LICENSING APPEALS AND COMPLAINTS COMMITTEE

Minutes of a meeting of the Licensing Appeals and Complaints Committee of South Norfolk Council held at South Norfolk House, Long Stratton on Tuesday 14 November 2017 at 3:00pm

Committee Members Present: Councillors: D Goldson (Chairman), V Bell, M Dewsbury, C Gould and C Kemp

Apologies: Councillors: J Hornby, W Kemp and J Wilby

Officers in Attendance: The Senior Economic Growth Coordinator (D Disney), the Licensing and Enforcement Officer (R Setford) and the Food Safety Officer (J Trohear)

644 MINUTES

The minutes of the meetings held on 19 October 2017 and 1 November 2017 were confirmed as a correct record and signed by the Chairman.

645 REGULATION OF PERFORMANCE OF HYPNOTISM

Members considered the report of the Environmental Health Officer which sought to gain the Committee’s approval of the conditions to be applied to applications for the performance of stage hypnotherapy, as set out in Appendix 2.
In response to members’ questions, officers clarified several points, including the requirements for applicants to submit individual applications which would include permissions from the premises where the act was to be performed. Members considered the draft application form and it was suggested and agreed that it should be the hypnotist themselves who signed the declaration, rather than their agent.

Following a brief discussion during which it was agreed that the policy be reviewed in 12 months, it was:

RESOLVED:

1. that the conditions, as set out in Appendix 2 of the report (with the removal of the words, ‘or his agent’) be attached to any authorisation issued by the Council for the staging of hypnotism as a means of entertainment;

2. that the Director of Growth and Business Development be given delegated power to authorise or reject applications regarding hypnotism as a means of entertainment, and that the Council’s Constitution be amended to reflect this; and

3. that a Licensing Sub-Committee would be convened to review any appeal lodged against a decision to refuse an authorisation for staging hypnotism, and that the Council’s Constitution be amended to reflect this.

646 CONDITIONS FOR THE LICENSING OF DAY DOG CARE (DOGGY DAY CARE) BOARDING ESTABLISHMENTS

Members considered the report of the Environmental Health Officer which sought to gain the Committee’s approval of the introduction of a new licence type and conditions for day dog care establishments, in addition to various other amendments, as detailed in the report.

Officers clarified the requirement for such premises to be licensed and clarified the relationship between licensing and planning laws when dog boarding and day dog care establishments were set up.

The Committee considered the Day Dog Care Boarding Establishment Conditions and requested further clarity around Condition 5, “Entire males and bitches in season, or bitches due to be in season, must not be boarded together or with other dogs.” Officers agreed that the condition was not clear and agreed to seek further advice from dog care specialists. In response to a member’s question regarding the required ratio of carers to dogs, officers explained that this was dependant on the size of the premises and staffing. It was noted that the maximum number of dogs allowed would be specified on the licence once the officer had assessed the establishment.
The Committee raised concerns about fire safety and it was suggested and agreed that officers would advise the fire service and other consultees when an establishment was set up. Members questioned the terms, “fit and proper” and “with relevant experience” as stated in Condition 69, stating that these would be difficult to quantify. The Chairman stated that he did not wish the conditions imposed on dog day care to be more onerous than those for boarding kennel owners. Officers advised that establishments did need to be registered with a vet and that there were training courses available for carers to attend. It was noted that officers did visit establishments to assess premises and to ensure they were satisfied that carers were fit and able to provide the necessary care and attention. However, members raised concerns that the Council did not ask applicants to list any convictions nor did it carry out CRB/DBS checks for licence applicants, so would not be aware of any convictions, particularly those relating to animal welfare. It was agreed that the application form would be amended to include a request for applicants to list details of any previous convictions. It was also suggested and agreed that officers would make further enquiries into fire safety, training, and how the Council could be better assured that carers could be deemed ‘fit and proper’ in regard to dog boarding and doggy day care, and review these, together with all other relevant policies, in 12 months.

After further discussion, it was RESOLVED:

1) to accept all six proposals, as detailed in Section 4.1 of the report, subject to:
   a) officer consultation with the Chairman and Vice Chairman of the Licensing, Appeals and Standards Committee regarding the re-wording of various parts of the Conditions, as noted above, and
   b) an amendment to the licensing application form for the inclusion of a request for applicants to list details of any previous convictions;
   and
2) that officers should make further enquiries regarding fire safety, training/accreditation and the introduction of CRB/DBS checking as part of a review, to be held in 12 months, of all relevant licensing policies.

(The meeting closed at 4.13 pm)

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Chairman