

# SHEFFIELD CITY COUNCIL

## Licensing Sub-Committee

### Meeting held 15 December 2016

**PRESENT:** Councillors David Barker (Chair), Josie Paszek and George Lindars-Hammond

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#### **1. APOLOGIES FOR ABSENCE**

1.1 An apology for absence was received from Councillor Adam Hurst.

#### **2. EXCLUSION OF PUBLIC AND PRESS**

2.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on item 4 on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information as described in paragraph 3 of Schedule 12A to the Local Government Act 1972, as amended.

#### **3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

#### **4. ANIMAL BOARDING ESTABLISHMENTS ACT 1963 - APPLICATION FOR THE RENEWAL OF A LICENCE TO KEEP A BOARDING ESTABLISHMENT FOR ANIMALS**

4.1 The Chief Licensing Officer submitted a report to consider an application for renewal of a licence to keep a Boarding Establishment for Animals under the Animal Boarding Establishments Act 1963 in respect of premises known as The Doggy Den, Little London Road, Sheffield S8 0UH.

4.2 Present at the meeting were Tom Greatorex (Applicant), Jane Greatorex (Applicant's Mother), Mark Parry (Environmental Enforcement Manager), Wendy Owen (Animal Control and Enforcement Officer), Andy Ruston (Licensing Enforcement and Technical Officer), Marie-Claire Frankie (Solicitor to the Sub-Committee and Jennie Skiba (Democratic Services).

4.3 Marie-Claire Frankie outlined the procedure which would be followed during the hearing.

4.4 Andy Ruston presented the report to the Sub-Committee and copies of the application and all relevant correspondence between the applicant and the Animal Control Section were attached at Appendices "A" to "L" to the report. Members were made aware that every effort had been made to resolve the outstanding issues, but it had not been possible.

4.5 Mark Parry stated that there were two outstanding issues, the first one being that

the applicant is proposing to reduce the size of existing kennels and he commented that he did not feel that the proposed decrease was justified in the interests of the welfare of the dog. He further stated that the guidance issued by the Chartered Institute of Environmental Health suggested that kennel sizes should be 2.3 square metres and that a dog must be able to sit, stand, stretch and wag its tail comfortably. The second outstanding issue centred around the amount of socialisation space required for each dog at the Centre. Mark Parry stated that in the shared exercise area, at least 100sq.ft of space per dog should be allowed, with a separate area for dogs under 12 months old with a minimum of 50sq.ft of space per dog.

- 4.6 In response to questions from Members of the Sub-Committee, Mark Parry and/or Wendy Owen responded by stating that, due to the wide range of size, age, breed etc. of dogs, a general “one size fits all” arrangement would work best. From the Council’s point of view, this would be better when officers attend the premises for inspection and ultimately it would assist the public to feel confident at leaving their dogs at the Centre. It was felt that older dogs would need a “chill out” area, but officers had no concerns in the day-to-day running of the business, the main concern was the welfare of the animals.
- 4.7 Tom Greatorex stated that he had been running the business for the past two years and it was based purely on common sense and his love of dogs. He had begun seven years ago as a dog walker and decided to set up a day crèche for dogs, not 24 hour boarding kennels, which he felt the existing regulations were for. Mr. Greatorex stated that he felt the regulations applied were too restrictive to the operation of his business where dogs were encouraged to socialise better in a shared exercise area. He added that since he had been in business, he had never had any complaints from any of his customers, only praise. Mr. Greatorex further stated that on a day-to-day basis, it has been found that only four of his existing kennels are used. The dogs generally don’t use the cages and the owners don’t want their pets being put into them. Mr. Greatorex stated that he was happy to keep one large cage for really big dogs to use if necessary and that he had an isolation cage in a separate area in case there was ever the need to use it. Mr. Greatorex added that currently there are four areas to accommodate 30 dogs and he and his staff use their own judgment as to which dogs are put together in the areas.
- 4.8 In response to questions from Members of the Sub-Committee, Mr. Greatorex stated that the Centre is open for a maximum of 12 ½ hours per day and the staff ratio is currently one staff member for every six dogs. He added that all staff members are fully trained and that a Manager and Assistant Manager are more than capable of looking after the business in his absence. Mr. Greatorex further stated that he had given advice on how to train dogs to people all over the country and he just wants to grow and improve the business, to help people learn how to train their pets.
- 4.9 Wendy Owen summarised by stating that the conditions which had been imposed were not specific to the Doggy Den, but represented a work in progress to benefit businesses where animals were running loose.

- 4.10 Andy Ruston outlined the options open to the Sub-Committee, as set out in the report.
- 4.11 RESOLVED: That the attendees involved in the hearing be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.12 Marie-Claire Frankie reported orally, giving legal advice on various aspects of the application.
- 4.13 At this stage in the proceedings, the meeting was re-opened to the attendees.
- 4.14 RESOLVED That the Sub-Committee agrees to the renewal of a licence in respect of the premises known as The Doggy Den, Little London Road, Sheffield S8 0UH, in the terms requested and subject to the additional conditions as follows:-
- (a) cages to be provided for 30% of the number of dogs allowed under the licence, all except for 1 to be 2.6m<sup>2</sup>; and
  - (b) an area of 4,000sq.ft. be allowed for a maximum combination of 30 large dogs and 20 smaller dogs.

(The full reasons for the Sub-Committee's decision will be included in the written Notice of Determination.)