

Crawley Borough Council

Minutes of Licensing Committee

Monday, 11 November 2024 at 7.00 pm

Councillors Present:

I Ashraf (Chair)

K L Jaggard (Vice-Chair)

M L Ayling, T G Belben, B J Burgess, D Crow, J Hart, N Hilton, I T Irvine, M G Jones, Y Khan,
T Lunnon, A Nawaz and B Noyce

Officers Present:

Dan Carberry

Public Protection and Enforcement Manager

Kareen Plympton

Health, Safety and Licensing Manager

Jess Tamplin

Democratic Services Officer

Astrid Williams

Senior Lawyer (Solicitor)

Absent:

Councillor C M Burke

1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Hilton	Agenda item 5 – Animal Licensing Policy (Minute 4)	Employed by HMRC, a partner agency named in the report. This was not considered to amount to a personal interest in the item.

2. Minutes

The minutes of the meeting of the Licensing Committee held on 5 August 2024 were approved as a correct record and signed by the Chair.

3. Public Question Time

There were no questions from members of the public.

4. Animal Licensing Policy

The Committee considered report [HCS/083](#) of the Head of Community Services. The Health, Safety and Licensing Manager presented the report, which set out the Council's proposed Animal Licensing Policy. It was heard that there was no policy currently in place to cover the Council's animal licensing activities, and although it was not a statutory requirement to have a policy, it was considered good practice to do so. The proposed policy had been created in accordance with the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018. The Committee was requested to endorse the draft policy, agree to begin a public consultation, and agree to adopt the policy from 1 February 2025 (taking into account feedback received via the consultation).

The Committee then discussed the matter. In general, Committee members were supportive of the Council having an Animal Licensing Policy and agreed that the proposed policy would help to drive up standards in the sector. Further information was sought about how the policy had been evidenced, and the Health, Safety and Licensing Manager confirmed that it had been based on legislation, Government guidance via the Department for Environment Food and Rural Affairs (DEFRA), and local best practice as shared at a multi-agency East and West Sussex animal licensing group.

Committee members discussed the star rating system for licence holders and sought further information about the scoring matrix used to determine those ratings. The Health, Safety and Licensing Manager explained that the scoring matrix was designed by DEFRA for use by licensing authorities. The Council already employed the star rating system; its inclusion in the policy was merely to formalise the procedure. A Committee member asked whether it was a requirement for licence holders to display their star ratings publicly – it was explained that it was preferred for commercial licence holders to do so but was not a requirement as the display of a rating sticker may be a safety risk to some licensees (for example, those operating from residential properties that do not wish to advertise the breeding of high value animals). The Committee discussed the possibility of formally including within the policy a requirement to display star ratings.

A Committee member highlighted that on previous occasions, councillors had discussed the possible introduction of a ban on animals being used in circuses and as prizes on Council-owned land. Several councillors had expressed support for this ban and considered it cruel to use animals in such a way. Although the Council was not currently likely to allow this on its own land, it was felt that the ban should be formalised. The Committee discussed the possible inclusion of this in the Animal Licensing Policy.

The Health, Safety and Licensing Manager also made the following clarifications in response to queries from Committee members:

- Neither dog walking nor puppy farms were regulated by the proposed policy, but instead fell to other regulatory powers such as the making of Public Spaces Protection Orders and legislation respectively.
- The fixed penalty notices (FPNs) mentioned in the proposed policy were not set at a single rate but instead would increase incrementally depending on the offence and the scenario.
- The inspectors of licensed premises were the Council's licensing officers, who had undergone rigorous training and obtained relevant qualifications.

- Businesses that did not meet the requirements to become a licence holder would not be granted a licence until required standards were met – licensing officers would be willing to provide advice on how to improve and meet those standards.
- There was no national database of animal licence holders or of those that had had a licence refused or revoked, but each licensing authority was required to maintain a public register of licensees within its area.
- The Council-owned Tilgate Nature Centre was not subject to the proposed Animal Licensing Policy as it was instead regulated under the Zoo Licensing Act (as amended) 1981. The premises underwent inspections by a zoo inspector as well as external bodies and there was a clear distinction of responsibilities.
- At the suggestion of Committee members, a press release would be issued to publicise the policy and to inform members of the public about the importance of supporting only those animal activities that had been properly licensed.

It was then proposed by Councillor Jones that an amendment to the policy be made regarding the banning of the use of animals in circuses and as prizes on Council-owned land. The amendment was seconded by Councillor Y Khan and the Committee voted on the inclusion of the proposed addition to the policy, which was agreed.

It was proposed by Councillor Lunnon that an amendment to the policy be made, regarding a requirement for licence holders to publicly display their star rating at their property (with certain licence holders – those that may be at risk if they were to publicise that they were carrying out licensable animal activity – instead required to display their star rating at their property but not on public display). The amendment was seconded by Councillor Y Khan and the Committee voted on the inclusion of the proposed addition to the policy, which was agreed.

Legal and procedural advice was provided by the officers present in order to ensure that the agreed amendments to the policy could be worded appropriately to ensure compliance with legislation and the Council's Constitution. It was therefore proposed that recommendation (a) be amended as follows:

- a) Endorses the draft Animal Licensing Policy (included at Appendix A to report HCS/083 **and as amended by the committee, with the exact wording of those amendments delegated to the appropriate head of service in conjunction with the Chair of the Licensing Committee and subject to the agreement of the portfolio holder as necessary**) and requests that a public consultation commences.

The Committee then moved to a vote on the recommendations (as amended).

RESOLVED

That the Committee:

- a) Endorses the draft Animal Licensing Policy (included at Appendix A to report HCS/083 and as amended by the committee, with the exact wording of those amendments delegated to the appropriate head of service in conjunction with the Chair of the Licensing Committee and subject to the agreement of the portfolio holder as necessary) and requests that a public consultation commences.

b) Agrees to adopt the Animal Licensing Policy from 1 February 2025 (with the inclusion of any minor amendments arising from the consultation made by the Head of Community Services as required), unless the Head of Community Services, in conjunction with the Chair of the Licensing Committee, determines that the consultation responses propose significant changes to the policy and that its reconsideration by the Licensing Committee is required.

Closure of Meeting

With the business of the Licensing Committee concluded, the Chair declared the meeting closed at 8.15 pm.

I Ashraf (Chair)