3.5 The following minimum areas and dimensions must be achieved in order to give cats a suitable and appropriate comfortable space and for ease of cleaning and management.

A.3.6 Facilities must be easily accessible and provide safe easy access (ramp/steps) to the penthouse. Extra consideration may be needed for elderly, ill, very young or disabled cats. Existing buildings, floor area and dimensions

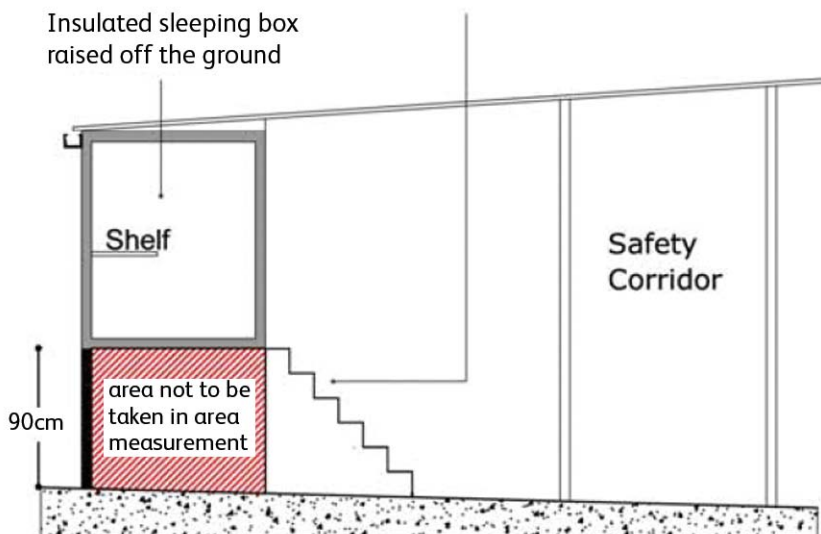


Pre-2013 standard with space under the box taken into the overall footprint allowance

Existing buildings, floor area and dimensions			
	Minimum area	Smallest dimension must be a minimum of:	Minimum height
One cat	0.85 m ²	0.9 m (eg 0.90 m x 0.95 m)	1m
Up to two cats	1.1 m ²	0.9 m (eg 0.9 m x 1.20 m)	1m
Up to four cats	1.7 m ²	0.9 m (eg 0.9 m x 1.90 m)	1m

Ladder or ramp for cats to gain access into the sleeping unit

FOR NEW BUILD SEE PAGE 29



The 2013 standard requires that a minimum distance of 1.85m is given from the front of the sleeping unit. The space under the sleeping area is not to be taken into the overall footprint allowance for exercise run space

Temperature in sleeping accommodation

- Cats like warmth and some indoor cats are used to high ambient temperatures. In a cattery the cat needs an adequate ambient temperature and additional heating facilities if this cannot be guaranteed at times of excessively cold weather. Breed, body condition, medical condition, coat and age can affect an individual's ability to maintain its body temperature.

- A.3.7 There must be a means of measuring, monitoring and recording temperature (maximum and minimum temperatures) representative of the temperature in the cat sleeping accommodation.
- A.3.8 Insulation and temperature regulation in the cattery must aim to keep the ambient temperature in the cat sleeping accommodation above an absolute minimum of 10°C.
- A.3.9 There must be part of the cat's sleeping accommodation where the cat is able to enjoy a minimum temperature of 15°C -this additional heat may be in the form of a heated bed/pad etc.
- A.3.10 The cat must be able to remove itself from the source of heat.
- A.3.11 Heaters must not be sited in a manner or location where they present a risk of burning or electrocution to cats or humans, or a risk of fire.
- A.3.12 Open flame appliances must not be used.
- A.3.13 All heating equipment must be installed and maintained in a safe condition.
- A.3.14 Additional forms of heating can be in the form of heated beds, heated pads or similar but these must not be the main source of heat for the cats. Use should be tailored to the needs of individual cats.

A.3.15 Any sockets in the sleeping accommodation must be waterproof and as far out of reach of cats as possible.

A.3.16 There must be a policy in place for dealing with high temperatures and a means of keeping cats cool.

Bedding

- Bedding is important to help animals regulate their body temperature, to give traction and to keep animals comfortable. Old or infirm cats can have difficulty rising if surfaces are slippery, and old, very young or infirm animals may have difficulty regulating their body temperature.
- A.3.17 There must be a clean resting place to provide comfort and warmth which is situated out of draughts.
- A.3.18 Soft bedding materials must be provided and adapted if necessary for old, young or infirm cats to help regulate their body temperature.
- A.3.19 Bedding must be made of a material that is easy to wash/disinfect, or is disposable.

Access to run

- A cat flap allows free access to the run while maintaining indoor temperature. It can be locked if necessary.
- A.3.20 A cat must have access between the sleeping accommodation and run (eg a cat flap) so it can easily and safely access all parts of its unit.

A.4 Exercise run (in addition to and not including sleeping accommodation)

- The exercise run must be large enough to allow cats to play/exercise.
- A.4.1 Any part of the run to which the cat has access must be easily cleanable and not damaged by scratching. Any replacement wood must be clad with a smooth impervious material.
- A.4.2 The floor must be finished to produce a smooth, impervious surface and all surfaces must be capable of being easily cleaned and disinfected. There must be no open gaps if using concrete slabs or tiling.
- A.4.3 Where cats have access to mesh (catteries with gaps rather than sneeze barriers), the diameter of the wire must not be less than 1.6 mm (16 gauge welded mesh). Mesh size must not exceed 25 mm in one direction and should be positioned on the inside of the framework of runs to prevent damage of uprights by cats scratching any woodwork.
- A.4.4 All exercise runs must be roofed to provide protection from the elements.
- A.4.5 Communal exercise areas must not be used.

Size of exercise run for full height walk-in unit and penthouse style unit

- A.4.6 The following minimum areas and dimensions must be achieved in order to give cats a suitable and appropriate comfortable space and for ease of cleaning and management.

Existing buildings, floor area and dimensions			
	Minimum area	Smallest dimension must be a minimum of:	Minimum height
One cat	1.65 m ²	0.9 m (eg 0.90 m x 1.85 m)	1m
Up to two cats	2.2 m ²	0.9 m (eg 1.20m x 1.85 m)	1m
Up to four cats	2.8 m ²	1.20 m (eg 0.9 m x 2.35 m)	1m

FOR NEW BUILD SEE PAGE 29

Sneeze barriers

- It is important to ensure that cats from different households cannot come into direct contact with one another or sneeze on each other.
- A.4.7 Full height, full width solid sneeze barriers must be installed between cat units.
- A.4.8 Sneeze barriers must be in place on the end walls of the exercise run at each end of the cattery block to prevent contact with animals from outside.

Shelving or raised areas in exercise run

- Shelves or raised areas are important to allow cats to rest high up where they feel more secure (usually between 0.75 and 1.5 m above the ground).
- A.4.9 Shelving must be made of impervious, easily cleanable materials.
- A.4.10 There must be a shelf or facility for providing a raised area in the exercise area.
- A.4.11 All resting areas/shelving must be large enough for each cat to lie on.
- A.4.12 Extra help (eg steps) to provide safe easy access to the shelf for elderly, ill, very young or disabled cats must be available if required.

A.5 Fire and other emergencies

- Appropriate steps will be taken for the protection of the animals in case of fire and other emergencies.
- This should include instructions on where staff and cats are to be evacuated to in the event of emergencies such as fire or flooding. An emergency telephone list should include fire, police and vets.
- Fire and electrical safety certificates should be available for inspection.

- A.5.1 There must be a written emergency plan (agreed by the local authority) which must be on display and known to staff and a contingency plan should the premises be destroyed or uninhabitable.
- A.5.2 Premises and activities must be risk assessed (including fire). These risk assessments must be recorded and relayed and understood by all staff.
- A.5.3 Fire fighting equipment must be provided, maintained in good working order (maintenance must be evident and should show date checked) and easily accessible.
- A.5.4 Fire exits must be clearly marked and access left unrestricted.
- A.5.5 The premises must comply with current legislation with regards to electricity and gas (if connected).

A model Emergency and Evacuation Plan is attached as Annex B.

Section B – Diet: Providing the cat(s) with an appropriate diet

Fresh clean water and a suitable diet are basic nutritional requirements for physical health.

B.1 Drinking

- Water is essential for all cats. It is especially important for those fed on dry food. Cow's milk should not be fed to cats because many cats have lactose intolerance. Wide water bowls allow cats to drink without bending their whiskers.

- B.1.1 Fresh water must be available at all times. Clean water must be provided daily in a clean container or changed sooner if it is visibly soiled.
- B.1.2 Food and water must be kept separate (Joint feeding and water bowls must not be used).
- B.1.4 Water must be positioned well away from the litter tray, as cats will not drink if it is placed too close to a toilet site (see also D.3).
- B.1.4 Adequate water bowls must be provided for multi-cat units (see also D.3).
- B.1.5 Water bowls must be non-porous and easy to clean/disinfect.

B.2 Eating

- Cats have very specific dietary needs which can vary, dependent on a number of factors (i.e. age, health status, activity, weight). However, all cats are obligate carnivores and require a well-balanced, meat-based diet to stay fit and healthy. Ideally cats should be fed several small meals per day. Kittens, or cats with additional needs, will need more frequent feeding. The feeding of raw food diets is not recommended due to the risk of bacterial and parasite contamination and the public health risk. Cats should not remain inappetent (not eating) for longer than 2 days without seeking veterinary advice.

- B.2.1 There must be exclusive facilities, hygienically constructed and maintained, for the storage and preparation of food for the cats.
- B.2.2 Refrigeration facilities must be provided.

B.2.3 A sink with hot and cold water must be provided for the washing of food equipment and eating and drinking vessels.

B.2.4 Clean, safe containers must be provided for the storage of foods and must be insect and rodent proof

B.2.5 Cats must be fed a balanced diet suitable for their age, health status, reproductive status and lifestyle. The type of food, specific diet or prescription diet is usually by agreement with the owner.

B.2.6 Food must be unspoilt, palatable, and free from contamination.

B.2.7 For healthy adult cats at least two meals a day must be offered at a minimum of 8 hours apart, as appropriate to the individual's requirements.

B.2.8 Unconsumed wet or fresh food must be removed before it deteriorates, and before the next feed time. Dry food can be fed as indicated by the manufacturer.

B.2.9 Food must not be left for excessive periods to prevent it being spoiled and attracting flies. This will vary with temperature conditions and type of food.

B.2.10 All food must be positioned well away from the litter tray, (minimum 60cm), as cats will not eat if it is placed too close to their toilet site.

B.2.11 One feeding bowl must be provided per cat.

B.2.12 Food bowls must be non-porous and easy to clean and disinfect, or disposable.

B.2.13 Food intake must be monitored daily and any problems recorded.

B.2.14 Veterinary advice must be followed if feeding debilitated, underweight or ill cats, or those with specific dietary requirements.

B.2.15 Cats displaying marked weight loss/gain must be evaluated by a vet and treated as necessary.

Section C – BEHAVIOUR: Allowing the cat(s) to express normal behaviour patterns

Good welfare depends on meeting both the mental and behavioural needs of cats, as well as their physical needs. How a cat behaves can indicate how successfully an individual is coping in its environment.

C.1 General points on cat behaviour

- Physical and mental health can affect cat behaviour. Cats are intelligent active creatures but changes can upset them, as can being off their own territory. Some cats can become stressed or bored in a boarding situation. This can lead to poor appetite, shedding viruses or greater susceptibility to disease. Staff should be appropriately trained to recognise common behaviours and behaviour changes. A cat should never be punished as this is likely to make it more nervous or scared. A regular routine will help cats to predict what is going to happen.
- Ideally cats should be able to view the outdoors and have an interesting outlook.

C.1.1 The behaviour of individual cats must be monitored on a daily basis and abnormalities or changes noted and acted upon if necessary.

C.1.2 Cats must be able to access different levels within the unit (see A.3 for more information).

C.1.3 Cats must be given the opportunity for play and exercise.

Hiding places

- Hiding is a behaviour that cats can use to help them cope with changes in their environment. Cats hide to avoid interactions with other cats or people, or stressful situations. Providing cats with places to hide can reduce stress and can be as simple as providing a cardboard box, an igloo-type bed or other structures within the unit.

C.1.4 A hiding place must be provided for cats in the sleeping accommodation (see also D.3).

Play

- Encouraging cats to play can be a good way of keeping them active.
- Cats are playful animals (but individuals vary in their desire to play) and enjoy playing with toys (especially those which mimic prey), and with people. Cats have a need to express the innate predatory behaviour which is natural for them and therefore show most interest in toys that mimic prey.
- Environmental enrichment such as changing toys regularly, can reduce boredom.

C.1.5 Any toys provided must be safe and be disinfected between use in the cattery, or disposed of. If provided by the owner toys must be kept within that cat's unit and used solely for that cat and returned to the owner and the end of the cat's stay.

Scratching

- Cats are highly motivated to show scratching behaviour and naturally use objects to scratch to mark their territory, strengthen their muscles and sharpen their claws. Cats often prefer scratch posts tall enough for the cat to use fully stretched.

C.1.6 Cats must be provided with suitable facilities for scratching.

C.1.7 Any surface available for scratching must either be disinfected between use for different cats, or disposable. If provided by the owner it must be kept within that cat's unit and used solely for that cat and returned to the owner and the end of the cat's stay. (See Section E -Health & Welfare).

C.2 Noise

- Cat hearing is more sensitive than human hearing and thus noise levels uncomfortable for humans are likely to be very uncomfortable for cats. Excessive noise contributes to adverse behavioural and physiological responses. Cats are adversely affected by the sound of barking dogs.
- The cattery environment should be as calm and quiet as possible with noise producing equipment located as far away from animals as possible.

C.2.1 Cats must not be exposed to excessive noise of barking boarded dogs or other excessive/continuous noise.

C.3 Long stay cats

- Occasionally cats stay in a boarding cattery for periods over 3 weeks and these cats require special consideration such as environmental enrichment, regular health checks and extra attention from staff.

C.3.1 A Standard Operating Procedure (SOP) must be in place explaining how to ensure the health and welfare of long-term stay cats.

Section D – COMPANY: Providing the cat(s) with the appropriate company

It is important from a welfare perspective to ensure that any need that a cat has to be housed, with or apart from, other animals, is met. The cat is by nature a solitary animal, and contact with or seeing unfamiliar/strange cats can be very stressful.

D.1 Feline company and interactions

- Most adult cats will only be friendly to siblings or certain other cats they live with. Strange cats are usually avoided. Cats can find the presence of other cats very stressful and can suffer if they cannot avoid cats with whom they are not familiar or do not like. Housing cats at high densities increases the potential for them to be stressed. Only cats from the same household may share a unit.
- Where possible cats must be able to avoid seeing other cats by being provided with hiding places and translucent (allowing light to pass through, but only diffusely, so that objects on the other side cannot be clearly distinguished) barriers between units. (See page 29 – New Build).

D.1.1 Cats from different units must not share exercise runs or an exercise area either at the same time or sequentially.

D.2 Human company and interactions

- Most cats enjoy and benefit from human company, but prefer to interact with people on their own terms. Cats socialised to humans can find human company stimulating and may show signs of stress when this interaction is decreased. However, other cats will prefer minimum contact.
- Cattery staff should find out from the owner and monitor each cat to ascertain how much human contact it wants and adapt to provide this.
- A cat should never be forced to interact with a person/people, and a facility should be provided for a cat to avoid people should they wish. (Ref to hiding place).

- Scruffing of cats (picking up a cat by the scruff of its neck) should not be done except as an absolute last resort.

D.2.1 Cats must always be handled humanely and appropriately to suit the requirements of the individual cat.

D.3 Multi-cat units

- Proprietors have a responsibility to monitor units where more than 1 cat is housed. Even though these cats originate from the same household, cats sharing a home may not necessarily get on well, especially when confined. Therefore proprietors must monitor cats to ensure that they are not experiencing stress/distress/aggression from another cat. Only cats from the same household can share a unit.

D.3.1 For any multi-cat unit (cats from the same home) cats must be monitored and consent obtained from the owner for separating cats, should problems arise (e.g. cats fighting or 'stressed').

D.3.2 There must be multiples of all resources (food and water bowls, litter trays and sleeping areas (warmed if required), depending on the number of cats, to ensure that some cats cannot monopolise resources and prevent the others from accessing them.

D.3.3 A separate bed must be provided for each cat.

D.3.4 A separate hiding place must be provided for each cat eg a cardboard box, igloo bed.

D.3.5 Separate feeding bowls (not double feeders) must be provided for each cat.

D.3.6 Several sources of water must be provided if multiple cats are housed.

Section E – HEALTH AND WELFARE: Protecting the cat(s) from pain, suffering, injury and disease

Many points covered under the previous four sections (A – D) can be considered to relate to Section E and assist in protecting cats from pain suffering, injury and disease.

E.1 Monitoring cats

- In order to keep cats healthy the proprietor needs to have an organised system for registering and monitoring all cats at the cattery.
- It is recommended that a late-night round be carried out to check on all cats, heating etc.
- The well-being of the boarded cat is paramount. It is recommended that all cats are weighed on entry and exit from the cattery. This allows the proprietor to monitor any changes and provides information should clients challenge the cat's condition on their return. This is especially important for older cats and kittens. Geriatric, ill or debilitated cats should also be monitored more closely for appropriate management.
- It is recommended that cats that are boarded for longer than 2 weeks are weighed every 2 weeks, and older cats and kittens weighed weekly, and records kept.

E.1.1 All cats must be observed regularly throughout the day. Cats must be checked daily for signs of illness and/or injury and to ensure that their needs are being met. Any signs of ill health or unusual behaviour must be recorded and advice sought without delay.

E.1.2 The cattery proprietor or responsible person must visit the cats at regular intervals (of no more than 4 hours apart during the working day), or as necessary for the individual health, safety and welfare of each cat.

E.1.3 Presence or absence of faeces and urine in trays must be noted daily. Any signs of abnormalities in excreta must also be noted or acted upon as appropriate.

E.1.4 Drinking and eating habits must be monitored and any problem investigated. (Refer back to Section B).

E.2 Keeping records

- A register must be kept of all cats boarded and available to key members of staff and to local authority inspectors if requested. Records should be backed up and records kept for a minimum of 24 months. It is also useful to know if cats are insured, should problems occur.

The information kept must include the following:

E.2.1 Date of arrival and departure.

E.2.2 Name, sex, description of cat and microchip number.

E.2.3 Number of cats sharing from same household.

E.2.4 Name, address, phone number and email of owner (including emergency contact details).

E.2.5 Name, address, email and phone number of emergency local contact (who is able to take the cat if necessary).

E.2.6 Cat's veterinary surgeon.

E.2.7 Cat's diet and relevant requirements.

E.2.8 Cats' relevant medical history.

E.2.9 Consent forms eg veterinary treatment, consent to share or separate cats if needed, record of baskets/toys etc left at the cattery (Check vet consent forms i.e. own vet or designated vet if not in area).

E.2.10 Record of vaccination.

E.2.11 Any medical treatment must be recorded and visible to prevent mis-dosing.

E.3 Disease control

- Cats are vulnerable to a range of serious infectious diseases, therefore disease control and rapid response to any signs of illness is critical.
- The potential for infectious disease problems escalates where many cats are kept together and a cat's immune system can also be affected by stress.
- As outlined elsewhere, construction materials and equipment need to be easy to clean and disinfect (see Section A).
- No cats should be allowed in the safety corridor or to share an exercise area (unless they come from the same household).
- Infectious agents are spread in various ways –
 - Feline leukaemia virus (FeLV) and feline immunodeficiency virus (FIV) need direct contact between cats, which should be impossible in the boarding situation.
 - Cat flu viruses such as feline herpesvirus [FHV], feline calicivirus [FCV], and other respiratory pathogens such as Bordetella bronchiseptica, are spread in sneeze droplets, on hands, clothes, shoes, equipment and environment.
 - Feline parvovirus (aka feline infectious enteritis (FIE)) can be spread on hands, clothing and shoes, litter trays and environment, and can remain in the environment for a long time.
- The source of feline parvovirus (FIE) is faeces from an infected cat and several other agents are spread via contact with other cats' faeces/litter trays and include Coronavirus, Salmonella and Campylobacter etc.

Ringworm spores can remain infectious in the environment for prolonged periods of time.
- Preventing cat-to-cat contact, ensuring excellent hygiene protocols and management protocols to minimise stress can reduce the risk of disease spread.
- The movement of people through the cattery should be minimised and supervised.

- If rescue cats are boarded, these should be handled last.
- E.3.1 Where work with rescue cats or breeding cats is also undertaken, this must be kept completely separate, and extra precautions taken to prevent the spread of disease.
- E.3.2 When there is any cause for concern regarding the health status of a cat, that cat must be handled last and the unit must be cleaned after all the others.
- E.3.3 Cats must remain in their assigned unit and not be moved to other units (rotation) or to a holding unit for cleaning purposes, except for moving to an isolation facility.
- E.3.4 Standard operating procedures (SOPs) must be in place and followed to prevent spread of disease, and staff trained in these procedures.
- E.3.5 Facilities must be provided for the proper reception, containment and disposal of all waste and meet with local authority approval.
- E.3.6 Isolation facilities must be available (see E.6).

E.4 Hygiene practices

- Proper cleaning and disinfection helps to reduce the spread of infectious disease to both animals and people. Cats are particularly susceptible to poisoning from phenolic compounds (those that turn cloudy when added to water), therefore these must not be used.

Cleaning and disinfectant products

- E.4.1 Products must be suitable to use and effective against the pathogens, (especially feline parvovirus (FIE) and ringworm)) for which the cats are at risk and under the conditions present in the environment in which they are used.
- E.4.2 Cleaning agents and disinfectants must be non-toxic to cats.

E.4.3 The compatibility of different bactericides, fungicides and virucides (if used together and/or with a detergent) must also be taken into account.

Manufacturers' recommended guidelines for use, correct dilutions and contact time for use in cleaning and disinfection products must be followed. Standing water must not be allowed to accumulate in areas around the cat units due to the possibility of pathogens residing in these moist environments.

Cleaning and disinfecting routines for units when cats are resident

- Litter tray hygiene is very important as cats may refuse to use trays if they are soiled; faeces is also a high risk source of infection for some feline diseases.
- Cats prefer clean, comfortable dry bedding. Bedding should not be a source of infection.
- Cats can ingest infective agents from dirty dishes and may excrete viruses themselves in saliva. Clean and disinfected dishes reduce the risk of disease.
- On a daily basis (and more often if necessary) the unit needs to be spot cleaned and any obvious food or waste removed, and all excreta and soiled material removed from all areas used by cats.
- Litter trays need to be cleaned and disinfected in a separate area away from food preparation.
- Food and water dishes need to be cleaned and disinfected, and not at the same time in the same sink or area as litter trays or other items soiled with body waste.

If only one sink is available, strict protocols need to be in place between use to ensure adequate disinfection after cleaning litter trays and before cleaning dishes, as faeces is the major source of many infective pathogens. Sinks need to be disinfected thoroughly between uses.

E.4.4 There must be cleaning and disinfection routines in place for day-to-day management of the cats and for ensuring a cat unit and all equipment is cleaned and disinfected effectively before a new cat comes in.

E.4.5 Each unit must be supplied with its own dustpan, brush and scoop, to be used exclusively in, and kept in that unit, until departure of the cat, and then cleaned and disinfected before re-use, or disposed of prior to the next resident.

E.4.6 Litter trays must be emptied and cleaned and disinfected at least once a day, or more frequently as necessary.

E.4.7 Beds and bedding material must be checked daily and be maintained in a clean, dry and parasite-free condition.

E.4.8 Drinking vessels must be changed/cleaned and disinfected at least once a day.

E.4.9 Grooming equipment must either be cleaned and disinfected between use on different cats, or be disposable. If provided by the owner, it must only be used on that cat and must be sent home with the cat.

E.4.10 Toys and scratch posts must be cleaned and disinfected between use for different cats, disposed of, or returned to the cat's owner (if they came in with the cat).

Handling cats

- Hand sanitiser dispensers should be available in all cat care areas and should only be used on clean hands. It should be noted that hand sanitisers are ineffective against some of the more dangerous pathogens (eg calicivirus) and cannot be relied upon as the sole means of hand sanitation. Washing of hands thoroughly or wearing of gloves is preferable.
- Fresh protective garments should be worn when handling vulnerable individuals. Kittens and young cats should be handled before adult cats.

E.4.11 Hygiene protocols must be observed between handling cats. Hands must be washed/ disinfected or hand sprays or alcohol gel used between handling of each cat.

E.4.12 Protective garments must be changed and laundered with an appropriate disinfectant/ disposed of immediately after handling a cat with a suspected infectious disease.

E.5 Vaccination, fleas, worms and other parasites

- There must be a policy for cats coming to the cattery having vaccinations against appropriate diseases (Occasionally there will be veterinary advice on a specific cat regarding vaccination and its health status and this should be taken into account).
- If owners have treated their cats for worms and fleas before entry to the cattery, the proprietor should note when this occurred and what products were used.

- E.5.1 An up-to-date veterinary health record must be seen to ensure that cats boarded have current vaccinations against feline parvovirus (feline infectious enteritis) (FIE)) and against feline respiratory viruses (feline herpesvirus and feline calicivirus).
- E.5.2 Vaccination (including boosters) must have been completed, at the very least, 2 weeks before the cat's arrival in order to ensure maximum protection.
- E.5.3 Homoeopathic vaccination is not acceptable as it will not protect against infectious diseases.

E.6 Isolation facilities

- All establishments must have a means of providing isolation that will allow for the care of sick cats which develop signs of infectious diseases, to minimise the risk to other cats. How this is physically provided (ranging from being able to shut off an end unit of the cattery and using a separate door, to having a separate building) may vary. In many catteries the cat is taken straight to the vet (catteries are advised to check with the vet whether this service is available). If not, isolation protocols (below) must be observed.

- E.6.1 The area must provide separate, self contained facilities for the isolation of suspected infected cats and must have a separate entrance to the rest of the units.
- E.6.2 Separate cleaning supplies and clothing must be designated for the isolation area and other cattery sections.

E.6.3 Protective clothing and footwear must be worn when handling cats in the isolation facility, and sanitation protocols adhered to, to avoid the transmission of disease. Whilst in use, the clothing should be kept in the isolation unit and not be removed other than for cleaning and disinfection.

E.6.4 Hands must be washed/disinfected between handling cats.

E.6.5 Separate feeding and water bowls, litter trays, litter, a dedicated safe cat basket, bedding and cleaning utensils must be stored in the isolation unit ready for immediate use.

E.6.6 Any cats in the isolation facility must be checked regularly and unless a separate person is caring for them, they should be visited after the other cats.

E.6.7 A Standard Operating Procedure (SOP) for barrier nursing and information must be provided for staff.

E.6.8 Should a cat need to be removed from its unit, it must be carried in a secure and disinfected cat carrier, and the carrier disinfected after use.

E.6.9 In emergency cases, such as admission of unvaccinated cats because of owner hospitalisation, there must be provision to be able to place these animals in isolation.

E.7 Veterinary treatment and health care

- Access to veterinary care is vital for the cat, should it be required.
- If medication is necessary, it should only be used for the cat for which it is prescribed and following a veterinary surgeon's instructions.

E.7.1 A veterinary practice must be appointed for the establishment. The name, address and telephone number of the establishment's veterinary service must be displayed in a prominent position for staff.

E.7.2 Where cats require wiping of eyes, grooming or other cleaning regimes, these must be carried out frequently enough to keep the cat clean and comfortable providing it is safe to do so.

E.7.3 When a cat is suspected of being ill or injured (staff should be trained to recognise when a cat requires veterinary care), a veterinary surgeon must be contacted for advice immediately. Any instructions for treatment given by a veterinary surgeon must be strictly followed with further advice sought if there is ongoing concern.

E.7.4 Medicines must be stored safely, securely, at the correct temperature and labelled correctly according to manufacturer's instructions. Any unused medications must be returned to the owner or prescribing vet.

E.8 Holding units for temporary housing

- Routine use of holding units is not recommended as they are small (minimum size should be 1 m in each dimension) and are an additional source of cross infection to cats.
- Holding pens should only be used in exceptional circumstances ideally for no longer than 12 hours and not in areas where other cats are housed.
- The licensed capacity of the cattery does not include holding pens.

E.8.1 If, in an emergency, holding units/pens are used, they must not be sited in the reception.

E.8.2 Cats must be provided with a bed, litter tray, food and water.

E.9 Transportation of animals

- Transportation can increase risk for cats, both of disease (from unclean vehicles or carriers) or of escape. A vehicle can be viewed as an extension of the premises and therefore the same principles of hygiene, care and disease control apply. If the journey is long, appropriate resources must be provided.

E.9.1 Any transport legislation must be complied with.

E.9.2 Cats must be secured in durable carrying baskets any time they are transported/carried outside the cat unit (A spare cat carrier should be kept at the cattery for situations where owners do not arrive with their cat in a secure carrier).

E.9.3 All vehicles and equipment must be kept clean and disinfected after each collection or delivery.

E.9.4 Cats must not be left in vehicles except for transportation.

SECTION F – New Build

As knowledge and materials change, recommendations for better construction and care can change. For anyone undertaking a new build cattery the following advice and recommendations must be followed. When replacing (or adding to) parts of an existing cattery, new build must be followed.

NB.1 Cat units

- Previous smallest size units (for 1 cat) are considered difficult to clean and manage efficiently.
- Having 2 cat size units gives much greater flexibility for the cattery.

NB.1.1 Sleeping accommodation sizes

For new build the smallest unit must be large enough for up to 2 cats and to allow for adequate staff space for cleaning.

- Penthouse accommodation has a number of drawbacks in the cleaning and management of the cat and the units:
 - Cleaning adequately under the box can be difficult.
 - The box must not be too deep or the internal height of the sleeping box too high, in order to be able to clean it.

- Cleaning inside the sleeping box can be difficult and health and safety issues arise if the person doing the cleaning has to climb on a stool or climb into the box to reach the top or back.
- Cats in the box are at face height which could be potentially dangerous with an aggressive cat.
- Very young, old/infirm or disabled cats may find the ramp difficult /dangerous. It is advisable to have at least one full height unit for use for blind, old, infirm or severely disabled cats, or suitable provision made for these cats.

Full height, walk-in units – floor area and dimensions			
New build – the minimum size must be as below (2 cats)			
	Minimum area	Smallest dimension must be a minimum of:	Minimum height
Up to two cats	1.5 m ²	1.2 m (eg 1.2m x 1.25 m wide)	1m
Up to four cats	1.9 m ²	0.9 m (eg 1.2m x 1.6 m wide)	1m

In new build

NB.1.2 Penthouse accommodation measurements for the exercise run must be taken from the front of the sleeping accommodation/box, not under the box.

NB.1.3 When measuring floor area, shelving areas must not be included.

NB.1.4 The box must be 0.9 m off the ground both to enable the area underneath to be cleaned effectively, and to enable a person to reach inside to clean the walls and ceiling of box.

Penthouse accommodation – floor area and dimensions			
New build – the minimum size must be as below (2 cats)			
	Minimum area	Smallest dimension must be a minimum of:	Minimum height
Up to two cats	1.1 m ²	0.9 m (eg 0.9m deep x 1.2 m wide)	1m
Up to four cats	1.7 m ²	0.9 m (eg 0.9m deep x 1.9 m wide)	1m

Exercise area sizes

Full height, walk-in units and penthouse accommodation			
New build – the minimum size must be as below (2 cats)			
	Minimum area	Smallest dimension must be a minimum of:	Minimum height
Up to two cats	2.2 m ²	1.20 m (eg 1.2m x 1.85 m)	1m
Up to four cats	2.8 m ²	1.20 m (eg 1.20m deep x 2.35m)	1m

Sneeze barriers

In new build sneeze barriers must be at a minimum, translucent (Allowing light to pass through, but only diffusely, so that objects on the other side cannot be clearly distinguished) to reduce stress caused by cats seeing one another. Opaque barriers are acceptable but may cut down on the light entering the cattery.

Gaps between units

Where gaps between units are used as disease control, one side of the gap must have a full height, full width translucent sneeze barrier.

Hygiene facilities

In new build there must be separate sinks for cleaning of litter trays and feeding utensils.

Materials

In new build any wood to which the cat has access must be clad with an impervious smooth material to prevent damage and make cleaning and disinfection easier.

Noise

If a new cattery is being built near existing kennels serious consideration must be given to positioning of the building to minimise the level of noise from the dogs which can be very stressful to cats.

Annex A

LICENCE CONDITIONS INSPECTION SHEET FOR CAT BOARDING ESTABLISHMENTS										Tick boxes ✓/x
Name of Cattery	Date of Inspection		Boarding		Rescue	Breeding				
Address of Cattery	Person seen	Inspectors name(s)	Signature		Full Inspection	Overall score				
	Pest Control policy/contract		Cattery Vet details displayed				Accident Book (H&S)	Emergency Contact displayed		
Licence on Display	Insurance									
Has copy of Licence Con & Legislation	Register and Back up									

Outdoor Cattery	Indoor Cattery	Semi-outdoor/indoor	Full height Unit (walk-in)	Penthouse Style Unit	Home boarding
Timber	PVCu	Fibreglass	Other	Number Units	

Index

Identification code	Section	Range	Score	Range	Score
A	Environment	Cattery Unit: Drainage: Exercise Run: Fire/Emergency: Interior Surfaces: Lighting: Litter Trays: Roofing: Safety C: Sizes: Sneeze Barriers and Shelving: Temperature: Ventilation			
B	Diet	Drinking: Eating: Refrigeration: Storage of foods: Washing equipment			
C	Behaviour	Scratching: Long stay cats: Environmental enrichment: Toys:			
D	Company	Multi-Cat Units: Monitoring: Shared cats			
E	Health and Welfare	Cleaning: Disease Control: Hygiene Practices: Holding Units: Isolation: Monitoring Cats: Records/S.O.Ps: Register: Transport			
Rating	0	Does not meet the minimum standard			
Rating	1	Meets standard, but with noticeable limitations			
Rating	2	Meets the standard			
Rating	3	Exceeds the standard			
		0 - 56	0	114 - 170	2
		57 - 113	1	171+	3
N/A = 2					

Annex A

Area	Identification Code	Description	√	x	Score	Actions or Comments	Done √
Records	A.5.1/2	Written emergency plan and risk assessment					
Records	C.3.1	Long stay cats S.O.Ps					
Records	D.3.1	Multi-cat unit consent					
Records	E.1	Monitoring cats					
Records	E.2	Register and Back-up					
Records	E.3.4	S.O.Ps					
Records	E.5.1 - E.5.3	Vaccinations					
Records	E.6.7	Barrier nursing S.O.Ps					
Records	E.7.1	Veterinary details/displayed					
Records	A.5.1 - A.5.5.5	Fire and other emergencies					
Records	A.3.7	Temperature records					
Records	D.2.1	Monitoring of cats for human contact					
Records	D.3.1	Multi-Cat Unit consent					
Kitchen/Eating	B.2.1	Exclusive facilities					
Kitchen	E.3.2	Cleanliness					
Kitchen/Eating	B.2.2	Refrigeration					
Kitchen/Eating	B.2.3	Washing equipment					
Kitchen/Eating	B.2.4	Storage of foods					
Kitchen/Eating	B.2.5 – B.2.7	Feeding regime					
Page Total							

Annex A

Area	Identification Code	Description	√	x	Score	Actions or Comments	Done √
Cattery Unit	A.1.1 – A.1.4	Sound and safe construction					
Cattery Unit	A.3.1, A.3.5 – A.3.6	Sleeping accommodation sizes					
Cattery Unit	A.1.5	Sharp edges/Other hazards					
Cattery Unit	A.1.6 – A.1.8, A.2.12	Secure windows, doors & fencing					
Cattery Unit/Drainage	A.1.12 – A.1.14	Drainage/Drain covers					
Cattery/safety corridor	A.1.15	Escape-proof area					
Cattery/safety corridor	A.1.16 – A.1.18,21	Corridor width/secure doors					
Cattery/safety corridor	A.19	Flooring					
Cattery/safety corridor	A.1.22	Lighting					
Cattery/Sneeze B	A.4.7 – A.4.8	Sneeze Barriers					
Cattery/Roofing	A.1.24	Safe and Waterproof roofing					
Cattery/Lighting	A.2.2	Adequate lighting					
Cattery/Ventilation	A.2.3	Ventilation/Draughts					
Cattery/Interior	A.2.4 – A.2.10	Good repair, clean & sealed joints					
Cattery/Accessing	A.2.1, A.2.12	Sharing Units/Numbered Units					
Cattery/Temperature	A.3.7	Max-Min Thermometer					
Cattery/Temperature	A.3.11 – A.3.14	Safe Appliances					
Cattery/Temperature	A.3.15	Waterproof sockets					
Cattery/Bedding	A.3.17 – A.3.19	Bedding materials					
Cattery/MultiCat Units	D.3.1 – D.3.6	Facilities and monitoring of multi-cat units					
Page Total							

Annex A

Area	Identification Code	Description	√	x	Score	Actions or Comments	Done √
Cattery/Litter Trays	A.2.13 – A.2.18	Suitable litter tray cleanliness & position					
Cattery/Shelving	A.3.1 – A.3.4	Sleeping accommodation and shelving					
Cattery/Exercise Run	A.4.6	Exercise Run sizes					
Cattery/Exercise Run	A.3.20	Access to Run					
Cattery/Exercise Run	A.4.1 – A.4.4	Clean and secure Run					
Cattery/Exercise Run	A.4.9 – A.4.12	Shelving in Run					
Cattery/Scratching	C.1.6 – C.1.7	Scratching Posts					
Cattery/Behaviour	C.1.6	Toys/Environmental enrichment					
Cattery/Behaviour	C.1.4	Hiding places					
Cattery/Company	D.1.1	Cats from different households					
Cattery/Hygiene	E.4.1	Cleaning products					
Cattery/Cleaning	E.4.5	Dust pan, brush and scoop					
Handling Cats	E.4.11 – E.4.12	Hygiene protocols and protective garments					
Health Care	E.7.3 - E.7.4	Veterinary instruction/legislation					
Holding Units	E.8	Facilities					
Isolation	E.6.1 – E.6.5	Cleanliness and procedures for use					
Transport	E.9	Use of vehicles for transportation					
Page Total							

OVERALL SCORE

Annex B

Emergency and Evacuation Plan

Introduction

All appropriate steps will be taken for the protection of the cats in case of fire or other emergency; Animal Boarding Establishments Act 1963 section 1 (3) (d).

There should be an Emergency Evacuation Plan (EEP) and fire warning procedure in place. This should be posted where staff may become familiar with it. This procedure should include instructions dealing where cats are to be evacuated to and contingency for their accommodation/care if the premises are rendered unsafe or unsuitable.

Prior to formulating an Emergency and Evacuation Plan carry out a Fire Risk Assessment (FRA) to identify any potential fire risk hazards within your establishment.

Emergency situations and the requirement to evacuate from the establishment can arise from a number of situations like; Fire, Flooding, Damage to building, Power failure and disease.

Being prepared and planning a simple but well understood procedure to be carried out in the event of an emergency is essential to offer maximum protection for you, your staff and the animals in your care. This need not be a lengthy document but should include a plan of the site giving exit points, location of telephone, emergency equipment (fire extinguishers and storage of baskets/cages) RVP and designated holding area for cats. The emergency contact details of a supervisor or the proprietor and the establishments Veterinary Surgeon should also be displayed.

Fire fighting equipment and detectors must be properly maintained. All electrical installations and appliances must be maintained in a safe condition. There should be a residual current circuit breaker system on each cattery block for the premises. Heating appliances should not be sited in a location or manner where they may present a risk of fire/risk to cats. Precaution should be taken to prevent any accumulation of material which may present a risk of fire.

Fire Risk Assessment

1. Identify potential fire risk hazards in the workplace
2. Decide who might be in danger (staff, Visitor, animal) in each area
3. Evaluate the risks arising from hazards and what can be done
4. Record your findings
5. Keep assessment under review

There should be adequate means of raising an alarm in the event of a fire or other emergency. In the event of a fire breaking out within your establishment, remember that your safety and those of your staff is of prime importance and no risks should be taken which may compromise any person's safety. No task in tackling the fire or evacuating animals should be undertaken unless it is safe to do so.

Upon Discovery of Fire

- Leave fire area immediately
- Close all doors behind you
- Alert occupants of building by sounding alarm (if present) or yell "Fire"
- Telephone Fire and Rescue Services dialling 999 from a safe location
- Evacuate animals when it is safe to do so to the designated holding area
- Use exit to leave building

Upon Hearing of a Fire Condition

- If safe, staff can assist with evacuating animals /occupants
- Leave building via nearest safe exist
- Close doors behind you
- Remain Calm
- Proceed to the designated RV area

Fire and Evacuation Action Plan

Planning Your Escape	<p>You only have a short time to get out so prepare a plan of escape in advance rather than waiting until there is a fire or evacuation of the establishment. Think of another way out in case the normal route is blocked.</p> <p>Know where door and window keys are kept.</p> <p>Know where spare baskets/ cages are stored.</p> <p>Know where the RVP/Holding areas are.</p>	
If You Discover a Fire		<p>Leave fire area immediately.</p> <p>Close all doors behind you.</p> <p>Sound the alarm and call 999 from any phone.</p> <p>Stay calm, speak clearly and listen to the operator.</p> <p>Where safe to do so, assist others to evacuate and remove animals to the safe holding area.</p> <p>If there is a fire elsewhere in the establishment, stay where you are and await instructions or if you have to move remember to check doors with the back of your hand before opening. If it feels warm, do not open it and go another way.</p> <p>If there is a lot of smoke, crawl along floor where the air will be cleaner.</p> <p>If in doubt – Get out, Stay out and get the Fire & Rescue Services Out.</p>
Contacts in an Emergency	<p>(enter details here)</p> <ul style="list-style-type: none"> • Proprietors name and Telephone Number(s) • Supervisors Name and Telephone Number(s) • Establishments Veterinary Surgeons Name(s) and Telephone Number(s) 	<p>(enter details here)</p> <ul style="list-style-type: none"> • Telephone at (enter location) • Emergency equipment at (enter location) • RVP at (enter location) • Animal Holding area at (enter location) • Fire Extinguishers located at (enter location) • Keys kept at (enter location)
<p>RVP = Rendezvous Point</p>		

The onus is upon the cattery to ensure adequate fire prevention precautions are in place.

It is recommended that plans and details for large catteries are lodged with the police and fire authorities. Fire prevention advice may be sought from the Fire Prevention Officer based at your local fire station. This officer can give advice on fire drills, fire escapes, equipment and should be consulted when new buildings are constructed or existing buildings modified.

Smoke detectors are recommended and you must make sure that Fire Detection and fighting equipment are easily accessible and regularly tested. Exit routes should be kept clear. Staff should be familiar with the fire evacuation procedure by use of fire drills and how to use the fire extinguishers.

The Fire Precautions (Workplace) Regulations 1997 place a duty on employers to carry out a risk assessment for the premises not covered by a fire certificate.

Useful Contacts

Chartered Institute of Environmental Health

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

British Veterinary Association

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

Pet Industry Federation

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

Cats Protection

National Cat Centre
Chelwood Gate, Haywards Heath
Sussex RH17 7TT
www.cats.org.uk

International Cat Care

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

Dogs Trust

17 Wakley Street, London EC1V 7RQ
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GUIDANCE FOR DOG
BOARDING ESTABLISHMENTS**

ANIMAL BOARDING ESTABLISHMENTS Act 1963



**Chartered
Institute of
Environmental
Health**

**WORKING PARTY
REPORT**



Feline Advisory Bureau



**Chartered
Institute of
Environmental
Health**



**ASSOCIATION
OF DISTRICT
COUNCILS**



MODEL LICENCE CONDITIONS AND GUIDANCE FOR DOG BOARDING ESTABLISHMENTS

ANIMAL BOARDING ESTABLISHMENTS ACT 1963

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A report based on the work of the CIEH Animal Boarding Establishments Working Party Published in 1993, as amended by discussions with the British veterinary Association (BVA), British Small Animal Association (BSAVA), Feline Advisory Bureau (FAB), Pet Trade and Industry Association (PTIA) and the Association of District Councils (ADC).

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

THE CHARTERED INSTITUTE OF ENVIRONMENTAL HEALTH

Founded in 1883, The Chartered Institute of Environmental Health (CIEH) is a professional and educational body, dedicated to promoting environmental health and encouraging the highest possible standards in the training and work of environmental health officers.

The CIEH has more than 9,000 members working in local authorities and the private sector in England, Wales and Northern Ireland. As well as providing services and information to members, the CIEH advises government departments on environmental health and is consulted by them on any proposed legislation relevant to the work of environmental health officers.

The CIEH received its Royal Charter in 1984.

FOREWORD

Following the passing of the Animal Boarding Establishments Act 1963, the BVA published guidance in the 1970s and again in the 1980s¹ on appropriate conditions to be applied in the licensing of animal boarding establishments. The comments in their 1985 document are still relevant:

"Historically local authorities were recommended to grant licences to premises of sub-standard nature conditional upon the recommended standards being met by a specified date but not later than 1 January 1980. In practice in many instances it has proved impossible to raise the standards of such premises after the initial issue of licences. Concurrently a greater number of premises are now being offered for inspection prior to the granting of licences for the boarding of cats and dogs and no reason can be seen for granting licences to any premises which fail to meet current standards in any major respect."

Animal boarding establishments fulfil a public need. The public have a right to expect that all premises satisfy basic standards relating to the health, welfare and safety of the animals boarded. Establishment owners should know the minimum standards they must attain. The licensing authority should apply the standards sensibly and appropriately.

The continuing task for local authorities, veterinary professionals and the trade is to raise standards of health, safety and animal welfare in such establishments. The conditions contained in this booklet have been agreed by relevant bodies involved in the provision and control of such establishments. The contents represent the minimum standards to be applied in order to achieve that goal.

GRAHAM M JUKES

Chairman

¹ *Animal Boarding Establishments Act 1963 - A Guide for District Authorities and their Veterinary Inspectors, BVA 1985*

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The original Members of the CIEH Animal Boarding Establishments Working Party were:

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National Dog Warden Association (NDWA)
Royal Society for Prevention of Cruelty to Animals (RSPCA)

This revised booklet is the result of further discussions and deliberations by the following:

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1 INTRODUCTION

Local Authorities issue licences to proprietors of boarding kennels under the provisions of The Animal Boarding Establishments Act 1963. The licence can stipulate a number of conditions to secure the following objectives:

- i) that dogs are kept in accommodation suitable in respect of construction, size, temperature, lighting, ventilation and cleanliness;
- ii) that dogs are adequately supplied with suitable food and drink, and are visited at suitable intervals;
- iii) that dogs are kept secure;
- iv) that reasonable precautions are taken to prevent the spread of infectious diseases;
- v) that appropriate steps be taken in the event of an emergency
- vi) that a suitable consistent level of management is maintained.

In 1993 The Chartered Institute of Environmental Health (CIEH) published comprehensive guidance and model licence conditions to ensure that a consistent approach was maintained in the issuing of licences and the enforcement of the legislation by local authorities.

Following the publication of the guidance and model conditions it became apparent that the conditions were being applied by some local authorities too rigidly and without due regard to the detailed guidance notes, which in the original document, were separated from the model conditions. The Guidance Notes provided a detailed explanation for the conditions and provided a framework for a consistent approach while allowing freedom of interpretation and flexibility to be applied by the licensing authorities in accordance with local circumstances.

A working group consisting of CIEH, Association of District Councils (ADC), British Veterinary Association (BVA), British Small Animal Veterinary Association (BSAVA), Feline Advisory Bureau (FAB) and the Pet Trade and Industry Association (PTIA) met to consider changes in the format of the guidance and model conditions based on the CIEH's original work in order to improve the readability, interpretation and consistent application of the document. This booklet and its companion volume dealing with cat boarding establishments contains the model conditions and guidance together with additional information will be of considerable value to both the industry and enforcement officers.

It should be stressed that the aim of licence conditions is to ensure high standards of animal care and health and safety are maintained in animal boarding establishments. If variations to the model conditions are made local authorities should bear in mind that the principal aim must still be met.

In new establishments there is an expectation that all appropriate conditions should be met as a basic minimum standard. In existing establishments it is accepted that some of the conditions may need to be phased in over a period of time by agreement between the establishment owner and the local authority in which case a licence, subject to an agreed scheme of works and a suitable realistic timescale for implementation should be issued.

Where appropriate and as necessary the local authority should seek the advice and assistance of a veterinary surgeon.

For ease of reference and application the model conditions have been set out in the text in bold type with notes appended adjacent in italics giving additional information.

Throughout the text and as a licence condition the following applies:

1.1 Unless otherwise stated, these conditions shall apply to all buildings and areas to which dogs have access and/or are used in association with the boarding of dogs.

Use of the term 'kennel' refers to combined sleeping and individual exercise areas.

2 Licence Display

The principal legislation dealing with Animal Boarding Establishments is the Animal Boarding Establishments Act 1963 which addresses the areas to be covered by the licence relating to animal welfare and management. It is essential that consumers and those responsible for premises management are aware of the licence conditions:

LICENCE DISPLAY

2.1 A copy of the licence and its conditions must be suitably displayed to the public in a prominent position in, on or about the boarding establishment.

Notes: If displayed externally the licence and its conditions should be protected from the weather. Preferably the licence should be displayed in the reception area.

The number of dogs for which the premises is licensed, the number of isolation and holding kennels must be specified on the licence. Guidance to their numbers are found in the notes below.

Other legislation and issues to be taken into consideration by kennel owners are:

INSURANCE

Notes: Adequate insurance indemnity should be arranged by the operator of the premises. This should be maintained at a sufficient level to cover the maximum number of dogs boarded. Several companies offer policies specific to animal boarding establishments. Details are often advertised in pet publications.

Proprietors of animal boarding establishments are able to insure purely the liability aspect by taking out third party liability cover. In addition, you can insure against veterinary fees for accident and illness, death from accidents, death from illness and loss from theft and straying. You must insure against public liability.

Employers Liability Insurance is mandatory for boarding establishment owners who employ staff. Employers Liability (Compulsory Insurance) Act 1969.

Certificates of insurance must be prominently displayed.

STAFF FACILITIES

Notes: Adequate toilet and washing facilities must be available for staff in accordance with health and safety requirements.

An adequate First Aid kit must be available for staff use.

Staff should be adequately trained in the safe handling of dogs, emergency procedures to be followed, and all other aspects of the licence conditions which are pertinent to their work. Staff should also be regularly vaccinated against Tetanus.

ESTABLISHMENTS RECEIVING BOTH DOGS AND CATS

Notes: When the granting of the licence is being considered by the local authority, there will be a presumption against cats and dogs being kept within sight of each other, unless good reason can be made otherwise. [See companion booklet on model licence conditions and guidance for cat boarding establishments].

In consideration of "Good Reasons" existing facilities and management must be taken into account.

3 CONSTRUCTION

3.1 GENERAL

3.1.1 The establishment must, at all times, be laid out and operated in accordance with an approved plan, to be attached to the licence. Before carrying out any alterations, plans must be submitted to and approved by the licensing officer of the local authority.

3.1.2 Where wood has been used in existing construction it must be smooth and treated to render it impervious. Wood should not be used in exposed construction of walls, floors, partitions, door frames or doors in the dog kennelling area. There must be no projections liable to cause injury.

3.1.3 Fencing material must be secure and safe.

3.1.4 Sleeping areas of kennels must be so insulated as to prevent extremes of temperature.

3.1.5 The construction must be such that the security of the dog is ensured.

3.1.6 All exterior wood must be properly treated against wood rot, eg Tanalised. Only products which are not toxic to cats may be used.

3.1.7 All internal surfaces used in the construction of walls, floors, partitions, doors and door frames to be durable, smooth and impervious. There must be no projections or rough edges liable to cause injury.

3.2 WALLS AND PARTITIONS

3.2.1 Walls with which dogs may come into contact must be of smooth impervious materials, capable of being easily cleansed. Where concrete or other

Notes: The conversion of existing buildings should be discouraged. Experience shows that they may be more expensive to adapt and less efficient to operate.

At least 20% of the individual exercise runs must be covered with a suitable mesh.

Where galvanised welded mesh is used for fencing the wire diameter must not be less than 2.0mm (14 standard wire gauge) excluding any covering and the mesh size must not exceed 5.0 cm (2").

Application for building works may well require approval from the building control department and/or the planning department.

The interior and exterior of the buildings should be kept in good decorative order and repair. Outer paths, gardens, exercise areas and general surroundings must be kept in a good, clean, presentable condition. Failure to comply with this recommendation may be a consideration in any decision by the local authority to withdraw the licence for any reason.

A safe system of work must ensure correct use of chemicals and materials used in the kennel and must include constructional details suitable to reduce spread of infection, disease and contamination.

Wood in Kennels: The purpose of avoiding wood on surface structures of kennel interiors is because of the possibility of damage to the material caused by scratching by animals. Worn and splintered material is difficult to clean, harbours bacteria, viruses etc and allows the splinters produced to penetrate the animals' skin.

The whole point of hygienic and safe practice is to provide easy to clean surfaces.

Notes: This condition is to provide a physical barrier to infection. It will also reduce aggression while allowing socialisation.

building blocks or bricks are used in such walls, they must be sealed so as to be smooth and impervious, and resealed as necessary.

3.2.2 Junctions between vertical and horizontal sections should be coved. If impractical in existing premises, all joints must be sealed.

3.2.3 Partition walls between kennels must be of solid construction to a minimum height of 1.2m (4ft).

3.2.4 In new construction, in exercise runs the lower section of partitions in adjoining runs must be of solid construction.

3.3 FLOORS

3.3.1 Floors of all buildings, individual exercise areas and kennels, must be of smooth, impervious materials, capable of being easily cleansed and in new kennels must incorporate a damp proof membrane.

3.3.2 All floors of kennels and individual exercise areas must be constructed and maintained in such a condition as to prevent ponding of liquids.

3.3.3 In new construction floors must be laid to a minimum fall of 1 in 80 leading to a shallow drainage channel or effectively covered deep drainage channel.

3.3.4 Communal exercise areas must be suitably drained but need not comply with conditions 3.3.1 and 3.3.2.

3.4 CEILINGS

3.4.1 Ceilings must be capable of being easily cleansed and disinfected.

Suitable materials for the construction of partition walls would be properly surfaced impervious brick/block constructions, moulded plastic, glass reinforced plastic (GRP), pre-formed plastic surfaced board etc. Such solid construction may be from floor to ceiling, but this should not be detrimental to other welfare considerations such as the dog's outlook, lighting and ventilation. Sealing refers to the use of a proprietary water proofing agent for sealing the wall against damp-penetration. Under certain circumstances sealing of brickwork can only be achieved by rendering prior to sealing.

In individual exercise areas it is recommended that the solid partition be of a minimum of 675 mm (27 inches) high from the ground and in existing construction this condition should be phased in over a suitable period taking into consideration existing construction and the condition of the kennels.

Notes: Floors of kennels and related exercise areas should be constructed in impervious material and be readily cleansable while providing sufficient grip for the animal to walk or run without sustaining injury.

Drainage channels should be provided near to the kennel edge so that urine is not allowed to pass over walk areas in corridors and communal access areas. It is reasonable to face a bedding area in the opposite direction to the exercise area if separate drainage channels are appropriately sited. Before beginning any alterations you are advised to contact the building control section of the local authority. Waste water outlets may need approval from the National Rivers Authority (contact your local area office for advice).

"Communal" facilities must not be used by more than one dog at any one time unless they are from the same household.

Communal exercise areas should generally be discouraged - see Notes in Section 4.

Notes: Where kennels are provided, within converted outbuildings, consideration should be given to ease of cleaning, energy conservation, wildlife access, lighting and ventilation.

3.5 DOORS

3.5.1 Kennel doors must be strong enough to resist impact and scratching and must be fitted to be capable of being effectively secured.

Notes: See also General Construction for galvanised welded mesh use (Section 3.1).

3.5.2 Where metal bars and frames are used, they must be of suitable gauge (approximately 10-14) with spacing adequate to prevent dogs escaping or becoming entrapped. Where metal edging is used, this must not present a risk of injury to the dog.

Galvanised Weld Mesh should be a minimum of 2 mm (14 guage) in thickness. It is recommended that the spacing of the wire should not exceed 50 mm (2 inches).

When designing kennel doors regard should be paid to the Health and Safety of the person working in the kennel, for example large dogs may push against the door which may give rise to difficulties in securing the door and even to accidents to the person on the opposite side of the door when it opens outwards. Therefore consideration could be given to opening the outer door in an inward direction in the interests of staff safety.

3.5.3 Door openings must be constructed such that the passage of water/waste is not impeded, or allowed to gather due to inaccessibility.

3.6 WINDOWS

3.6.1 All windows which pose a security risk must be escape proof at all times.

Notes: Windows when a security risk must be protected by welded mesh, or be made of reinforced glass, polycarbonate or other impact resistant material.

3.7 DRAINAGE

3.7.1 The establishment must be connected to mains drainage or an approved, localised sewage disposal system.

3.8 LIGHTING

3.8.1 During daylight hours light must be provided to exercise and sleeping areas so that all parts are clearly visible. Where practicable this must be natural light.

Notes: Natural and artificial lighting must be of sufficient standard to enable efficient working after daylight hours.

3.8.2 Adequate supplementary lighting must be provided throughout the establishment.

3.9 VENTILATION

3.9.1 Ventilation must be provided to all interior areas without the creation of excessive, localised draughts in the bedding area.

Notes: Draughts can be the outcome of ventilation provided for animal health. Heating can equally be removed by ventilation. A balance is necessary between adequate ventilation and the unnecessary removal of warm air.

Ventilation is important as an aid to disease control, a protection against smell accumulation, and prevents excessive humidity of the atmosphere. High humidity increases the risk of kennel cough and should be avoided.

Siting of the bed is an important consideration. Raising the bed and providing adequate protective sides to allow the dog "depth" to seek protection are considerations in protecting the dog.

3.10 MAINTENANCE

3.10.1 Maintenance and repair of the whole establishment must be carried out regularly.

4 NUMBERS OF ANIMALS

4.1 NUMBERS OF DOGS PERMITTED

4.1.1 The maximum number of dogs to be kept at any one time is [TO BE DETERMINED BY THE LOCAL AUTHORITY].

Notes: The number of dogs permitted relates to the number and size of the kennels and must be stipulated clearly on the front sheet of the displayed licence. The decision regarding the number of dogs, as well as considering kennel size and numbers, will take into account the effectiveness of site management.

4.1.2 Each dog must be provided with a separate kennel except that dogs from the same household may share a kennel of adequate size with the written consent of the dogs' owner.

Dogs from the same family who normally live together, may prefer to share a kennel. It is a requirement that operators obtain written authorisation from the dog owner before kennel sharing is allowed. Where sharing occurs the dogs must be able to lie down comfortably in the sleeping area, with sufficient space for the door to open fully.

4.1.3 Holding kennels may be provided for temporarily kennelling a dog for not more than 24 hours. Holding kennels, if provided, must comply with conditions as required for main kennels. Holding kennels must be a minimum area of 2.3 sq m (25 sq ft)

Holding Kennels - The number of holding kennels provided should be agreed between the kennel owner and the local authority and noted on the licence. In general holding kennels should not constitute more than 25% of the total number of residential kennels.

4.1.4 No animals other than dogs are to be boarded within the licensed facilities without the written approval of the local authority.

Identification and Control of Dogs on Site - The Control of Dogs Order 1992 requires that all dogs, whilst in a public area, must wear a collar and tag stating the name and address of the owner. It is recommended that all dogs boarded at the establishment should wear a collar and tag identifying the name of the owner, or have the collar and tag secured immediately outside the kennel. This will assist in the identification. It will also assist staff with dog control if one tries to escape, or if there is a fire or other emergency. In the case of sharing it will be necessary to take the collars off and hang them outside the kennel.

4.1.5 Where stray dogs are accepted by the kennels they must be kept in a separate area away from boarded dogs.

Dangerous Dogs - Dogs subject to contracts under current Dangerous Dogs Legislation must have a copy of the licence and insurance certificate lodged with the boarding kennel.

4.2 KENNEL SIZE, LAYOUT AND EXERCISE FACILITIES

4.2.1 For new kennels each kennel must be provided with a sleeping area of at least 1.9 sq m (20 sq ft).

Notes: In existing kennels the new size requirements for sleeping areas should be phased in over a number of years after consultation between the kennel owner and local authority taking into account local circumstances.

4.2.2 Suitable bedding equipment must be provided which allows the dog to be comfortable and which is capable of being easily and adequately cleaned and sanitised. Such equipment must be sited out of draughts. All bedding material

During kennel construction it is necessary to use an appropriate design and correct materials to overcome problems of noise emission and to ensure energy conservation. This is in order to minimise discomfort to the dog and to minimise the risk of nuisance to persons in the vicinity of the site.

must be maintained in a clean, parasite free and dry condition.

4.2.3 For new kennels each kennel must be provided with an exercise area of at least 2.46 sq m (26 sq ft) (for dogs up to 24 inches high at shoulder) or 36 sq ft for larger dogs, which is separate from the bedding area and exclusive to that kennel, for free use by the dog at all times except at night.

4.2.4 Kennels must have a minimum height of 1.8m (6 ft) to facilitate adequate access by kennel staff for cleaning.

4.2.5 Kennels and exercise areas must open onto secure corridors or other secure areas so that dogs are not able to escape from the premises.

4.2.6 Exercise areas must not be used as bedding areas.

***Adverse Weather** - In adverse weather conditions the responsible person must decide whether or not dogs are given free access to their exercise area.*

In existing kennels the new size requirements for exercise areas should be phased in over a number of years after consultation between the kennel owner and local authority taking into account local circumstances. This exercise area should be roofed to a minimum of half the area, sufficient to give the dog protection against the weather.

Some of this should be translucent material capable of filtering UV light and providing adequate shade.

***Communal Areas for Exercise:** In general, communal areas should be discouraged because of the risk of disease spread, in particular worms, and fighting. With the provision of individual exercise areas to each kennel, the extra provision of a communal area need not be provided. Surface ponding of water must not occur and land drainage should be provided where necessary if normal site drainage proves inadequate.*

The risk of spreading disease, in particular worms, is increased by use of communal areas.

All communal exercise areas should be provided with an impervious cleansable surface at least around the perimeter (concrete, laid to a suitable fall to prevent ponding and promote drainage).

5 MANAGEMENT

5.1 TRAINING

5.1.1 A written training policy must be provided. Systematic training of staff must be demonstrated to have been carried out.

Notes: The licensee must formulate a written training policy for permanent, part time and seasonal workers. The following are regarded as essential topics to be covered in the programme:

*Animal Welfare
Cleanliness and Hygiene
Feeding and Food Preparation
Disease Control
Recognition and Treatment of Sick Animals
Health and Safety
Emergency Procedures*

Transportation of Animals

All vehicles used by the establishment for the transportation of dogs must be regularly serviced and kept clean. They must be fitted with cages of adequate size for the safe transportation of dogs and be provided with adequate ventilation. All vehicles must be secure and should not be left unattended when transporting a dog.

5.2 TEMPERATURE IN KENNELS

5.2.1 Heating facilities must be available in the kennel and used according to the requirements of the individual dog.

Notes: Many kennels have been built without proper concern for the welfare of the dog. The materials used on the kennel exterior may not offer adequate protection against temperature variations throughout the majority of the year.

5.2.2 There must be some part of the dog's sleeping area where the dog is able to enjoy a temperature of at least 10°C (50°F).

There will be periods in the year where ambient external temperatures will cause temperatures to fluctuate above or below the recommended levels. If the higher temperature level is exceeded due to constructional shortcomings rather than normal ambient temperature then artificial means of counteracting this high temperature should be introduced.

5.2.3 In isolation kennels there should be a means of maintaining the temperature at a level suitable for the conditions of the dog and dependent on veterinary advice.

Where temperatures lower than indicated are reached the use of individual heating lamps for dogs may prove adequate. In some circumstances additional background heating will also be required.

The temperature of the isolation kennels should not be allowed to fall below 15.5°C (60°F) generally, unless specific advice is given to the contrary by the Veterinary Surgeon.

The difficulty of providing maximum temperature levels is acknowledged. 26°C (79°F) is a realistic temperature which should not to be exceeded in normal circumstances.

It is important to remember that a minimum temperature of 10°C (50°F) is required, and if inadequate attention

has been given to construction and insulation it will be necessary to use additional heating and thereby increase running costs. Failure to provide additional heating will cause dogs to suffer. Particular attention should be paid to design and construction. Geographical orientation is also relevant. Aspect affects temperature. It is often difficult to maintain adequate temperatures with north facing openings. Correct attention to orientation of the kennel will allow maximum use of natural light.

Similarly in summer temperatures, poorly insulated exteriors will allow internal temperatures to build up (similar to car interiors) to excessive levels. Even with additional ventilation the dogs will suffer.

Some summer temperatures will naturally exceed 26°C (79°F). Inadequate construction or ventilation of the kennels must not be an excuse to allow unnecessarily high temperatures being attained.

Where temperatures are likely to rise above the maximum levels specified in the notes there should be some means of mechanical or automatic cooling/ventilation.

A safe system of heating must be provided so that risks of electrocution and burning are avoided. Open flame appliances must not be used.

5.3 CLEANLINESS

5.3.1 All kennels, corridors, common areas, kitchens etc must be kept clean and free from accumulations of dirt and dust and must be kept in such a manner as to be conducive to maintenance of disease control and dog comfort.

5.3.2 Each occupied kennel must be cleansed daily. All excreta and soiled material must be removed from all areas used by dogs at least daily and more often if necessary.

5.3.3 All bedding areas must be kept clean and dry.

5.3.4 Each kennel must be thoroughly cleansed, disinfected and dried upon vacation. All fittings and bedding must also be thoroughly cleansed and disinfected at that time.

Notes: Arrangements must be made with the Waste Collection Authority or waste management contractor authorised for the purposes of the duty of care, for removal of other wastes from the establishment under the Environmental Protection Act 1990. Foul waste water must be disposed of by discharge to the approved drainage system.

Cleaning

There are a range of alternative cleaning regimes.

Basically the regime should include:

- 1 Removal of solids
- 2 Washing
- 3 Disinfection
- 4 Drying

The physical collection (shovel and bucket) of faeces is usual.

The use of detergent and water will "wash down". Equally pressure hoses or steam cleaning will wash down more effectively.

There is a need to control bacteria, viruses, fungi within the sanitising process.

5.3.5 Facilities must be provided for the proper reception, storage and disposal of all waste. Particular care should be taken to segregate clinical waste arising from the treatment and handling of dogs with infectious diseases. The final disposal route for all such waste must be incineration.

There is little point in putting down disinfectant only to wash it away in a short period of time. The long term activity of chemicals used in the control of viruses, bacteria and fungi should be considered.

Great care should be taken when using any chlorine based chemical, eg bleach. (See notes of COSHH)

Combinations of bactericides, fungicides and virucides may prove expensive to use and may not necessarily be the best system to use.

5.3.6 Measures must be taken to keep minimise the risks from rodents, insects and other pests within the establishment.

There is a balance between the dog enjoying a known environment and introducing infection and infestation in wickerwork baskets and old clothing/bedding etc. Staff handling between kennels further increases the risk of disease spread. While owners' own baskets and bedding may help a dog to settle, particularly during its first stay in boarding conditions, their use should be discouraged as there is no immediate control over cleanliness and parasite transmission.

5.4 FOOD AND WATER SUPPLIES

5.4.1 All dogs must be adequately supplied with suitable food. Wholesome water must be available at all times and changed daily.

Notes: Dogs should be fed to a standard compatible with the maintenance of health. Inspectors will observe the general nutritional status of the dogs and the type and quality of food in store and in the process of preparation. If necessary, a veterinary surgeon will be called in to advise.

5.4.2 Eating and drinking vessels must be capable of being easily cleansed and disinfected to prevent cross-contamination. They must be maintained in a clean condition.

Food should not be left for excessive periods within the kennel in order to avoid smells and flies. More food and water may be required for old or young dogs. No food should be left outside at night.

5.4.3 Eating vessels must be cleansed after each meal.

Disposable eating dishes, although expensive, are recommended as hygienic since they cannot transmit infection and are a saving of time and labour since they are immediately disposable. Expanded polystyrene is not a suitable material for this use.

5.4.4 Drinking vessels must be cleansed at least once a day.

5.5 KITCHEN FACILITIES

5.5.1 Exclusive facilities, hygienically constructed and maintained, must be provided for the storage and preparation of food for the dogs.

5.5.2 Where fresh and cooked meats are stored, refrigeration facilities must be provided, and potential food contamination must be avoided.

5.5.3 A sink with hot and cold water must be provided for the washing of food equipment and eating and drinking vessels. A separate wash-hand basin with hot and cold water must be provided for staff use.

5.5.4 Containers must be provided for the storage of foods and shall be so constructed and kept in such good order, repair and condition as to be proof against insects and other pests.

5.6 DISEASE CONTROL AND VACCINATION

5.6.1 Adequate precautions must be taken to prevent and control the spread of infectious and contagious disease and parasites amongst the dogs, staff and visitors.

5.6.2 Proof must be provided that dogs boarded or resident have current vaccinations against Canine Distemper, Infectious Canine Hepatitis (Canine adenovirus), Leptospirosis (*L. canicola* and *L. icterohaemorrhagiae*) and Canine Parvovirus and other relevant diseases. The course of vaccination must have been completed at least four weeks before the first date of boarding or in accordance with manufacturers instructions. A record that this proof has been supplied must be kept on-site throughout the period that the dog is boarded.

5.6.3 Advice from a veterinary surgeon must be sought in case of signs of disease, injury or illness. Where any dog is sick or injured any instructions for its treatment which have been given by a veterinary surgeon must be strictly followed.

5.6.4 A well stocked first-aid kit suitable for use on dogs must be available and accessible on site.

5.6.5 A suitable range of muzzles of

Notes: "Other relevant diseases" allows for the insertion of diseases which may as yet be unknown but which may be regarded as important in the future or which may be added according to circumstances.

*Four weeks is the maximum time for all current vaccines to become fully effective. A shorter time is acceptable if suitable veterinary evidence is provided, based on manufacturers' instructions. For example, intra-nasal vaccination for *Bordetella bronchiseptica* (part of the Kennel Cough complex) is regarded as giving solid protection after only 5 days.*

Vaccination against Kennel Cough should be encouraged. Kennel owners should seek the advice of their Veterinary Surgeon regarding accomplishment of this, as the disease is generally regarded as being multi-factorial.

It is important that there are facilities and procedures for cleansing and disease control and that staff are familiar with the procedures and understand what action to take in the event of an outbreak of disease.

Phenolic disinfectants should not be used around dogs and dogs must be kept dry during cleaning of enclosures.

If there is evidence of external parasites (fleas, ticks, lice etc) the dog must be treated with a proprietary insecticide.

If there is evidence of internal parasites the advice of a veterinary surgeon should be sought.

All insecticides, disinfectants etc must be used strictly in accordance with the manufacturers instructions, and hazard sheets kept for staff which explain precautions to be taken by the user.

The first-aid kit for use on dogs must be kept well

varying sizes and a suitable dog catching device, must be kept on site.

stocked at all times. Advice on contents should be available from the establishment's veterinary surgeon.

It is important to consider procedures to be carried out in case of death or escape. All staff should be made fully aware of these procedures. They will also help to reassure owners that the establishment acted correctly in that situation. Any dog that has died on the premises must be referred to a veterinary surgeon and the licensing officer of the local authority must be informed.

A veterinary practice should be appointed for the establishment. The name, address and telephone number must be displayed in a prominent position in a public area. The 24 hour telephone contact number of the veterinary surgeon used by the establishment should be displayed in a suitable place, close to the telephone and accessible to all members of staff.

5.7 ISOLATION

5.7.1 Isolation facilities must be provided.

Notes: Isolation facilities must be provided at the rate of at least 1 isolation kennel for up to 50 kennels at the establishment and pro rata above that. The number should be noted on the Licence.

5.7.2 In existing facilities these isolation facilities must be in compliance with the other boarding requirements but must be separate and physically isolated from the main kennels. This must be a minimum 5m (15ft). (See also temperature control).

The requirement for 5m distance between isolation facilities and main kennels is based upon consideration of the distance that a dog sneeze travels. Intervening buildings and constructional detail (ie window and door positions) should be taken into account. Individual circumstances may significantly vary the stated figure.

5.7.3 Adequate facilities to prevent the spread of infectious disease between the isolation and other kennels must be provided.

Isolation facilities must be used where the presence of infectious disease is suspected. Where stray dogs are accepted by the kennels they must be kept in a separate area away from boarded dogs. Isolation facilities must only be used for this purpose in exceptional circumstances ie where stray intake is minimal. Condition 5.5.5 would apply to staff handling strays.

5.7.4 Hands must be washed after leaving the isolation facilities before visiting the other kennels.

Protective clothing and equipment, for use only in the isolation facility, must be used to reduce the spread of infection.

In new build isolation facilities seperated 10 metres from the main units must be provided.

5.8 REGISTER

5.8.1 A register must be kept of all dogs boarded. The information kept must include the following:-

Notes: Computerised, loose-leaf, index card and book register systems are acceptable. If a book register is used, pages must be consecutively numbered. Records of the owners agreement to share may be kept on a separate form if a computerised system is used.

- date of arrival
- name of dog, any identification system such as microchip number or tattoo

It is strongly urged that the establishment introduce formal boarding agreements, stating clearly the responsibilities of both parties during the duration of the kennelling. The Licensing Officer of the local authority

- description, breed, age and gender of dog
- name, address and telephone number of owner or keeper
- name, address and telephone number of contact person whilst boarded
- name and address and telephone number of dog's veterinary surgeon
- anticipated and actual date of departure
- health, welfare and nutrition requirements

will consider the details recorded in the register against the actual facts observed.

Owners should be encouraged to sign an authorisation for veterinary treatment.

5.8.2 The register must be kept readily available for a minimum of 24 months and kept in such a manner as to allow an authorised officer easy access to such information.

5.8.3 Where records are computerised, a back up copy must be kept. The register must also be available to key members of staff of the establishment at all times.

5.9 IDENTIFICATION OF KENNELS

5.9.1 Each kennel must be clearly marked (eg numbered), and a system in place which ensures that relevant information about the dog in that kennel is readily available.

Notes: An alternative system of identification can be used with the approval of the Licensing Authority providing the system in use meets the criteria for identification and information provision for each dog and is readily accessible and easy to use.

The system of identification of units must be capable of containing relevant information such as feeding habits and frequencies, medicinal treatments etc. If identified on the kennel it must not obscure the primary information. If additional information is stored electronically or manually away from the kennel the information must be readily and easily accessible.

5.10 SUPERVISION

5.10.1 A fit and proper person must always be present to exercise supervision and deal with emergencies whenever dogs are boarded at the premises.

Notes: Suitable intervals for visiting means intervals of not less than four hours, starting at 8.00 am, until 6.00 pm. An evening visit may be appropriate but must be balanced against the possibility of disturbing the dogs and causing noise nuisance.

5.10.2 Dogs must be visited at regular intervals as necessary for their health, safety and welfare.

5.11 FIRE PRECAUTIONS

5.11.1 Appropriate steps must be taken for the protection of the dogs in case of fire or other emergencies.

5.11.2 A proper emergency evacuation plan and fire warning procedure must be drawn up and posted on the premises. This must include instructions on where dogs are to be evacuated to in the event of a fire or other emergency.

5.11.3 Fire fighting equipment must be provided in accordance with advice given by the Fire Prevention Officer.

5.11.4 All electrical installations and appliances must be maintained in a safe condition. There must be a residual current circuit breaker system on each block of kennels.

5.11.5 Heating appliances must not be sited in a location or manner where they may present a risk of fire, or risk to dogs.

5.11.6 Precautions must be taken to prevent any accumulation which may present a risk of fire.

5.11.7 There must be adequate means of raising an alarm in the event of a fire or other emergency.

Notes: It is recommended that plans and details of the establishment are logged with the police and fire authorities. Fire protection advice must be sought from the Fire Prevention Officer regarding appropriate fire extinguishers and their correct siting, fire drills, fire escapes etc and implemented. The general maxim of "people first" in the event of fire is good advice.

Where rebuilding or providing new buildings, the Fire Prevention Officer will give advice on fireproofing requirements.

The advice given by the Fire Prevention Officer should be in writing and particular regard should be given to the safe storage of inflammable substances. Staff should know how to use the fire extinguishers. It is also advisable to install smoke detectors.

Dogs should not have direct access to open flame heating devices.

6 DOG SITTING SERVICES

During the course of the review the Working Party became aware of the practice of "dog sitting" organised on a business footing.

There is at least one national organisation promoting the practice and offering advice, support and guidance to those wishing to operate such a service.

The service essentially, and in theory, involves dogs being kept in small numbers, often singularly, in the dog sitters home.

Those operating such services are subject to the requirements of the Animal Boarding Establishments Act 1963. It should be stressed however that at present this is a very small part of the boarding market and the application of some of the conditions contained within this document may be inappropriate to enforce.

The Working Party recommends that local authorities license such premises and apply appropriate and relevant conditions to ensure the prevention of spread of disease between animals and to ensure the health, safety and welfare of the individual animal being boarded.

Service providers should be advised that planning permission may be required if it is intended to board more than 6 dogs. They should further be advised that appropriate insurance cover should be obtained to protect both the operator and the owner of the animal.

The Chartered Institute of Environmental Health is considering this issue further and consulting with the national body and will provide further, more detailed, advice as appropriate at a later stage.

7 OTHER RELEVANT LEGISLATION

Health and Safety at Work etc Act 1974

- i) There is a duty on all employers and employees to ensure safety of themselves, workmates and visitors to the site and contractors. This also extends to the self-employed.
- ii) An "accident book" must be provided to record details of accidents and "near misses". An annual review will indicate how to keep staff safer by introducing safer practices based on experience.
- iii) Regard should be paid to providing safe systems of work for staff, particularly those involved in dog handling.
- iv) An establishment employing more than four people requires a written safety policy.
- v) There is a requirement for a risk assessment to be carried out to identify hazards in the workplace and assess risks, eg number of people affected etc, in order to assess any health and safety risk in an objective manner as far as possible.

Legislation is evolving all the time and reference should be made to enforcement authorities for up to date advice.

More details will be available from your local authority or from Management of Health and Safety at Work -Approved Code of Practice ISBN 0-11-886330-4 available from HSE Books, tel no. 0797 881165 (mail order)

Environmental Protection Act 1990

- i) Under section 34 operators have a "duty of care" to ensure that all waste arising from their premises is disposed of without harm to human health or the environment. They may only pass their waste to registered carriers or appropriately licensed or authorised disposal facilities.

The definition of waste is currently under review. Reference to the local authority will help clarify the position with regard to waste material generated from boarding establishments.

- ii) Part III of this Act deals with nuisance. When setting up a boarding establishment, it is most important to consider the potential problem of noise or odour nuisance in order to prevent possible legal action which could lead to closure at a later date.

Environmental Health Officers are able to give further advice and guidance on nuisance problems and related statutory provisions.

Noise emission is often not considered by establishment owners. Monitoring a single dog barking at close range may produce a reading in the region of 95 dB(A). It is important to design and site kennels to minimise any cause of complaint from neighbours. The choice of appropriate materials, and their correct use in design, in terms of preventing noise nuisance is extremely important.

In view of the law allowing noise sensitive premises to be built near kennels, often after the kennel has been built, consideration should always be given to the need to retain noise within site boundaries as much as possible, having regard to local background noise levels.

- iii) The use of incinerators to dispose of animal carcasses may require licensing by your local authority who will advise you regarding the requirements of part 1 of the Environmental Protection Act 1990.

If you use an incinerator you are advised to notify the local authority.

The Environmental Protection Act 1990 places a duty of care on businesses to ensure that waste is disposed of by a registered carrier to an appropriately licensed or authorised disposal facility. Those wishing to dispose of waste on their premises or operate an incinerator may need planning permission, and a waste management licence or authorisation under the Environmental Protection Act 1990. They should seek advice from their Waste Regulation Authority or Environmental Health Department.

Dog faeces and "sharps" such as needles, scalpels etc, constitute "clinical" waste and are likely to be subject to specific disposal conditions.

Electricity at Work Regulations 1989

Apply to every employer or self employed person, and you therefore have a duty to comply with these Regulations ensuring your electrical fittings and equipment are maintained in a safe condition.

In the event of something going wrong, you will be asked to say why you thought the equipment was safe, which means regular testing of fittings is advisable.

Control of Substances Hazardous to Health Regulations 1988 (COSHH)

- i) These are known as the "COSHH" Regulations. They require you to keep chemical substances on your premises in a safe manner, and to review whether you are able to reduce the number of chemicals used and to see if you are able to use chemicals which are less hazardous in order to do the same job.
- ii) They also deal with zoonoses (diseases transmitted from animals to people, such as Salmonellosis, Toxocariasis and Toxoplasmosis) and you should bring suitable advice on risks and precautions to the attention of your staff, and ensure that they are suitably vaccinated.

For further advice contact your medical practitioner and/or the environmental health department.

Controlled Waste Regulations 1992

The definition of clinical waste in these regulations includes animal tissue, blood or other body fluids, excretions, drugs or other pharmaceutical products, swabs, dressings or syringes, needles or other sharp instruments which unless rendered safe may prove hazardous to any person coming into contact with it.

The Health and Safety Commission's guidance document 'Safe Disposal of Clinical Waste' advises on best practice in the handling and disposal of such waste and you can also seek advice from the local Waste Regulation Authority or the Environment Agency Regional Office (to be formed in 1995).

The Control of Dogs Order 1992 (SI901)


Every dog whilst in a place of public resort must wear a collar with the name and address of the owner inscribed upon it.

"Public Place" means any street, road or other place (whether or not enclosed) to which the public have or are permitted to have access whether for payment or otherwise and includes the common parts of a building containing two or more separate dwellings.

It should be noted that premises may also be visited from time to time under the Animal Protection Acts, Acts which are principally concerned with animal welfare and the prevention of cruelty.

Dangerous Dogs Act 1991

The Act prohibits persons from having in their possession or custody dogs belonging to types bred for fighting; it imposes restrictions in respect of such dogs; it enables restrictions to be imposed in relation to other types of dog which present a serious danger to the public; and makes further provision for ensuring that dogs are kept under proper control.

Non-Executive Report of the: Licensing Committee 6 October 2015	 TOWER HAMLETS
Report of: Service Head - Legal Services	Classification: [Unrestricted]
Update in relation to Prosecutions and Appeals- Quarter 2 2015/2016	

Originating Officer(s)	Agnes Adrien, Team Leader – Enforcement & Litigation
Wards affected	All wards

Summary

- 1.1 At its meeting on 4th June 2013, the Licensing Committee requested that regular reports should be prepared for the Licensing Committee giving details of licensing enforcement activity and specifically as to outcomes of prosecutions and appeals.
- 1.2 This report and provides details of completed licensing related prosecutions and appeals for Quarter 2 2015/2016 (June to September).

Recommendations:

The Licensing Committee is recommended to:

- 1. Consider and comment upon the information provided in the report.

1. REASONS FOR THE DECISIONS

- 1.1 This report is for the information of the Committee and no specific decisions are required.

2. ALTERNATIVE OPTIONS

- 2.1 N/A

3. DETAILS OF REPORT

- 3.1 The London Borough of Tower Hamlets is a Licensing Authority and amongst its functions it is required to ensure compliance with conditions imposed on Premises Licences; take action against unlicensed premises; and act as a respondent on Appeals against decisions of the Licensing Sub-committee in respect of applications that come before it.

3.2 Where the Licensing Authority takes enforcement action to ensure compliance with conditions etc. then it does so in accordance with the Council's Enforcement Policy. The Enforcement Policy provides that the Council's approach to enforcement is founded on firm but fair regulation, around the principles of:

- raising awareness of the law and its requirements
- proportionality in applying the law and securing compliance
- consistency of approach
- transparency about the actions of the Council and its officers
- targeting of enforcement action.

3.3 Further, as a Licensing Authority the Council has a duty under section 4 of the Licensing Act 2003 to carry out its Licensing functions with a view to promoting the Licensing Objectives and in carrying out such functions must also have regard to its own statement of licensing policy and the Licensing Guidance issued pursuant to section 182 of the Licensing Act 2003.

Prosecutions

3.4 In Quarter 2, 2015/2016, proceedings were taken against one (1) individual Please see the results of the prosecution below

3.5 The results of the Prosecutions are as set out below:

No.	Offences	Outcome
1	Fikri Randa, (The London Food Centre)– 407 Roman Road, London, E3 5QS Breach 136(1) and (4) of the Licensing Act 2003	Simple Caution accepted . Costs £712.50

Appeals

3.6 During quarter 2, 2015/2016, one (1) Appeal was concluded.

The Outcome of the Appeal is set out below:

No	Outcome
1	Consent Order agreed. Wording of the Decision amended.

This Appeal was in respect of a new premises licence.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

4.1 This report describes the Council's licensing enforcement activity and the outcomes of prosecutions and appeals for Quarter 2 2015/2016.

4.2 There are no financial implications arising from the recommendations in this

report.

5. LEGAL COMMENTS

5.1 Any legal implications are addressed in the body of the report.

6. ONE TOWER HAMLETS CONSIDERATIONS

6.1 Enforcement action that complies with the five principles expressed in the Council's enforcement policy should help to achieve the objectives of equality and personal responsibility inherent in One Tower Hamlets.

6.2 The enforcement policy should enhance Council efforts to align its enforcement action with its overall objectives disclosed in the Community Plan and other key documents such as the local area agreement and the Local Development Framework. For example, one of the key Community Plan themes is A Great Place to Live. Within this theme there are objectives such as reducing graffiti and litter. The enforcement policy makes clear the need to target enforcement action towards such perceived problems. At the same time, the enforcement policy should discourage enforcement action that is inconsistent with the Council's objectives.

6.3 The exercise of the Council's various enforcement functions consistent with the enforcement policy and its principles should also help achieve the following key Community Plan themes-

- A Safe and Cohesive Community. This means a safer place where feel safer, get on better together and difference is not seen as a threat but a core strength of the borough.
- A Great Place to Live. This reflects the aspiration that Tower Hamlets will be a place where people live in quality affordable housing, located in clean and safe neighbourhoods served by well-connected and easy to access services and community facilities.
- A Prosperous Community. This encompasses the objective that Tower Hamlets will be a place where everyone, regardless of their background and circumstances, has the aspiration and opportunity to achieve their full potential.

6.4 An equality analysis was conducted prior to approval of the revised enforcement policy by Cabinet on 3 October 2012. A further equality analysis was done on 16th September 2011 in relation to touting prosecutions. It is recognised that Enforcement action may lead to indirect discrimination in limited circumstances but prior to taking any proceedings, an assessment as to whether the case meets the two stages in the Code for Crown Prosecutors is undertaken so that there is both a realistic prospect of a conviction and that it is in the public interest to prosecute. Further, proceedings are kept under review once initiated.

7. BEST VALUE (BV) IMPLICATIONS

7.1 There are no specific best value implications arising from this noting report

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

8.1 The enforcement policy seeks to target the Council's enforcement action in accordance with the Community Plan. The Community Plan contains the Council's sustainable community strategy for promoting or improving the economic, social and environmental well-being of Tower Hamlets and contributing to the achievement of sustainable development in the United Kingdom. To the extent that the enforcement policy aligns enforcement action with the Community Plan it will tend to promote sustainable action for a greener environment. [

9. RISK MANAGEMENT IMPLICATIONS

9.1 Enforcement action carries with it a variety of inherent risks, including the potential for allegations of over- or under-enforcement, discrimination, adverse costs orders and damage to the Council's reputation. It is considered that proper adherence to the Council's policies, the Licensing Objectives, the Council's Statement of Licensing Policy and the section 182 guidance will ensure that risks are properly managed. .

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 One (1) of the four (4) Licensing Objectives is Crime and Disorder and enforcement promotes that Licensing Objective. Enforcement will also play its part in helping to drive down crime and which in turn will reduce fear of crime and ASB levels helping to promote a healthier, happier and more cohesive community. This will have efficiency benefits for adult social care and public health costs by keeping people healthier and more active for longer.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- None

Local Government Act, 1972 Section 100D (As amended) List of "Background Papers" used in the preparation of this report

- None

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