

# **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

## **Registration and Licensing Committee**

6th March 2023

### **Report of the Head of Legal Services – Craig Griffiths**

**Matter for Decision**

**Wards Affected:** All

### **Home Boarding Licence - Licensing - Item 3**

#### **Purpose of the Report**

1. To consider an application for a home boarding licence, where the applicant has a resident child under the age of 10 years old.

#### **Executive Summary**

2. This is an application for a home dog boarding licence at Edgehill, Cae Rhys Ddu Road, Neath SA11 1JA.
3. The applicant has submitted an application, a veterinary inspection has been carried out and a report received (Appendix 1).
4. The Registration and Licensing Committee are being asked to consider whether a licence can be granted with a resident child under the age of 10 years old.

#### **Background**

5. An application was submitted on the 02/02/2023 for the grant of a home dog boarding licence.

6. A veterinary inspection was carried out and a subsequent report received (Appendix 1).
7. The Council adopted NPTCBC Model Licence Conditions for the Home Boarding of Dogs on 26/10/2010 (Appendix 2).
8. Condition number 5.8.3 of the Model Licence Conditions state that 'No home where there are children under 10 years of age will be licensed' (Appendix 2).

## **Officer Report**

9. Condition number 5.8.3 of the LACORS Model Licence Conditions for the Home Boarding of Dogs state that 'No home where there are children under 5 years of age will be licensed' (Appendix 3).
10. The following Welsh Councils; Powys, Newport, Caerphilly, Vale of Glamorgan, Flintshire and Monmouthshire are some who have a current condition of 'No home where there are children under 5 years of age will be licensed'.
11. Conway has the following condition 'Robust risk assessment and clear separation of areas used by dogs and areas used by children under 5 years of age'.
12. The current English Regulations condition 16.3 states 'If any person aged under 16 years resides at the home, there must be procedures in place to regulate the interactions between the dogs and that person'
13. The veterinary report states 'It would be advisable to consider if there could be additional risk assessments and a trial with each dog and her child to assess the risks posed by individual dogs to her child and by her child to individual dogs. Procedures could be put in place to regulate the interactions between the dogs and the children. A full risk assessment and details of any procedures that will be put in place needs to be provided to the council. Familiarisation trials would need to be documented. The child has been brought up with dogs and the layout of the home means the child has separate areas from the boarded dogs to play in both indoors and outdoors
14. Members are being asked to consider whether a licence should be issued and the following condition be attached to the licence; 'A documented trial with each dog and the licensee's child must be carried out prior to

boarding to assess the risks posed by individual dogs to her child and by her child to individual dogs'.

## **Equality Impact Assessment**

15. There are no equality impacts associated with this report.

## **Legal Impacts**

16. Any person aggrieved by the refusal of a local authority to grant such a licence, or by any condition subject to which such a licence is proposed to be granted, may appeal to a magistrates' court.

## **Risk Management**

17. There are no risk management associated with this report

## **Consultation**

18. Not applicable

## **Recommendation**

19. That members consider the application.

## **Reasons for Proposed Decision**

20. It is considered the matters reported should be determined by the Registration and Licensing Committee.

## **Implementation of Decision**

21. Immediate implementation

## **Appendices**

22. Appendix 1 - Veterinary report
23. Appendix 2 - NPTCBC Model Licence Conditions for Home Boarding (Dogs), Animal Boarding Establishments Act 1963.

24. Appendix 3 - LACORS Model Licence Conditions for Home Boarding (Dogs), Animal Boarding Establishment Act 1963.

### **List of Background Papers**

25. Application Form
26. The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 - Guidance notes for conditions for providing home boarding for dogs ([publishing.service.gov.uk](http://publishing.service.gov.uk))

### **Officer Contact**

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