



Report To:	Full Council
Date:	19 th May 2025
Subject:	Animal Welfare Licensing Policy
Purpose:	To adopt the proposed policy
Key Decision:	No
Portfolio Holder:	Councillor Dale Broughton, Deputy Leader
Report Of:	Christian Allen, Assistant Director – Regulatory
Report Author:	Anna McDowell – Senior Licensing Officer
Ward(s) Affected:	Not applicable
Exempt Report:	No

Summary

A new Animal Welfare Licensing Policy has been developed in line with legislation, best practice and statutory guidance, to aid applicants, licence holders, and decision makers in understanding the requirements under the Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018, the Zoo Licensing Act 1981 and the Dangerous Wild Animals Act 1976. Members of the Licensing Committee have previously considered the draft policy, and a period of public consultation has taken place. Council are being asked to approve the policy for adoption.

Recommendations

The Council adopts the policy following which it will be published. It is also recommended that non-material amendments be delegated to the Senior Licensing Officer in consultation with the Chair of the Regulatory & Appeals Committee and the Portfolio Holder.

Reasons for Recommendations

To ensure that the Council has a policy in place which provides a clear and concise framework of principles that will be applied to premises carrying out relevant licensable activities.

Other Options Considered

Council resolves not to adopt the policy.

1. Background

- 1.1 The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 came into force on 01 October 2018. The Regulations require a licence to be obtained by any person operating a business of:
 - a) Selling animals as pets
 - b) Providing or arranging for the provision of boarding for cats and dogs (including home boarding for dogs and day care for dogs;
 - c) Hiring out horses;
 - d) Breeding dogs;
 - e) Keeping or training animals for exhibition.
- 1.2 The Council is also the responsible authority for the issue and enforcement of licences under the Dangerous Wild Animals Act 1976, and the Zoo Licensing Act 1981.
- 1.3 The Authority does not currently have a licensing policy in relation to any such applications and licences. Whilst there is no legal requirement for the Authority to adopt an animal welfare licensing policy, it is important that there is a clear narrative in place setting out how the Council will carry out its' statutory responsibilities.

2. Report

- 2.1 The Regulatory & Appeals Committee convened on 17 December 2024 to consider a draft Animal Welfare Licensing Policy which sets out the principles which the Council will apply when accepting applications, inspecting premises, making decisions on applications, and exercising its' statutory duty in the monitoring of licensed premises.
- 2.2 The Committee determined to commence consultation and invite representation on the proposed policy, with any comments being referred to the Regulatory & Appeals Committee for consideration.
- 2.3 Consultation commenced in January 2025 and ran for a six-week period. Relevant stakeholders were consulted directly, and the consultation was open to members of the public.
- 2.4 On 13 March 2025 the Regulatory & Appeals Committee convened to consider responses to the consultation and a final policy was agreed for referral to Council with a view to requesting adoption and publication.
- 2.5 It is additionally requested that the Senior Licensing Officer in consultation with the Chair of the Committee and Portfolio Holder, be given delegated authority to make such amendments to this policy as may from time to time be required in order to
 - (i) reference any links or amended links to other documents as may be required; and;

- (ii) reflect any minor issues, or issues over which the Council has no discretion including, but not limited to, references to any legislative changes and amended guidance. Any material amendments to the policy will be subject to the usual approval process in line with the Constitution.

3. Conclusion

- 3.1 There is no statutory requirement to have an Animal Welfare Licensing Policy in place. However, by having a policy in place, a clear framework is in place to provide advice and guidance to applicants', licence holders, and decisions makers.
- 3.2 Adoption of the policy is a council function which cannot be delegated to cabinet or a committee and therefore it is recommended the council adopt the policy, following which it will be published.

Expected Benefits to the Partnership

Consideration has been given to the animal welfare licensing policies of East Lindsey District Council and South Holland District Council.

Implications

South and East Lincolnshire Councils Partnership

None

Corporate Priorities

None

Staffing

None

Workforce Capacity Implications

None

Constitutional and Legal Implications

This policy review is within legal and constitutional parameters and the Monitoring Officer has been consulted

Data Protection

None

Financial

None

Risk Management

None

Stakeholder / Consultation / Timescales

Consultation has been undertaken with relevant stakeholders.

Reputation

An approved policy will help to reduce the risk of reputational damage arising from inconsistent decisions or a lack of transparency

Contracts

None

Crime and Disorder

Animal welfare licensing is governed by legislation which includes some criminal offences for illegal activities. Criminal record checks through the Disclosure and Barring Service (DBS) are also carried out as part of the licensing procedure.

Equality and Diversity / Human Rights / Safeguarding

None

Health and Wellbeing

None

Climate Change and Environmental Implications

None

Acronyms

None

Appendices

Appendices are listed below and attached to the back of the report:

Appendix 1 Proposed Animal Welfare Licensing Policy

Background Papers

None

Chronological History of this Report

A report on this item was considered by the Regulatory & Appeals Committee on 17 December 2024.

A report on this item was considered by the Regulatory & Appeals Committee on 13 March 2025

Report Approval

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