

**BOROUGH OF BARROW-IN-FURNESS**  
**LICENSING REGULATORY COMMITTEE**

Meeting, Thursday 5th February, 2015  
at 2.00 p.m. (Committee Room No. 4)

**A G E N D A**

**PART ONE**

1. To note any items which the Chairman considers to be of an urgent nature.
2. To receive notice from Members who may wish to move any delegated matter non-delegated and which will be decided by a majority of Members present and voting at the meeting.
3. Admission of Public and Press  
  
To consider whether the public and press should be excluded from the meeting during consideration of any of the items on the agenda.
4. Declarations of Interest.  
  
To receive declarations by Members and/or co-optees of interests in respect of items on this Agenda.  
  
Members are reminded that, in accordance with the revised Code of Conduct, they are required to declare any disclosable pecuniary interests or other registrable interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).  
  
Members may however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests which they have already declared in the Register, as well as any other registrable or other interests.
5. Apologies for Absence/Attendance of Substitute Members.
6. To confirm the Minutes of the meeting held on 18th December, 2014 (copy attached) and the Special Meeting held on 27th January, 2015 (TO FOLLOW).

**FOR DECISION**

**Senior Environmental Health Officer (Licensing)**

- (D) 7. South End Holiday Caravan Site, South End, Walney - Amendment of conditions on Caravan Site Licence.

(D) 8. Sale of Primates in Pet Shops.

(D) 9. Application for the adoption of a Special Cumulative Impact Policy.

**PART TWO**

(D) 10. Hackney Carriage Vehicle Driver.

**NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPH 2 OF PART  
ONE OF SCHEDULE 12 A OF THE LOCAL GOVERNMENT ACT, 1972  
AND ACCESS TO INFORMATION (VARIATION) ORDER 2006**

NOTE (D) - Delegated  
(R) - For Referral to Council

**Membership of Committee**

Callister (Chairman)  
Irwin (Vice Chairman)  
Biggins  
Derbyshire  
Graham  
W. McClure  
Maddox  
Opie  
Pemberton  
Roberts  
Seward  
Wall

**For queries regarding this agenda, please contact:**

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Published: 28th January, 2015

**BOROUGH OF BARROW-IN-FURNESS**  
**LICENSING REGULATORY COMMITTEE**

Meeting: Thursday 18th December, 2014  
at 2.00 p.m. (Committee Room No. 4)

PRESENT:- Councillors Callister (Chairman), Irwin (Vice-Chairman), Biggins, Derbyshire, W. McClure, Maddox, Opie, Pemberton, Seward and Wall.

Officers Present:- Owen Broadhead, Senior Environmental Health Officer (Licensing), Jennifer Curtis, Licensing Officer and Sharron Rushton, Democratic Services Officer.

Legal Representative – Mr Paul O'Donnell.

Police Representative – PC Kendal.

**47 – The Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985 and Access to Information (Variation) Order 2006**

Discussion arising hereon it was

RESOLVED:- That under Section 100A(4) of the Local Government Act, 1972 the public and press be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 2 (Minute Nos. 52, 53 and 54) of Part One of Schedule 12A of the said Act.

**48 – Apologies for Absence/Attendance of Substitute Members**

An apology for absence was received from Councillor Roberts.

**49 – Minutes**

The Minutes of the Licensing Regulatory Committee meeting held on 13th November, 2014 were taken as read and confirmed.

**50 – European Gift Events - Street Trading**

The Senior Environmental Health Officer (Licensing) submitted a report informing Members that he had received an application from European Gift Events with a proposal to organise European Markets in Barrow Town Centre on three separate occasions throughout 2015. The proposed dates were Tuesday 21st April - Saturday 25th April, Tuesday 7th July - Saturday 11th July and Tuesday 20th October - Saturday 24th October. A fee of £1,200 for each consent was suggested.

The market would comprise of traders who would sell a variety of goods such as glass and china, jewellery, Italian biscuits and olives, Egyptian textiles, chocolate

factory, pet beds, South American goods, crepes and waffles, handmade soap, polish barbecue and stew and carved garden ornaments and furniture.

The Senior Environmental Health Officer requested delegated authority to issue street trading consents in the Town Centre for the relevant periods, subject to details being negotiated by the Town Centre Manager and precise stall locations being agreed in consultation with the Highway Authority and Emergency Services.

The Town Centre and Festivals Manager already holds a premises licence for Barrow Town Centre so Members were only dealing with the street trading aspects of the events.

Members would be aware that the application was consistent with the Council's policy on Street Trading in that it would attract more people to the town and would complement existing business.

A representative of European Gift Events had been invited to the meeting today to discuss the application for the European Market with Members but did not attend.

**RESOLVED:-** (i) That Members agree in principle to the holding of the markets on the specified dates;

(ii) Delegated authority be given to Officers to issue street trading consents subject to consultees being in agreement; and

(iii) That a fee of £1,200 be charged for each consent.

#### **51 – Application for Street Trading Consent**

The Senior Environmental Health Officer (Licensing) reported that he had received an application for a one off Street Trading Consent from Mr Peter Gott trading as Sillfield Farm to operate a catering shed selling Wild Boar Pies, Sausages and Mulled Cider on Dalton Road adjacent to the Market Entrance between the hours of 11.00am and 6.00pm from 19th December - 24th December, 2014. Standard conditions for street trading consents within the Borough stated that the trader must operate his/her business on a mobile basis and could, therefore, stop only ten minutes in any section of a street and thereafter must move into a different street and must not then return to the same section of that street that day.

A copy of the application had been appended to the report and he advised that to date he had not received any comments from consultees.

**RESOLVED:-** To approve the relaxation of the ten minute rule and agree that Street Trading Consent be issued subject to no objections being received from consultees.

#### **52 – Application for Private Hire Vehicle Driver's Licence**

The Senior Environmental Health Officer (Licensing) reported on an application he had received for a Private Hire Vehicle Driver's Licence from Mr M. F. He submitted information which had been drawn to his attention concerning the applicant and set out details of the Committee's policy regarding such matters.

The applicant, along with his representative, attended the meeting and addressed the Committee. A Police representative was also present.

RESOLVED:- To unanimously agree to refuse the application for a Private Hire Vehicle Driver's Licence from Mr M. F. as the Council's Licensing Policy and guidelines relating to the relevance of convictions stated that an application would normally be refused if it was made within 3-10 years from the date of the convictions for an offence relating to violence.

### **53 – Hackney Carriage Vehicle Driver**

The Senior Environmental Health Officer (Licensing) reported on a renewal application he had received for a Hackney Carriage Vehicle Driver's Licence from Mr J. M. He submitted information which had been drawn to his attention concerning the applicant and set out details of the Committee's policy regarding such matters.

The applicant attended the meeting and addressed the Committee. A Police representative was also present.

RESOLVED:- To agree that the renewal application for a Hackney Carriage Vehicle Driver's Licence from Mr J. M. be granted.

### **54 – Hackney Carriage Vehicle Driver**

The Senior Environmental Health Officer (Licensing) re-submitted a report regarding an existing Hackney Carriage Vehicle Driver, Mr S. T.

Mr S. T. had been invited to attend two previous Committees and as he was unable to attend Members had postponed making a decision until this Committee.

The Senior Environmental Health Officer (Licensing) reported that Mr S. T's Hackney Carriage Vehicle Driver's Licence had expired since the November meeting and he had made no attempt to renew the licence despite numerous attempts made to contact him.

A copy of the reports relating to Mr S. T's licence was attached as an appendix to the report for information.

RESOLVED:- That no further action be taken at this time.

The meeting closed at 2.50 p.m.



<b>LICENSING REGULATORY COMMITTEE</b>		<b>(D) Agenda Item 7</b>
<b>Date of Meeting:</b>	<b>5th February, 2015</b>	
<b>Reporting Officer:</b>	<b>Senior Environmental Health Officer (Licensing)</b>	
<p><b>Title: South End Holiday Caravan Site, South End, Walney - Amendment of conditions on Caravan Site Licence</b></p> <p><b>Summary and Conclusions:</b></p> <p>A recent inspection has identified that four conditions on the existing caravan site licence for South End Holiday Caravan Site require amendments to bring them in line with model standards for caravan sites.</p> <p><b>Recommendation:</b></p> <p>That Members approve the amendments to the licence.</p>		

### Report

A recent inspection of South End Holiday Caravan Site, South End, Walney, Barrow in Furness by Miss Curtis, Senior Licensing Officer, has identified a number of conditions on the caravan site licence that require amendments to bring them in line with the Model Standards 2008 for Caravan Sites in England: Caravan Sites and Control of Development Act 1960 Section 5.

The conditions to be amended are:

2. Density, Spacing and Parking between Caravans.
8. Supply and Storage of Gas.
9. Electrical Installations.
10. Water Supply.

A copy of the existing licence for South End Holiday Caravan Site which shows the existing conditions is attached at **Appendix 1** for Members' information. The proposed amendments to the conditions are also attached at **Appendix 2**

I recommend that Members approve these amendments to bring conditions 2, 8, 9 and 10 in line with the model standards mentioned above.

### Background Papers

Nil.







**BOROUGH OF  
BARROW IN  
FURNESS**

**APPENDIX No. 1**

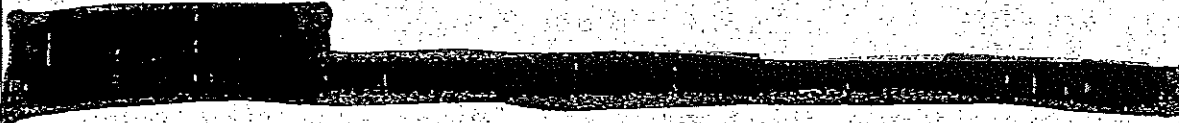
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# Caravan Site Licence CS0007

**Premises Name and Address**

*South End Holiday Caravan Site  
South End Caravan Park, South End Walney, Barrow-In-Furness, Cumbria, LA14 3YQ*

**Proprietor(s)**



Licence Valid from **20/03/2007**

Expires

**31/12/9999**

**Areas of Premises Licence**

**Max No of Caravans**

**Type of Caravan**

South End Farm, Walney Island,

300

Touring Caravans and  
Residential Holiday Homes

**IMPORTANT NOTES**

- This licence is subject to the provisions of the Local Government (Miscellaneous Provisions) Act 1985 and the Conditions attached to the licence made under it, and any other relevant Acts.
- The possession of this document does not guarantee that the licence is in force. Its validity may be established by reference to the Council's Licensing Office.
- This licence is not transferable without the consent of the Council.

Standard Conditions and any Special Conditions attached to this licence are attached or printed on the reverse.

ENVIRONMENTAL HEALTH MANAGER

**CONDITIONS ATTACHED TO THE ISSUE OF  
CARAVAN SITE LICENCE CS0007**

***South End Holiday Caravan Site, South End Caravan Park,  
South End Walney, Barrow-In-Furness, Cumbria, LA14 3YQ***

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WHEREAS you have made application for a site licence in respect of land situated at South End Farm, Walney Island, Barrow-in-Furness, adjacent to South End Caravan Park, highlighted on the plan attached hereto and containing approximately 12.83 hectares or thereabouts (hereinafter called "the said land"). AND WHEREAS you are entitled to the benefit of permission for the use of the said land as a caravan site granted under Part III of the Town and Country Planning Act, 1971 otherwise than by a development order.

NOW, THEREFORE, the Barrow-in-Furness Borough Council HEREBY GRANT a site licence in respect of the said land pursuant to Section 3 of the Caravan Sites and Control of Development Act 1960, subject to the following conditions, that is to say:

1) The Boundaries and Plan of the Site

The boundaries of the site should be clearly marked, for example by fences or hedges. In addition, the site owner shall give the local authority a plan of its layout. A 3-metre wide area should be kept clear within the inside of all boundaries.

2) Density, Spacing and Parking Between Caravans

Subject to the following variations, the minimum spacing distance between caravans made of aluminium or other materials with similar fire performance properties should be not less than 5 metres between units 3.5 metres at the corners.

For those with a plywood or similar skin it should be not less than 6 metres.

Where there is a mixture of holiday caravans of aluminium and plywood, the separation distance should be 6 metres; and where there is a mixture of permanent residential homes and holiday caravans, the separation distance again be 6 metres. The point of measurement for porches, awnings etc. is the exterior cladding of the caravan.

Porches may protrude 1 metre into the 5 metres and should be of the open type; where awnings are used, the distance between any part of the awning and an adjoining caravan should not be less than 3 metres. They should not be of the type which incorporates sleeping accommodation and they should not face each other or touch.

Eaves, drainpipes and bay windows may extend into the 5 metre spaces provided the total distance between the extremities of 2 adjacent units is not less than 4.5 metres; Where there are ramps for the disabled, veranda and stairs extending from the unit, there should be 3.5 metres clear space between them (4.5 metres if mixture of caravans) and such items should not face each other in any space. If they are enclosed, they may need to be considered as part of the unit and, as such, should not intrude into the 5 metre (or 6 metre) space.

## CONDITIONS ATTACHED TO THE ISSUE OF CARAVAN SITE LICENCE CS0007

### *South End Holiday Caravan Site, South End Caravan Park, South End Walney, Barrow-In-Furness, Cumbria, LA14 3YQ*

A garage, a shed or a covered storage space should be permitted between units only if it is of non-combustible construction (including non-combustible roof) and sufficient space is maintained around each unit so as not to prejudice means of escape in case of fire. Windows in such structures should not face towards the unit on either side.

Car ports and covered walkways should in no circumstances be allowed within the 5 or 6 metre space.

For cars and boats between units, the gross density of the caravans must not exceed 62 caravans to the hectare.

The whole area other than the individual portions of land occupied by hard-standings, road, paths, parking spaces, etc. must be levelled, grassed and maintained in a tidy and satisfactory state.

#### 3) Roads, Gateways and Overhead Cables

All roads must be provided of suitable materials and properly maintained; Roads and footpaths should be designed to provide adequate access for fire appliances. (Detailed guidance on turning circles etc. is available from fire authorities).

Roads of suitable material should be provided so that no caravan standing is more than 50 metres from a road. Where the approach to the caravan is across ground that may become difficult or dangerous to negotiate in wet weather, each standing should be connected to a carriageway by a footpath with a hard surface.

Roads should not be less than 3.7 metres wide, or, if they form part of a clearly-marked one way traffic system, 3 metres wide.

Gateways should be a minimum of 3.1 metres wide and have a minimum height clearance of 3.7 metres.

Roads should have no overhead cable less than 4.5 metres above the ground. They should be suitably lit taking into account the needs and characteristics of a particular site. Emergency vehicle routes within the site should be kept clear of obstruction at all time.

#### 4) Footpaths and Pavements

Footpath should not be less than 0.75 metres wide.

Each hard-standing and toilet block must be connected to a carriageway by a footpath with a hard surface.

**CONDITIONS ATTACHED TO THE ISSUE OF  
CARAVAN SITE LICENCE CS0007**

***South End Holiday Caravan Site, South End Caravan Park,  
South End Walney, Barrow-In-Furness, Cumbria, LA14 3YQ***

5) Lighting

N/A

6) Bases

Where possible, every caravan should stand on a hard-standing of suitable material, which should extend over the whole area occupied by the caravan placed upon it and should project a sufficient distance outwards from the entrance or entrances of the caravan to enable occupants to enter and leave safely.

Hard standings may be dispensed with if the caravans are removed during the winter, or if they are situated on ground which is firm and safe in poor weather conditions.

7) Maintenance of Common Areas, including Grass, Vegetation and Trees

N/A

8) Supply and Storage of Gas

LPG storage supplied from tanks should comply with CoP1 Bulk LPG storage at fixed installations LP Gas Association or where LPG is supplied from cylinders, with CoP No. 7 Storage of full and empty LPG cylinders and cartridges LP Gas Association.

Where there are metered supplies from a common LPG storage tank, then current guidance notes on the storage and use of LPG at Metered Estates should be followed. Exposed gas bottles or cylinders should not be within the separation boundary of an adjoining unit. LPG installations should conform to current British Standards and Codes of Practice.

9) Electrical Installations

The site must be provided with electricity supply sufficient in all respects to meet all reasonable demands of the caravans situated thereon;

Such electrical installations, other than Electricity Board works and circuits subject to regulations made by the Secretary of State under section 16 of the Energy Act 1983 and section 64 of the Electricity Act 1947, should be installed, tested and maintained in accordance with the provisions of the Institution of Electrical Engineers (IEE) Regulations for the time being in force, and where appropriate, to the standard which would be acceptable for the purposes of the Electricity (Overhead Lines) Regulations 1988, Statutory Instrument 1988 No 1957; Work on electrical installations and appliances should be carried out only by competent persons such as the manufacturers appointed agent, the electricity supplier, a professionally qualified electrical engineer, a member of the Electrical Contractors Association, a contractor approved by the National Inspection Council for Electrical Installation Contracting, or a qualified person acting on behalf of one of the above.

The installations should be inspected periodically: under IEE Wiring Regulations, every year of such longer period (not exceeding 3 years) as is considered appropriate in each case.

## CONDITIONS ATTACHED TO THE ISSUE OF CARAVAN SITE LICENCE CS0007

### *South End Holiday Caravan Site, South End Caravan Park, South End Walney, Barrow-In-Furness, Cumbria, LA14 3YQ*

When an installation is inspected, it should be judged against the current regulations; The inspector should, within 1 month of such an inspection, issue an inspection certificate in the form prescribed in the IEE Wiring Regulations which should be retained by the site operator and displayed, supplemented or replaced by subsequent certificates, with the site licence.

The cost of the inspection and report should be met by the site operator or licence holder; If an inspection reveals that an installation no longer complies with the regulations extant at the time it was first installed, any deficiencies should be rectified. Any major alterations and extensions to an installation and all parts of the existing installation affected by them should comply with the latest version of the IEE Wiring Regulations.

If there are overhead electric lines on the site, suitable warning notices should be displayed at the entrance to the site and on supports for the line.

Where appropriate, particular attention should be drawn to the danger of masts of yachts or dinghies contacting the line.

#### 10) Water Supply

All sites should be provided with a water supply in accordance with appropriate Water Byelaws and statutory quality standards.

#### 11) Drainage and Sanitation

Satisfactory provision should be made for foul drainage, either by connection to a public sewer or sewage treatment works or by discharge to a properly constructed septic tank or cesspool approved by the local authority.

Adequate surface water drainage must be provided for the carriageways, footways and paved areas and for the site generally.

A pump operated on a tidal clock must be installed on the outlet to the existing sewage treatment plant.

Laundry facilities must be provided, in a separate room, on the scale of not less than one deep sink with running hot and cold water per 30 holiday caravans.

Properly designed disposal points for the contents of chemical closets must be provided with an adequate supply of water for cleaning the containers. Adequate access must be provided from the site road for service vehicles to facilitate maintenance of the sewage disposal tanks.

For caravans without their own water supply and water closets, communal toilet blocks should be provided, with adequate supplies of water, on at least the following scales:-  
Men: 1 WC and 1 urinal per 15 caravans  
Women: 2 WCs per 15 caravans  
1 wash basin for each WC or group of WCs  
1 shower or bath (with hot and cold water) for each sex per 20 caravans.

## **CONDITIONS ATTACHED TO THE ISSUE OF CARAVAN SITE LICENCE CS0007**

### ***South End Holiday Caravan Site, South End Caravan Park, South End Walney, Barrow-In-Furness, Cumbria, LA14 3YQ***

Toilet blocks should be sited conveniently so that all site occupants may have reasonable access to one by means of a road or footpath.

#### **12) Domestic Refuse Storage and Disposal**

Every caravan standing should have an adequate number of suitable non-combustible refuse bins with close-fitting lids or plastic bags. Arrangements should be made for the bins to be emptied regularly. Where communal refuse bins are also provided these should be of similar construction and housed within a properly constructed bin store.

#### **13) Communal Vehicular Parking**

Suitably surfaced parking spaces must be provided, with a space for at least one car for every caravan; One car only may be parked between adjoining caravans provided that the door to the caravan is not obstructed. Suitably surfaced parking spaces should be provided where necessary to meet the additional requirements of the occupants and their visitors.

Plastic or wooden boats should not be parked between units; All car parking areas must be satisfactorily surfaced and edged where necessary in the interest of highway safety; The parking of cars on any part of the site other than in the space provided for this purpose shall be prohibited, provided that this condition shall not extend to service vehicles or public utility vehicles.

#### **14) Communal Recreation Space**

Where children stay on the site, space equivalent to about one-tenth of the total area should be allocated for children's games and/or other recreation purposes. This provision will normally be necessary because of the limited space available round the caravans, but may be omitted where there are suitable alternative publicly provided recreational facilities which are readily accessible.

#### **15) Notices and Information**

All caravans on the site must be of a proprietary make and properly maintained.

A suitable sign should be prominently displayed at the site entrance indicating the name of the site.

A copy of the site licence with its conditions should be displayed prominently on the site.

Notices and a plan should be displayed on the site setting out the action to be taken in the event of an emergency. They should show where the police, fire brigade, ambulance, and local doctors can be contacted and the location of the nearest public telephone.

The notices should also give the name and location/telephone number of the site licence holder or his/her accredited representative.

**CONDITIONS ATTACHED TO THE ISSUE OF  
CARAVAN SITE LICENCE CS0007**

***South End Holiday Caravan Site, South End Caravan Park,  
South End Walney, Barrow-In-Furness, Cumbria, LA14 3YQ***

Note - The maximum number of caravans permitted on this site at any one time shall be that number approved in the relevant planning consent; The number of static holiday and touring caravans stationed on the site must at no time exceed the stated maximum on the application for a site licence, namely –

Touring Caravans 50

Static Holiday Caravans 250

No caravan shall be occupied on site between 16th January and 28th February and in any one year.

No caravan must be occupied until all the conditions of this site licence relevant to the site of that caravan have been complied with to the satisfaction of the Local Authority.

No caravans, when in occupation, must be sited such that its floor is below 6.7 metres a.o.d.

All static caravans stationed on the site must be painted in one or more of the following colours, as specified by British Standard BS 4800, 1972 and must thereafter be maintained in the right colours:-

00 A 09 00 A 05 04 B 25 08 B 25 08 B 21 12 B 25 18 B 25 18 B 21 10 B 25 06 C 39 16 C  
37 10 A 07 10 A 11 00

A 13 04 B 21 14 C 39 10 C 39 10 B 21 08 B 29 18 B 29 12 B 21 12 B 29 12 D 45

The use of other colours within the same ranges may be approved but before using any other colours the site operator or caravan owner must obtain the Local Authority's approval.

**16) Flooding**

At sites subject to the flood risk, warning notices should be displayed giving advice about the operation of the flood warning system.

All notices should be suitably protected from the weather and displayed where possible out of the direct rays of the sun, preferably in areas lit by artificial lighting.

**17) Fire Safety Measure**

Fire Fighting Appliances and Fire Points - These should be established so that no caravan or site building is more than 30 metres from a fire point. They should be housed in a weather-proof structure, easily accessible and clearly and conspicuously marked "FIRE POINT".

Fire Fighting Equipment - Where water standpipes are provided and there is a water supply of sufficient pressure and flow to project a jet of water approximately 5 metres from the nozzle, such water standpipes should be situated at each fire point.

## **CONDITIONS ATTACHED TO THE ISSUE OF CARAVAN SITE LICENCE CS0007**

### ***South End Holiday Caravan Site, South End Caravan Park, South End Walney, Barrow-In-Furness, Cumbria, LA14 3YQ***

There should also be a reel that complies with British Standard 5306 Part 1, with a hose not less than 30 metres long, having a means of connection to a water standpipe (preferably a screw thread connection) with a water supply of sufficient pressure and terminating in a small hand control nozzle. Hoses should be housed in a box painted red and marked 'HOSE REEL'.

Where standpipes are not provided but there is a water supply of sufficient pressure and flow, fire hydrants should be installed within 100 metres of every caravan standing. Hydrants should conform to British Standard 750. Access to hydrants and other water supplies should not be obstructed or obscured; Where standpipes are not provided or the water pressure or flow is not sufficient, each fire point should be provided with either water extinguishers (2 x 9 litre) or a water tank of at least 500 litres capacity fitted with a hanged cover, 2 buckets and 1 hand pump or bucket pump.

The static water pool must be provided with an access for a lightweight pump to be carried to it. A pump should be constructed approximately two feet deep within the pool to enable suction hose to be placed therein. A suitable mesh guard should be provided around the pump to terminate above the expected water level, so as to prevent the accumulation of matter that could be drawn into the pump, causing damage. Adequate precautions shall be taken to prevent danger through children gaining access to the pool.

Fire Warning - A means of raising the alarm in the event of a fire should be provided at each fire point. This could be by means of a manually operated sounder, e.g. metal triangle with a striker, gong or hand operated siren. The advice of the fire authority should be sought on an appropriate system.

Maintenance - All alarm and fire-fighting equipment should be installed, tested and maintained in working order by a competent person and be available for inspection by, or on behalf of, the licensing authority. A log book should be kept to record all tests and any remedial action.

All equipment susceptible to damage by frost should be suitably protected.

Fire Points - A clearly written and conspicuous notice must be provided and maintained at each fire point to indicate the action to be taken in case of fire and the location of the nearest telephone. This notice must include the following:-

On discovering a fire:

- i) ensure the caravan or site building involved is evacuated;
- ii) raise the alarm;
- iii) call the fire brigade (the nearest telephone);
- iv) attack the fire using the fire-fighting equipment provided.



**CONDITIONS ATTACHED TO THE ISSUE OF  
CARAVAN SITE LICENCE CS0007**

***South End Holiday Caravan Site, South End Caravan Park,  
South End Walney, Barrow-In-Furness, Cumbria, LA14 3YQ***

It is in the interest of all occupiers of this site to be familiar with the above routine and the method of operating the fire alarm and fire-fighting equipment.

Fire Hazards - Long grass and vegetation should be cut at frequent and regular intervals where necessary to prevent it becoming a fire hazard to caravans, buildings or other installations on the site. Any such cuttings should be removed from the vicinity of caravans.

The space beneath and between caravans should not be used for the storage of combustible materials.

Telephones - An immediately accessible telephone should be available on the site for calling the emergency services. A notice by the telephone should include the address of the site.



**Proposed changes to Conditions at Southend Holiday Park**

**2. Density, Spacing and Parking Between Caravans**

Every caravan must where practicable be spaced at a distance of no less than 6 metres (the separation distance) from any other caravan which is occupied as a separate residence.

Where a caravan has been fitted with cladding from Class 1 fire rated materials to its facing walls, then the separation distance between it and an adjacent caravan may be reduced to a minimum of 5.25 metres.

A porch/verandah attached to the caravan may protrude one metre into the separation distance and be of the open type.

Eaves, drainpipes and bay windows may extend into the separation distance provided the total distance between the extremities of two facing caravans is not less than 5 metres. (4.25 metres where the caravan has been fitted with Class 1 Fire rated materials).

Any structure including steps or ramps, which extend more than 1 metre into the separation distance shall be of non-combustible construction.

Where awnings are used on touring caravans the distance between any part of the awning and the adjoining tourer should not be less than 3 metres. They should not be of the type which incorporates sleeping accommodation and they should not face each other or touch.

Car ports and covered walkways should in no circumstances be allowed within the separation distance.

**8. Supply & Storage of Gas**

(Gas (including natural gas) and oil installations, and the storage of supplies shall meet current statutory requirements, relevant Standards and Codes of Practice.

Liquefied Petroleum Gas cylinders must not be positioned or secured in such a way as to impede access or removal in the event of an emergency.

**9. Electrical Installations**

On the site there shall be installed an electricity network of adequate capacity to meet safely all reasonable demands of the caravans and other facilities and services within it.

The electrical network installations shall be subject to regulation under current relevant legislation and must be designed, installed, tested, inspected and maintained in accordance with the provisions of the current relevant statutory requirements.

Any work on electrical installations and appliances shall be carried out only by persons who are competent to do the particular type of work being undertaken, in accordance with current relevant statutory requirements.

Any work on the electrical network within the site shall be done by a competent person fully conversant with the appropriate statutory requirements.

## **10. Water Supply**

All pitches on the site shall be provided with a water supply sufficient in all respects to meet all reasonable demands of the caravans situated on them.

All new water supplies shall be in accordance with all current legislation, regulations and relevant British or European Standards.

All repairs and improvements to water supplies and installations shall be carried out to conform with current legislation and British or European Standards.

Work on water supplies and installations shall be carried out only by persons who are qualified in the particular type of work being undertaken and in accordance with current relevant legislation and British or European Standards.

<b>LICENSING REGULATORY COMMITTEE</b>		<b>(D) Agenda Item 8</b>
<b>Date of Meeting:</b>	<b>5th February, 2015</b>	
<b>Reporting Officer:</b>	<b>Senior Environmental Health Officer (Licensing)</b>	
<p><b>Title: Sale of Primates in Pet Shops</b></p> <p><b>Summary and Conclusions:</b></p> <p>This report deals with advice from the RSPCA regarding the keeping and sale of primates as pets which could affect one licensed pet shop within the Borough. The RSPCA's view is that it is not possible to provide for the needs of primates in a household environment "so suffering is all but inevitable". They add that the same applies to housing primates in pet shops.</p> <p><b>Recommendation:</b> That Committee Members:-</p> <ul style="list-style-type: none"> <li>a) Note the advice of the RSPCA and other organisations on the suitability of primates as household pets;</li> <li>b) Consider amending the existing pet shop licence for Living World to prohibit the keeping and sale of primates; and</li> <li>c) Consider undertaking a consultation exercise with interested parties regarding introducing a policy to prohibit the sale of primates in pet shops within the Borough.</li> </ul>		

## Report

- 1.0 Following the receipt of a complaint, the Environmental Health Department sought advice from the RSPCA about the keeping and sale of primates from pet shops.
- 1.1 The RSPCA responded by letter on 8<sup>th</sup> December 2014 and this is attached at **Appendix 3** for Members' information along with a number of reports/articles from other organisations referred to in the letter. To summarise, the RSPCA's view on the keeping and sale of primates as pets is as follows:

"It is the RSPCA's view that it is not possible to provide for the needs of primates in a household environment. As we outline in our report 'Do you give a monkey's?: the need for a ban on primates' it is our view that these intelligent, complex animals simply cannot be kept properly in someone's

home and so suffering is all but inevitable. The same applies to housing primates in pet shops.”

The RSPCA report describes the problems that can be encountered by primates kept in a domestic setting through social isolation, early weaning, and cramped and inappropriate housing and therefore why primates should not be kept in a household setting.

In their letter, the RSCPA also refer to other organisations that take the same view on primates, e.g. DEFRA, a Government Select Committee, the British Veterinary Association, the Primate Specialist Group of Great Britain, the Ape Alliance, the British and Irish Association of Zoos and Aquariums, etc.

- 1.2 The DEFRA Code of Practice on the welfare of privately kept non-human primates was produced in 2010. The code of practice states in the introduction “Primates should not be considered as pets in the accepted sense of the word: they are not species that can be treated as part of the family in the way a cat or dog might be. They are wild undomesticated animals that cannot be house-trained or fully tamed”. The code also outlines the steps a keeper should take to meet the needs of primates and the RSPCA believe, from a practical point of view, as well as their own experience dealing with primate cases, that these requirements would be extremely difficult if not impossible to meet in a pet shop or home environment.
- 1.3 It has been suggested that by the banning pet shops from selling primates that the practice will be driven underground and will still continue in an unregulated way. This matter was considered by the House of Commons Environment and Food and Rural Affairs Committee in September 2014 in publishing “Primates as Pets: Government response to the Committee’s Eleventh Report of Session 2013-14”. Recommendation 4 discussed the effectiveness of the Pet Animals Act 1951 in the age of internet sales. The Government considers that the 1951 Act makes it clear that a pet shop is: the “carrying on at premises of any nature (including a private dwelling) of a business of selling animals as pets...” Therefore the same powers are available to be enforced throughout the Borough wherever the sale of animals occurs.
- 1.4 In view of the advice provided by the RSPCA, Members are invited to consider making an amendment to the existing pet shop licence for Living World to prohibit the keeping and sale of marmosets. Mr Wayne Moffat owns the business known as Living World, 228 Dalton Road, Barrow and a copy of the existing licence is attached at **appendix 4**

Because of the potential effects on Mr Moffat’s business he has been invited to attend the meeting today to address the Committee.

Officers from the RSPCA have also been invited to today's meeting to allow Members an opportunity to ask further questions about the advice they have given.

To conclude, it's the Officer's recommendations that Committee Members:

- (a) Note the advice of the RSPCA and others on the suitability of Primates as household pets;
- (b) Consider amending the existing pet shop licence for Living World to prohibit the keeping and sale of marmosets; and
- (c) Consider undertaking a consultation exercise with interested parties regarding introducing a policy to prohibit the sale of primates in pet shops within the Borough.

#### Background Papers

Nil.







## Royal Society for the Prevention of Cruelty to Animals

Sue Carey  
 Environmental Health Department - Licensing  
 Barrow-in-Furness Borough Council  
 Town Hall, Duke Street  
 Barrow-In-Furness  
 Cumbria, LA14 2LD

8<sup>th</sup> December 2014

Dear Ms Carey,

### **Re: Sale of primates in pet shops**

I am writing with reference to your request for information, conveyed to Inspector Rick Maskell, about the RSPCA's views on the keeping and sale of primates as pets. I very much hope that this information is useful in informing any decisions that Barrow-in-Furness Borough Council make about licensing the sale of primates in pet shops.

### **Concerns specific to the Furness area**

Two complaints were received by the RSPCA in 2014 by members of the public about the sale of marmosets from a pet shop. The concerns raised were:

- An inappropriate environment
- A lack of space
- No access to an outside area
- Animals sold as singletons
- Six animals kept in one cage smaller than a parrot cage
- A dirty and unkempt cage

Further research showed that the marmosets are housed in cages designed for birds, which contained toys hazardous to the marmosets, and that some marmosets may be located in cages within a separate home environment.

### **Position on keeping primates domestically and selling in pet shops generally**

It is the RSPCA's view that it is not possible to provide for the needs of primates in a household environment. As we outline in our report 'Do you give a monkey's?: the need for a ban on pet primates', it is our view that these intelligent, complex animals simply cannot be kept properly in someone's home and so suffering is all but inevitable. The same applies to housing primates in pet shops.

We are far from alone in this view:

- Defra's 'Code of Practice for the Welfare of Privately Kept Primates' states that '*Primates should not be considered as pets in the accepted sense of the word: they are not species that can be treated as part of the family in the way that a cat or dog might be. They are wild undomesticated animals that cannot be house-trained or fully tamed.*'
- Following a select committee inquiry into keeping primates as pets, the Westminster Government recently made a clear statement in their

Patron HM The Queen

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 Wilberforce Way  
 Southwater, Horsham  
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 0300 123 0100

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A charity registered in  
 England and Wales  
 Charity no. 219099

[www.rspca.org.uk/advice](http://www.rspca.org.uk/advice)

response to the committee's report: '[k]eeping a primate as a pet would compromise its welfare and therefore be an offence under the Animal Welfare Act 2006'.

- Many professional specialist and learned organisations already have a position of opposition to the keeping of primates as pets. These include the British Veterinary Association, the Primate Specialist Group of Great Britain; the International Primatological Society; the British and Irish Association of Zoos and Aquariums<sup>1</sup>; the Ape Alliance, Wild Futures Monkey Sanctuary and the European Alliance of Rescue Centres and Sanctuaries and the Global Federation of Animal Sanctuaries.
- At least 15 European countries have already banned the keeping of primates as pets, either of all species or certain groups. Please see page 12 of our report for further details.

### **Correct standards required for keeping a primate**

Defra's Code of Practice for the Welfare of Privately Kept Primates outlines the steps a keeper of primates in England must take to meet the needs of an animal as required by Section 9 of the Animal Welfare Act 2006 (the Act). Within this code are certain conditions that we believe, from a practical point of view, as well as our own experience dealing with primate cases, to be extremely difficult, if not impossible, to meet in a pet shop or home environment. Research has shown many deficiencies in how primates are housed in pet shops and the information given to potential owners. The main requirements in the code, along with relevant extracts from the code of practice, are outlined in Annex 1.

### **Ability to limit species sold in pet shops**

We understand that Defra recently sent a communication to all local authorities in which they are reminded of their powers under the Pet Animals Act 1951 to set conditions on pet shop licences, including restricting species that can be sold. We believe that Defra also point out the need for pet shops to meet the welfare requirements of section 9 of the Animal Welfare Act.

If you require any further information on any of these points please do not hesitate to get in touch. For the more scientific/technical aspects, please contact Senior Scientific Officer Dr Ros Clubb (ros.clubb@rspca.org.uk or 0300 123 0206) or for any other enquiries please get in touch with myself.

Yours sincerely,



Lenny Rolles  
Senior Parliamentary Adviser - Local Government  
[lenny.rolles@rspca.org.uk](mailto:lenny.rolles@rspca.org.uk)  
0300 123 0132

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<sup>1</sup> Pers. comm. Dr Miranda Stevenson, then Director of BIAZA, June 2009

## Annex 1

### Requirements for meeting the needs of primates kept privately

The conditions outlined in the bullet points below are taken from Defra's Code of Practice for the Welfare of Privately Kept Primates, with page numbers indicated. This is not an exhaustive duplication of the code, but rather an illustration of some of the things that are required in order to meet the needs of primates, as required by good practice.

**Keepers must have specialist knowledge in the species and individual animals involved before they take on responsibility for the care of any primates. This requires extensive research, training and experience. Throughout the code, terms such as 'appropriate to the species' are used, acknowledging the diversity of needs that exists among different species of primates and the need for keepers to be thoroughly knowledgeable about the particular species kept. For example:**

- 'It is essential that keepers should have a thorough understanding of the biology and behaviour of each species kept. The best source of information is to observe animals in their natural environment. Keepers will also benefit from observing animals in recognised zoological collections, and through discussion with experienced private keepers.' (p2)
- 'Keepers should read extensively about the keeping of primates in general, and their chosen species in particular.' (p2)
- 'Primate keepers should continue to keep abreast of new information as it is published.' (p2)
- 'Considerable research will be required to gain the requisite knowledge to care for individual primates adequately, and thus meet the welfare outcomes outlined here.' (p4)
- 'Keepers should have the ability to assess all welfare outcomes for all their animals, recognise when each is and is not being met, and promptly remedy any shortfalls, including consulting relevant experts where necessary. In order to do so, it is essential that keepers have a thorough understanding of the behaviour, biology and ecology of the species concerned.' (p4)
- 'Keepers should be familiar with the full normal behavioural repertoire of the species and individuals they keep, including facial expressions, vocalisations, postures and activities. They should be able to recognise signs of good and poor welfare, as abnormal behaviour can indicate disease, injury or stress, and know what steps to take should signs of poor welfare be observed. Qualitative as well as quantitative aspects of behaviour need to be considered, as well as the context in which behaviours are displayed.' (p4)
- 'Keepers should be familiar with the range of behaviours appropriate to the species kept. A restricted or restriction of the range of behaviours displayed can be a sign that the environment is not providing for an animal's needs, or that the animal is unwell.' (p8)
- 'Keepers of primates should be able to recognise signs of good and poor physical health in the animals they keep. This requires a great deal of time, skill and experience, as primates will often conceal signs of illness.' (p9)

**Keepers are expected to have written care plans and to keep extensive records. For example:**

- 'A veterinary health plan is recommended.' (p11)
- 'You should have a written animal care plan that follows the advice in this Code of Practice....The plan should include: Daily care routines, including feeding, cleaning and

handling; Regular inspection of animals, at least daily; Specific individual needs of animals; A veterinary health plan and the contacts for the keeper's veterinary practice. The health plan should include: Preventive routines, such as parasite control, vaccination and quarantine of ill and imported animals.' (p18)

- 'Records should be kept and maintained for all animals and groups of animals on the premises. (p19)
- 'A breeding health plan should be included in the veterinary health plan.' (p19)

**Keeping primates is not cheap and animals need to be cared for throughout their lives. The availability of suitably experienced vets, an essential component of care, is also limited. For example:**

- 'Primate keepers need to have the financial resources to cater for their animals' needs throughout their lives. Keeping primates is an expensive activity.' (p2)
- 'Requirements include an appropriately constructed and sized enclosure which will require year-round heating, specialist veterinary services, a wide variety of foods and supplements, and environmental enrichment.' (p2)
- 'Keepers should be registered with a veterinary practice that has specialist knowledge of the species kept.' (p11)

**Primates are wild animals. The needs of captive primates are no different to their wild relatives, even if they have been bred in captivity. Providing for these needs in captivity is not straightforward and specialist facilities specially designed for the species and individuals concerned are required. This includes specially designed accommodation with indoor and outdoor areas (not in someone's home), extensive furnishings, planting, heating, lighting, ventilation, environmental enrichment and a specialist diet. Enclosures need to be safe and secure to prevent escape. Accommodation must provide for animals' needs throughout their lives; through, for instance, social disputes, the introduction of new animals, illness and disease, pregnancies, the rearing of young, right through to old age. For example:**

- 'They [primates] should not generally be kept in domestic living spaces, and instead require specialised accommodation.' (p2)
- 'Primates should display the full range of physical activities appropriate to the species concerned...it is important that they are provided with a wide variety of appropriate facilities, of a suitable size and spatial design to display these behaviours.' (p6)
- 'Primate groups require an appropriate environment that is both stimulating and which gives individuals a sense of control and choice.' (p8)
- 'In planning a suitable environment, keepers should provide: A suitable location; An appropriate amount of space; An appropriate enclosure with sufficient three-dimensional content, including climbing structures to facilitate species-specific behaviour; The correct temperature, humidity, ventilation, noise levels and lighting; Appropriate feeding and sleeping sites; A means of, and location for, visual welfare assessment; A method of safe capture, handling and isolation of the animals; Security to prevent animal escape and unwanted entry by unauthorised people. Enclosure design and materials used should also ensure: A good hygiene regime to avoid disease transmission; A safe environment for the animals; A good regime of environmental enrichment; A wide range of appropriate behaviours.' (p12)

- 'Consideration of the special needs of individual animals appropriate to their age and condition, including ill, pregnant and new-born animals. Suitable and, if appropriate, separate accommodation for pregnant animals and animals with young should be available in order to minimise unnecessary stress.' (p12)
- 'They [enclosures] should accommodate group expansion if breeding is planned. Overcrowding should be prevented.' (p13)
- 'The enclosure should be capable of providing for the animals' needs at all stages of their growth and development.' (p13)
- 'Natural light is particularly important for diurnal primates, and indoor and outdoor accommodation should be provided.' (p13)
- 'Live plant cover also encourages natural food stuffs, like insects, into the enclosure, and provides animals with shelter, visual barriers and play.(p13)
- 'Many primates need UV light to be provided to ensure proper skeletal development. Direct access to sunlight in an outdoor enclosure will provide for the UV needs of most primates (note that UV light is screened out by glass).' (p14)
- 'Double doors should be present on all enclosures to prevent escapes, and should be securely locked. All locking systems should be designed and maintained to prevent animals from unfastening the securing devices. Windows should be similarly secure. (p15)

**Similarly, primates need a specialised diet that will meet their individual needs. For example:**

- 'Food should be offered in a manner and a frequency appropriate to the species, should provide all necessary nutrients and be of adequate quantity, quality and variety. The individual animal's condition, size, physiological, reproductive and health status should also be considered when formulating the diet.' (p16)
- 'Different species of primates show considerable variation in their natural diets. For example, all marmoset species gouge branches to feed on plant gums, as well as eating fruit, flowers, insects and other small animals such as spiders, lizards and snails...The diet of primates in captivity should be designed to reflect the appropriate natural diet of the species.' (pp16-17)
- 'A balanced diet should, wherever possible, comprise fresh natural foods. However, keepers should ensure that animals receive sufficient proteins, vitamins and minerals, some of which may be deficient in captive primate diets. In particular, deficiencies of Vitamin D3, Calcium and Vitamin A in all primates and Vitamin C and Vitamin D3 in New World primates, especially marmosets and tamarins, are common.' (p17)

**Primates are social beings who need company of their own kind. Careful management is needed of the social environment, which itself requires specialist knowledge, experience and facilities. This social aspect to primate keeping brings complexity: social dynamics need to be monitored; the introduction of new animals needs to be done with great care and experience; if breeding is not wanted, contraceptives need to be used; when animals die, decisions need to be made about what is best for the remaining animals. For example:**

- 'Being social is a striking feature of primates, and perhaps the most important in terms of meeting their needs. With few exceptions, they live in complex societies that can comprise tens of individual animals.' (p1)
- 'Social interaction with companions of the same species not only provides essential stimulation and learning opportunities, but it also provides a source of comfort, reassurance and enjoyment.' (p4)

- 'Changes to group composition can lead to aggressive interactions, and so great care needs to be taken and advice sought to minimise these risks. Established compatible social groups should not generally be altered.' (p5)
- 'It is important that social groups are managed to encourage stability and compatibility, and that enclosure design minimises risk of physical harm to animals. However, consideration should be given to removing from groups those individuals that are subject to persistent and damaging bullying, and rehousing them in more suitable groups.' (p9)

**Any breeding needs to be carefully planned, with a preference for this to be part of a recognised conservation breeding programme. Accommodation and care needs to be adapted and young need to stay with their mothers/families for prolonged periods, until they are ready to be independent. Suitable homes need to be lined up for any offspring that cannot be accommodated. For example:**

- 'If allowed to breed, primates should express normal parenting behaviours for a suitable duration appropriate to the species concerned... Infants removed from their mother and natal group early, and consequently deprived of the opportunity to learn vital survival and social skills, are likely to develop behavioural and hormonal abnormalities, fail to integrate well with individuals of the same species, and are frequently unable to raise their own young successfully' (p7).
- 'Breeding should only be undertaken if: – adequate steps have been taken to protect the genetic health of the offspring (e.g. to prevent inbreeding and possible subsequent welfare problems), preferably as part of a recognised and co-ordinated breeding programme. – there is adequate space for the group to enlarge, or the keeper is confident that offspring can be placed with owners able to provide suitable care.' (p19)
- 'Young animals have a long dependency period, and they must not be separated from their mothers/families during this time to enable them to learn normal social competencies.' (p19)
- 'Hand-rearing should only be undertaken if essential, for example where baby animals are orphaned. Specialist advice should be sought.' (p19)



**APPENDIX No. 4**  
Barrow Borough Council  
Licensing Section  
Barrow Borough Council  
Town Hall, Duke Street  
Barrow-in-Furness Cumbria  
LA14 2LD  
Tel: 01229 876543  
Fax 01229 876411  
Email: [commercial@barrowbc.gov.uk](mailto:commercial@barrowbc.gov.uk)  
[www.barrowbc.gov.uk/licensing](http://www.barrowbc.gov.uk/licensing)

## PET ANIMAL ACT 1951

**Pet Shop Licence**

**021279**

**Premises Name and Address**

*Living World  
228 Dalton Road, Barrow-In-Furness, Cumbria, LA14 1PN*

**Proprietor(s)**

Licence Valid from 08/01/2015

**Expires**

**31/12/2015**

There are total stocking density numbers

The Number of animals accommodated at the establishment at any one time shall not exceed:

Dogs	No
Cats	No
Rabbits/Cavies	Yes
Hamsters	Yes
Rats/Mice/Gerbils	Yes
Tortoises	Yes
Snakes/Lizards	Yes
Fish	All Types
Parrots	Yes
Pigeons	No
Other large birds	Yes
Budgies/finches/etc	Yes
Other Species	Marmosets, crocodilians, scorpions, amphibians, arachnids, invertebrates

**IMPORTANT NOTES**

This licence is issued under the above Act for the premises named above subject to the conditions endorsed hereon.

Standard Conditions and any Special Conditions attached to this licence are attached or printed on the reverse.

ENVIRONMENTAL HEALTH MANAGER





**STANDARD CONDITIONS ATTACHED TO THE ISSUE OF A PET SHOP LICENCE**

**LICENCE NO 021279**

**Licence Validity 08/01/2015 Expires 31/12/2015**

**Licensee: Mr Wayne Moffatt**

**BARROW BOROUGH COUNCIL**

**THE PET ANIMALS ACT 1951**  
**STANDARD LICENCE CONDITIONS (AMENDED 1999)**

**1.0 Licence Display**

- 1.1 The licence, or a copy of the licence, should be displayed to the public in a prominent position.

NB: For security reasons, the licence should not display the licence holder's home address.

**2.0 Accommodation**

- 2.1 Animals must at all times be kept in accommodation and environment suitable to their species with respect to situation, size, temperature, lighting, ventilation and cleanliness.
- 2.2 Animal must not be exposed to draughts and must be kept in an environmental suitable to the species. If animals are displayed outdoors, they should be protected appropriate to their species.
- 2.3 Housing must be constructed of non-porous materials or be appropriately treated.
- 2.4 Animals must not be kept in housing in such a way that they can be interfered with by other animals or the public.
- 2.5 All livestock, for sale, must be readily accessible and easy to inspect.
- 2.6 Accommodation must be cleaned as often as necessary to maintain good hygiene standards consistent with the rate of stock turnover.
- 2.7 Where accommodation is on tiered system, water, food or other droppings must not be allowed to enter the lower housing.
- 2.8 All accessories provided in the accommodation must be suitable for the species.

**3.0 Exercise Facilities**

- 3.1 Suitable and sufficient facilities must be available where appropriate.

NB For puppies, where required, a covered exercise area of at least 2.46 sq meters (26sq ft) should be provided. Exercise area should have a minimum height of 1.8 metres (6ft) to facilitate adequate access by staff for cleaning.

## **4.0 Register of Animals**

4.1 A livestock purchase register must be maintained for all livestock. A sales register must be maintained for:

- 4.1.1 Puppies;
- 4.1.2 Kittens;
- 4.1.3 Psittacines;
- 4.1.4 Species contained in the Schedule to the Dangerous Wild Animals Act 1976 (as modified).

NB this can be cross referenced to an invoice file. The purpose of the register is to ascertain the source of livestock and for emergency contact or purchaser. The name, address and telephone number of the purchaser should be obtained.

## **5.0 Stocking Numbers and Densities**

5.1 The maximum numbers of animals to be stocked on the premises will be governed by the accommodation available, as stated in the stocking density lists detailed in the schedules attached to these licence conditions. No other animals, other than those specified in the licence may be stocked without prior written approval from the licensing authority. These stocking densities are provided for guidance and recommendation only.

- 5.2 Schedule 1 – Caged Birds
- 5.3 Schedule 2 – Small Juvenile Mammals
- 5.4 Schedule 3 – Ornamental Fish
- 5.5 Schedule 4 – Other Species

## **6.0 Health, Disease and Acclimatisation**

6.1 All stock sold must be in good health and free from obvious parasitic infestation as far as can be reasonably determined without veterinary inspection.

6.2 Any sick or injured animal must received appropriate care and treatment without delay. Inexperienced staff must not treat sick animals unless under appropriately experienced supervision.

NB: "Care and treatment" may include euthanasia but under no circumstances may an animal be euthanased other than in a humane and effective manner. In case of doubt, veterinary advice must be sought.

6.3 Facilities must be provided to isolate sick animals.

NB: For ornamental fish, in line UV treatment or other sterilising devices effectively provide a means of isolating individual tanks in multiple tank systems. They must be of a proper size, and maintained in accordance with manufacturers' recommendations.

6.4 All animals must receive appropriate inoculations where required for the species, as advised by the veterinary surgeon. Veterinary advice should be sought whenever necessary.

6.5 Any animals with an obvious, significant abnormality, which would materially affect its quality of life, must not be offered for sale. When in doubt, veterinary advice should be sought.

- 6.6 All animals must be allowed a suitable acclimatisation period before sale.
- 6.7 All reasonable precautions must be taken to prevent the outbreak and spread of disease. No animal which is suffering from, or could reasonably be suspected of having come into contact with any other animal suffering from any infectious or contagious disease, or which is infected with parasites, shall be brought into or kept on the premises unless effectively isolated.
- 6.8 Individual litters of puppies and kittens must be kept separate from other litters.
- 6.9 All necessary precautions must be taken to prevent harbourage, or the introduction to the premises, of rodents, insects and other pests.

NB: 'Rodent' and 'insect' insect excludes livestock for sale or for feeding.

## **7.0 Food and Drink**

- 7.1 Animals must be supplied with adequate amounts of food and drink, appropriate to their needs and at suitable intervals.
- 7.2 All food must be suitable for the species concerned.
- 7.3 Food and drink receptacles must be constructed and positioned to minimise faecal contamination and spillage.
- 7.4 A suitable and sufficient number of receptacles must be provided and cleaned at regular intervals.

## **8.0 Food Storage**

- 8.1 All food, excluding live foods intended for feeding to livestock on the premises, must be stored in impervious closed containers.
- 8.2 The containers and equipment used for feeding must be kept in a clean and sound condition.

## **9.0 Observation**

- 9.1 All livestock must be attended to at regular intervals, at least once daily, appropriate to the species. It is recommended that a system of recording observation is maintained.

## **10.0 Excreta and Soiled Bedding**

- 10.1 All excreta and soiled bedding must be kept in a hygienic manner and stored in impervious containers with close fitting lids – away from direct sunlight.
- 10.2 Excreta and soiled bedding should be removed from the premises on a regular basis, as least weekly disposed of to the satisfaction of the appropriate local authority and in accordance with current regulations and good waste management practice.
- 10.3 All containers must be kept in a clean condition.

## **11.0 Transportation**

11.1 When receiving stock, the licensee must make every effort to ensure that it is transported in a suitable manner. It is advisable (recommended) to record the registration number of vehicles transporting livestock.

11.2 Any livestock received or consigned shall be transported according to the regulations laid down in current legislation; such as the Welfare of Animals (Transport) Order 1997.

NB: For air transportation, the IATA live animals regulations must be followed as a minimum legal standard.

## **12.0 Transportation Containers**

12.1 Livestock must be transported or handed to purchasers in suitable containers.

## **13.0 Sale of Livestock**

13.1 No mammal shall be soled unweaned or, if weaned, at an age which it should not have been weaned.

13.2 In case of non-mammals, they must be capable of feeding themselves.

## **14.0 Dangerous Wild Animals**

14.1 When dangerous animals are kept, the cages must be of a secure construction appropriate to the species. A fine wire mesh, glass or plastic safety barrier must be incorporated into the cage system.

14.2 The local authority should be notified in the event that the pet shop wishes to offer for sale for the first time, any animal on the Schedule to the Dangerous Wild Animals Act. Although it is acknowledged that there is an exemption contained within the Act in relation to pet shops, it is recommended that consideration should be given to complying with any special requirement(s) specified in the Act for the safe accommodation or care of the animal.

14.3 Licensees selling animals on the Schedule to the Dangerous Wild Animals Act should inspect the purchaser's licence to keep such an animal, and inform the issuing authority of the details of the purchase.

## **15.0 Pet Care Advice**

15.1 Pet Care leaflets or other similar written instructions should be made available to customers free of charge at the time of purchase, in addition to any offer to purchase pet care books or leaflets.

15.2 Purchasers must be given proper advice on the care of the animal and, where necessary, on the maintenance and use of any accessories.

15.3 Appropriate reference materials must always be available for use by staff.

NB Further advice can be obtained from the organisations listed in Annex 1 at the back of this document.

## **16.0 Staff Training and Livestock Knowledge**

- 16.1 No animal should be stocked or sold unless the staff (or at least one member of the staff) is familiar with the care and welfare of the animals stocked and has a recognised qualification or suitable experience.
- 16.2 In respect of new applications (not renewals), at least one member of staff working at the licensed premises must hold the City and Guilds Pet Store Management Certificate, or some other appropriate qualification, or must be in the course of training, and obtain the qualification within two years of the licence being granted.
- 16.3 The licensee must formulate a written training policy for all permanent staff, and will be required to demonstrate that systematic training is carried out.

NB: Further advice and guidance on training can be obtained from the organisations listed at the end of this document.

## **17.0 Fire and Other Emergency Precautions**

- 17.1 Suitable emergency precautions and written procedures must exist and be made known to all staff, including arrangements for evacuation of livestock.  
  
NB: The general maximum of 'people first' is good advice.
- 17.2 Entrances and exits must be clear of obstructions at all times.
- 17.3 Suitable fire fighting equipment must be provided, maintained, regularly serviced and sited as advised by the Local Fire Protection/Prevention Officer and in consultation with the local authority.
- 17.4 The licensee, or a designated keyholder, must at all times be within reasonable distance of the premises and available to visit the premises in case of emergency.  
  
NB: A reasonable distance would, in normal conditions, be interpreted as no more than 20 minutes travelling time.
- 17.5 A list of keyholders must be logged with the local police and with the local authority.
- 17.6 In the interests of animal welfare, the following notice must be displayed at the front of the shop "In case of an emergency dial 999". The number of the local police station should also be displayed.
- 17.7 When pet shops are sited within other premises, the licensee or keyholders must have access at all times to the premises containing the livestock.
- 17.8 All electrical installations and appliances must be maintained in a safe condition.

## **B) FURTHER RECOMMENDATIONS**

### **18.0 Sale of Livestock**

18.1 No animal should be sold to any person under the age of 16 years who is unknown to the retailer unless the person is accompanied by a parent or legal guardian or provides appropriate written consent. Subsequent sales to a juvenile less than 16 years (but over 12 years) of age who is known to the retailer can be carried out in the absence of a parent or legal guardian or appropriate written consent, provided that the retailer is satisfied as far as possible that::

- i) the parent/guardian would not object to the acquisition;
- ii) the juvenile is sufficiently knowledgeable as to the needs, care and nature of the species acquired;
- iii) the juvenile's intention towards the acquisition is consistent with the well being of the animal concerned.

### **19.0 Application for a Licence**

19.1 Although not provided for in the Act, it is recommended that applicants consult their local authority prior to submitting an application.

### **20.0 Trade Associations**

20.1 Licensees are recommended to apply for membership of an appropriate trade organisation. These can be a useful source of advice on all matters relating to the running of a pet shop and the care and treatment of individual animals.

### **20.0 Boarding of Animals**

21.1 No pet shop should be used for the purpose of boarding any species of animals for which they are not licensed to sell. It is intended to board cats and dogs, suitable and sufficient accommodation must be provided.

NB: Boarding of cats and dogs is subject to separate licence issued under the Animal Boarding Establishments Act.

### **21.0 Categories of animals which a pet shop may be licensed to keep**

- 1) Dogs and cats (puppies and kittens)
- 2) Small domestic mammals, e.g. rabbits, guinea pigs, gerbils, hamsters, rats, mice, chinchillas, chipmunks, ferrets.
- 3) Larger domesticated mammals e.g. goats, pot-bellied pigs.
- 4) Primates e.g. marmosets.
- 5) Other mammals.
- 6) Parrots, parakeets and macaws
- 7) Other birds
- 8) Reptiles
- 9) Amphibians
- 10) Fish and aquatic invertebrates
- 11) Other vertebrates.

**SCHEDULE 1  
STOCKING DENSITIES – CAGE BIRDS**

1.0 No species of bird shall be housed in accommodation which does not afford that species sufficient space for natural free and full wing stretching and the number of birds housed shall be such that overcrowding does not significantly reduce that freedom. Long tailed birds or birds in full plumage must be provided with properly placed perches and feeding and watering points to prevent that plumage being fouled or otherwise damaged.

This refers to the Wildlife and Countryside Act 1981 which should not be contravened (especially Section 8 of the Act).

1.2 For perching birds, a sufficient number of perches (as appropriate) must be provided at such a height that the bird can rest its head without its head touching the top, and the tail the bottom of the cage.

1.3 A quality padded net should be used when catching birds in an aviary.

1.4 Minimum floor areas apply to young stock. For adult stock offered for sale, the dimensions should be doubled. For advice on the age stock, it is advisable to contact the veterinary surgeon.

**SCHEDULE 2  
STOCKING DENSITIES – JUVENILE SMALL MAMMALS**

	No of animals	1-4	5	6	7	8	9	10	Min cage height	Max cage height
Mice, hamster, gerbils	Sq cm	450	525	600	675	750	825	900	25	25
Rats	Sq cm	675	785	900	1010	1125	1235	1320	30	30
Guinea Pigs	Sq cm	1350	1570	1800	2020	2250	2470	2700	30	30
Rabbits upto 2kg, kittens, ferrets, chinchillas, chipmunks	Sq cm	2250	2625	3000	3375	3750	4125	4500	40	30
Puppies upto 12 weeks of age	Sq cm	10000	12500	15000	17000	20000	22500	25000	Double Height at shoulder	0.9m max

2.1 The range of behaviour opportunities for many of the animals listed in the above schedule will be increased by enriching the environment with accessories.

2.2 Raised shelving should be taken into consideration when assessing the total floor area.

2.3 Temporary (up to 6 days) re-housing of adult rabbits in smaller cages than specified above should be considered as acceptable.

2.4 The above recommended stocking densities are insufficient for the housing of marmosets. Marmosets must be housed in cages sufficiently large enough to allow for natural movement, such as climbing and swinging.

**SCHEDULE 3**  
**STOCKING DENSITIES – ORNAMENTAL FISH**

- 3.1 It is virtually impossible to determine the quantify of fish to be kept in a tank purely on a weight/volume or numbers of fish/volume ratio.
- 3.2 The variation is system design; husbandry techniques and types of fish involved would render any such method too simple to be useful or too complicated to be practical.
- 3.3 The maintenance of water quality standards is essential and is a simple but effective way to determine stocking densities. Water quality testing should be carried out at least once a week in centralised systems and 10% of individual tanks should likewise be tested. Unsatisfactory test results must be recorded in a register together with the corrective action taken. Further tests must be carried out when visual inspection of the tanks indicates the need.

**WATER QUALITY CRITERIA** (1mg/litre – 1ppm)

**Cold Water**

*Dissolved Oxygen	min	6mg/litre
*Free Ammonia	max	0.02mg/litre
Nitrate	max	0.2mg/litre
Nitrate	max	50mg/litre above ambient tapwater

**Tropical Fish**

*Dissolved Oxygen	min	6mg/litre
*Free Ammonia	max	0.02mg/litre
Nitrate	max	0.2mg/litre
Nitrate	max	50mg/litre above ambient tapwater

**Tropical Marine Species**

*Dissolved Oxygen	min	5.5mg/litre
*Free Ammonia	max	0.01mg/litre
Nitrate	max	0.125mg/litre
Nitrate	max	40mg/litre This is an absolute figure: it does not relate to ambient tapwater

- \*pH (tropical marine only) min 8.1
- \*These parameters should be checked first. Only if a problem exists with these tests is it necessary to check nitrate and nitrate levels.

- 3.4 Further advice and guidance on water quality criteria can be obtained from the Ornamental Aquatic Trade Association Limited, Unit 5 Narrow Wine Street, Trowbridge, Wiltshire BA14 8YY



**SCHEDULE 4**  
**STOCKING DENSITIES – Other Species**

- 1.1 Other species should be housed in accommodation appropriate to size, age and type of species, and to avoid overcrowding. There should be sufficient space for free and natural movement which should not be restricted by either the size of the accommodation or the number of animals in that holding. Correct temperature for the species must be maintained.
- 1.2 The advice and approval of the Licensing Authority should be sought wherever there is doubt about a species being sold.

**Further advice may be obtained from the following organisations:-**

**The Local Government Association**

26 Chapter Street,  
London SW1P 4ND

Tel: 0171 8342222  
Fax: 0171 664 3030  
Website: [www.lga.gov.uk](http://www.lga.gov.uk)

**The British Veterinary Association**

7 Mansfield Street  
London W1M 0AT

Tel: 0171 636 6541  
Fax: 0171 436 2970

**The Pet Care Trust**

Bedford Business Centre  
170 Mile Road  
Bedford MK42 9TW

Tel: 01234 273933  
Fax: 01234 273550

**Ornamental Aquatic Trade Association Ltd**

Unit 5  
Narrow Wine Street  
Trowbridge  
Wiltshire BA14 8YY

Tel: 01225 777177  
Fax: 01255 775523  
Website: [www.ornamentalfish.org](http://www.ornamentalfish.org)

**British Small Animal Veterinary Association**

Kingsley House  
Church Lane  
Shurdington  
Cheltenham  
Gloucestershire GL51 5TQ  
Tel: 01242 862994  
Fax: 01242 863009

**Chartered Institute of Environmental Health**

Chadwick House  
15 Hatfields  
London SE1 8DJ  
Tel: 0171 928 6006  
Fax: 0171 8275865

**Royal Society for the Prevention of Cruelty of Animals**

Causeway  
Horsham  
West Sussex RH12 1HG  
Tel: 01403 264181  
Fax: 01403 241048

**Universities' Federation of Animal Welfare**

The Old School  
Brewhouse Hill  
Wheathampstead  
Hertfordshire  
AL4 8AN  
Tel: 01582 831818  
Fax: 01582 831414

**Environmental Agency**

Millbank Tower  
25<sup>th</sup> Floor  
21-24 Millbank  
London SW1P 4XL  
Tel: 0171 8638600  
Fax: 0171 8638650

**Health and Safety Executive (Information Line)**

Tel: 0541 545500

Licensees should also refer any queries to their local authority environmental health/trading standards departments.

## SCHEDULE B – DOGS

Condition	
1.0	Puppies must be weaned before leaving the mother.
2.0	<p>The minimum kennel size must be :</p> <ul style="list-style-type: none"> <li>a. For a litter of small breed puppies – max 6 pups – 1.5m<sup>2</sup> for sleeping, plus 2m<sup>2</sup> for exercise</li> <li>b. For a litter of medium breed puppies – max 4 pups – 2m<sup>2</sup> for sleeping, plus 2m<sup>2</sup> for exercise</li> <li>c. For a litter of large breed puppies – max 4 pups – 4m<sup>2</sup> for sleeping plus 4m<sup>2</sup> for exercise.</li> </ul> <p>These are minimum requirements, for larger litters the size of the pens should be adjusted accordingly. Ideally the puppies should have free access to the exercise area at all times. Any covered pens should have a minimum height of 1.8m or removable covers to allow adequate access by staff for cleaning. These are minimum standards and meeting the correct size of pens alone are not a defence if the welfare of the animals are in question.</p>
3.0	Suitable and sufficient exercise facilities must be available where appropriate.
4.0	Ambient temperature of the kennel must be a minimum of 18°C.
5.0	General bedding must include an adequate amount of absorbent material.
6.0	Any soiled material must be removed at least four times a day or as required to ensure the puppy does not have to lie in a soiled area.
7.0	A specific lying place must be provided lined with soft material.
8.0	Puppies must be fed at least four times daily.
9.0	Puppies must have frequent, quality contact time with staff.
10.0	Litters of puppies must not be left alone in a kennel, but where they are, special attention should be paid to specific human interaction. When litters are mixed they should be of similar size, age and temperament and there should be good supervision of mixing.
11.0	Ideally single puppies must not be left alone in a kennel, but where they are, special attention should be paid to specific human interaction. When litters are mixed they should be of similar size, age and temperament and there should be good supervision of mixing.
12.0	There must be environmental enrichment in all kennels such as indestructible toys. These should be easily cleaned and replaced between litters.
13.0	The new owner must be advised to register the puppy with a vet.

## SCHEDULE C - CATS

Condition	
1.0	Kittens must be weaned before leaving the mother.
2.0	The minimum pen size for a litter of kittens, up to 12 weeks of age must be 1m <sup>3</sup> . Any shelving or platforms must be in addition to the minimum floor area.
3.0	Ambient temperature must be a minimum of 18°C.
4.0	Disposable or washable bedding must be provided and kept clean.
5.0	A litter tray and appropriate litter must be available at all times and cleaned and disinfected at least once daily and with an appropriate disinfectant which is safe for use with cats.
6.0	Kittens must be fed at least four times daily.
7.0	Litters must not be mixed and if several litters are kept in one area then the pen must have solid sides.
8.0	Kittens must have frequent, quality contact time with staff.
9.0	There must be environmental enrichment in all cages such as indestructible toys, climbing frames and platforms. Toys should be easily cleaned and replaced between litters.
10.0	The new owner must be advised to register the kitten with a vet.

## SCHEDULE D – RABBITS AND GUINEA PIGS

Condition	
1.0	Rabbits and guinea pigs must not be housed together.
2.0	Rabbits and guinea pigs must be fully weaned on admission. Rabbits must be at least 8 weeks old and guinea pigs at least 6 weeks old. Rabbits must be retained for 3 days prior to sale.
3.0	Rabbits and guinea pigs must be corrected sexed and housed in same sex groups.
4.0	The minimum enclosure size must ensure that every rabbit can make 3 consecutive hops and stretch fully on their back legs. A hiding place must be provided. Guinea pigs must be able to make 4 large steps to the equivalent to body length. (122cm by 60cm per two pigs is recommended)
5.0	Ambient temperature must be a minimum of 12°c and maximum of 18°c. Lighting must not affect guinea pig welfare.
6.0	Rabbits and guinea pigs must be housed in a suitable substrate and in sufficient amounts.
7.0	Visibly soiled bedding and litter must be removed daily and between occupants, the whole pen should be thoroughly cleaned and disinfected.
8.0	Rabbits must have a constant supply of fresh hay and water, and be offered an appropriate amount of dry food for the breed and age.
9.0	Guinea pigs and Degus must have free and lib access to hay.
10.0	Guinea pigs must have sufficient vitamin C in their diet.
11.0	Rabbits must be housed with litter mates.
12.0	Rabbits, guinea pigs and Degus must be checked at start, middle and end of a business day and at beginning and end of non-business day.
13.0	There must be environmental enrichment in all enclosures.
14.0	Measures must be in place to maintain a consistent diet.

## SCHEDULE E – OTHER SMALL MAMMALS

Condition	
1.0	All small mammals must be sexed and housed in single sex groups (unless for sale as a breeding pair), unless a solitary species.
2.0	Animals must at all times be kept in suitably sized accommodation.
3.0	Animals must be provided with a suitable substrate in sufficient amounts.
4.0	Animals must be provided with a suitable bedding material in sufficient amounts.
5.0	Animals must be provided with places to hide. Accessories and enrichment should be provided, suitable to the species.
6.0	Suitable food and drink receptacles must be provided and positioned to avoid faecal contamination.

## SCHEDULE F – FERRETS

Condition	
<b>1.0</b>	Ferrets must be at least eight weeks old and fully weaned on admission.
<b>2.0</b>	Ferrets must be housed with litter mates for companionship.
<b>3.0</b>	Ferrets must be correctly sexed and housed in groups or pairs of either sex. Adult hop (males) require individual accommodation. Every adult ferret must be assessed to determine their housing requirements which depend on age, temperament, sex and time of year.
<b>4.0</b>	Litters of ferrets must not be mixed.
<b>5.0</b>	Ferrets must be checked at the start, middle and end of a business day, during a non business day the ferrets must be checked at the beginning and end of the day.
<b>6.0</b>	The minimum enclosure size must ensure that each ferret can perform 5 large bounds lengthwise the equivalent of 150 cm, 4 large bounds depthwise and the ability to stretch and climb 120 cm.  Enclosures must be placed on a hard surface and anchored to the ground.  Ferrets require space for their toilet area removed from their sleeping or eating areas.
<b>7.0</b>	Sleeping quarters must be draft free and dark. They must ideally be raised with access via a slip-proof ramp or climbing tube.
<b>8.0</b>	Ferrets must have suitable bedding such as commercial fabric items which can be removed and laundered.
<b>9.0</b>	Pens must be situated out of direct sunlight or other heat source. Ambient temperature must be a minimum of 15°C and maximum 20°
<b>10.0</b>	Ferret biscuits and fresh, clean water must be available at all times. Refresh water daily. Clean water must be supplied in both a heavy based bowl and also a secondary water bottle attached to the side of the enclosure.
<b>11.0</b>	Adult jills (females) in season must be taken out of season. This is usually by a hormone injection administered by a veterinary surgeon.

## SCHEDULE H – REPTILES AND AMPHIBIANS

Condition	
1.0	Stocking and density must be appropriate to the species.
2.0	The enclosure size must be appropriate to the species.
3.0	Temperature, humidity and ventilation must be appropriate to the species.
4.0	Lighting must be appropriate to the species.
5.0	Substrate appropriate to the species must be present.
6.0	Enrichment must be provided appropriate to the species.
7.0	Food and water must be provided in the appropriate manner for the species.
8.0	Hygiene, enclosures must be cleaned appropriately.
9.0	Handling must be kept to a minimum at all times.



## SHEDULE I – FISH

Condition																											
<b>1.0</b>	<p>Water quality is a key determinant of fish welfare. To assess it, levels of ammonia and nitrate must be checked first. Only if such measurements exceed the standards, or there is an unexplained problem, is there any need to proceed further. Minimum water standards must be:-</p> <p><b>Cold Water Species</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Free Ammonia</td> <td style="width: 50%;">max 0.02mg/l</td> </tr> <tr> <td>Nitrate</td> <td>max 0.2mg/l</td> </tr> <tr> <td>Dissolved oxygen</td> <td>min 6mg/l</td> </tr> <tr> <td>Nitrate</td> <td>max 50mg/l above ambient tap water</td> </tr> </table> <p><b>Tropical Freshwater Species</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Free Ammonia</td> <td style="width: 50%;">max 0.02mg/l</td> </tr> <tr> <td>Nitrate</td> <td>max 0.2mg/l</td> </tr> <tr> <td>Dissolved oxygen</td> <td>min 6mg/l</td> </tr> <tr> <td>Nitrate</td> <td>max 50mg/l above ambient tap water</td> </tr> </table> <p><b>Tropical Marine Species</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Free Ammonia</td> <td style="width: 50%;">max 0.01mg/l</td> </tr> <tr> <td>Nitrate</td> <td>max 0.125mg/l</td> </tr> <tr> <td>Nitrate</td> <td>max 100mg/l</td> </tr> <tr> <td>PH</td> <td>min 8.1</td> </tr> <tr> <td>Dissolved oxygen</td> <td>min 4.0mg/l</td> </tr> </table>	Free Ammonia	max 0.02mg/l	Nitrate	max 0.2mg/l	Dissolved oxygen	min 6mg/l	Nitrate	max 50mg/l above ambient tap water	Free Ammonia	max 0.02mg/l	Nitrate	max 0.2mg/l	Dissolved oxygen	min 6mg/l	Nitrate	max 50mg/l above ambient tap water	Free Ammonia	max 0.01mg/l	Nitrate	max 0.125mg/l	Nitrate	max 100mg/l	PH	min 8.1	Dissolved oxygen	min 4.0mg/l
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<b>2.0</b>	<p>Water quality must be checked regularly and records kept of all tests. Centralised systems must be tested weekly.</p> <p>10% of individually filtered tanks or vat must be tested weekly.</p> <p>On aquaria or vats in which visual inspection indicates unusual behaviour or deaths, water quality inspections should be undertaken.</p>																										
<b>3.0</b>	<p>Holding systems must be cleaned and checked regularly.</p>																										
<b>4.0</b>	<p>No aquatic organisms should be exposed to excessive light or heat or lack of adequate warmth.</p>																										

## SCHEDULE G – BIRDS

Condition	
1.0	<p>There must be adequate perching space for all birds such at once.</p> <p>Outdoor aviaries must include sufficient sheltered and non-sheltered space.</p> <p>Cage size must be adequate to allow birds to open their wings fully in all directions.</p>
2.0	<p>Perches must be positioned so that birds do not defecate on each other and must be of appropriate size and shape for each species.</p>
3.0	<p>Temperature must not exceed 32°C.</p>
4.0	<p>There must be adequate drinkers/feeders commensurate with the number of birds and these must be cleaned regularly.</p> <p>Bowls etc. must be positioned so that birds do not defecate in food/water.</p>
5.0	<p>Cages must be constructed from materials suitable to the type and size of birds. Materials must be safe to birds and in good repair.</p>
6.0	<p>Windproof nest boxes must be provided in all outside housing and inside where appropriate.</p>
7.0	<p>Flooring must be a drop-through or easily washed/hosed.</p>
8.0	<p>Post mortem examination of dead birds must be carried out.</p>

<b>LICENSING REGULATORY COMMITTEE</b>		<b>(D) Agenda Item 9</b>
<b>Date of Meeting:</b>	<b>5th February, 2015</b>	
<b>Reporting Officer:</b>	<b>Senior Environmental Health Officer (Licensing)</b>	
<p><b>Title: Application for the adoption of a Special Cumulative Impact Policy</b></p> <p><b>Summary and Conclusions:</b></p> <p>This report deals with an application by Cumbria Constabulary for the Licensing Authority to adopt a Special Cumulative Impact Policy for a defined area of Barrow Town Centre due to high levels of crime and disorder taking place. The adoption of any policy requires a change to the Council's Statement of Licensing Policy; therefore a three month period of consultation will be required.</p> <p><b>Recommendation:</b></p> <p>That Members:-</p> <p>a) Note the application from Cumbria Constabulary; and</p> <p>b) Consider undertaking a three month consultation period to collate views of interested parties on the adoption of a Special Cumulative Impact Policy for the area in question, the results of which will be brought back before the Committee at a later date.</p>		

### Report

- 1.1 An application has been made by Superintendent Mark Pannone of Cumbria Constabulary for Barrow Borough Council as the Licensing Authority to adopt a special policy in relation to cumulative impact within a defined area of Barrow Town Centre due to higher than average levels of alcohol related incidents taking place.
- 1.2 Superintendent Pannone has made this request as Cumbria Constabulary takes the view that the introduction of a Special Cumulative Impact Policy within Barrow Town Centre is essential and will minimise the increased levels of violence and disorder by limiting the possible extension of licensing hours and the increase in the number of licensed premises.

- 1.3 A copy of the application is attached at **Appendix 5**
- 1.4 A map showing the licensed premises within the area covered by the application is attached at **Appendix 6**
- 1.5 Paragraph 4.7.3 of the Barrow in Furness Statement of Licensing Policy states that:

'Where representations are received from a responsible authority/interested party that an area has become saturated with premises, creating problems of disorder and nuisance over and above the impact from the individual premises, the authority will first consider whether the imposition of conditions is likely to address these problems and, if not, may consider the adoption of a special policy of refusing new premises licences or club premises certificates because the area is saturated with licensed premises and the granting of any more would undermine one of the licensing objectives'.

The imposition of conditions on licences is unlikely to address problems on a wholesale basis; as such the adoption of a Special Cumulative Impact Policy may be more appropriate.

- 1.6 Additional information on cumulative impact in the Council's Statement of Licensing Policy can be found in paragraphs 4.71 to 4.79 and is attached at **Appendix 7**
- 1.7 National Guidance (October 2014 revision) issued under section 182 of the Licensing Act 2003 states that:

**'Effect of special policies**

13.29 The effect of adopting a special policy of this kind is to create a rebuttable presumption that applications for the grant or variation of premises licences or club premises certificates, which are likely to add to the existing cumulative impact, will normally be refused or subject to certain limitations, following relevant representations, unless the applicant can demonstrate in the operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives. Applicants should give consideration to potential cumulative impact issues when setting out the steps they will take to promote the licensing objectives in their application.

**Limitations on special policies relating to cumulative impact**

13.35 A special policy should never be absolute. Statements of licensing policy should always allow for the circumstances of each application to be considered properly and for applications that are unlikely to add to the cumulative impact on the licensing objectives to be granted. After receiving relevant representations in relation to a new application for or a variation of a licence or certificate, the licensing authority must consider whether it would be justified in departing from its special policy in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. For example, while a large nightclub or high capacity public house might add to problems of cumulative

impact, a small restaurant or a theatre may not. If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.'

- 1.8 Additional paragraphs in the National Guidance relating to Cumulative Impact (paragraphs 13.19 – 13.40) are attached at **Appendix 8** for Members' Information.
- 1.9 The adoption of any special policy requires changes to the Licensing Authority's Statement of Licensing Policy. Before any changes to this Policy can be made a 3 month consultation period involving all interested parties must be carried out.

The consultation responses would be brought back before the Committee at a later date. After considering all the evidence and the consultation responses, Members would then consider if they are satisfied that it's appropriate to include a special policy relating to cumulative impact in the Statement of Licensing Policy.

2.0 Recommendations to Members are as follows:

- a) Note the application from Cumbria Police to adopt a special policy in relation to Cumulative Impact for the defined area in Barrow Town Centre; and
- b) Consider undertaking a three month consultation period to collate views of all interested parties on the adoption of a Special Cumulative Impact Policy for the area in question, the results of which will be brought back before the Committee at a later date.

#### Background Papers

Nil.



Julie Sharpe  
Central Services Department  
Email: [julie.sharpe@cumbria.police.uk](mailto:julie.sharpe@cumbria.police.uk)  
Tel: 101, option 2, ext. 49348  
Fax:

Territorial Policing Commander  
T/ Chief Superintendent Sean Robinson

Territorial Policing Superintendent  
Mark Pannone

South Territorial Policing Area HQ  
Busher Walk  
Kendal  
LA9 4RJ



My Reference:  
Your Reference:

Chief Executive  
Borough of Barrow in Furness  
Town Hall  
Duke Street  
Barrow in Furness  
Cumbria  
LA12 2LD

26 January, 2015

Dear Mr Huck

On behalf of Cumbria Constabulary I submit the following documents and ask that Barrow in Furness Borough Council adopt a Special Cumulative Impact Policy for the area within Barrow in Furness Town Centre.

Cumbria Constabulary, as a responsible authority, has a duty to work with others to minimize alcohol related crime and disorder. Violence with injury offences linked to the Night Time Economy has been identified as a Force Priority for many years and we have worked to achieve this objective. Despite our actions Barrow in Furness continues to have higher than average levels of alcohol related incidents. We are now placed in a position that with dwindling resources and falling budgets the situation has reached saturation and we are on the edge of a tipping point.

The view of Cumbria Constabulary is that the introduction of a Special Cumulative Impact Policy within Barrow in Furness Town Centre is essential and will minimize the increased levels of violence and disorder by limiting the possible extension of licensing hours and the increase in the number of licensed premises.

Without such a policy a licencing applicant is only required to consider the four Licensing Objectives relating to their individual premises or it's very near vicinity. They are not currently required to consider the negative impact their businesses may have on the town. No consideration or responsibility has to be given to customer dispersal or any of the extra demands that would be placed on the limited resources or amenities in the area. Any responsibility or contribution ends at their front door.

We would seek to use the policy specifically in those areas of Barrow in Furness which suffer from alcohol related crime and disorder where the nature of the premise does, or is likely to contribute to crime and disorder. We support a mixed night-time economy and would only wish to invoke the policy where there are perceived or known issues.

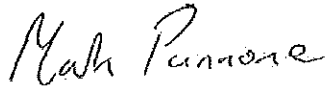
The geographic area of the policy should be extended beyond the immediate problem hotspots of alcohol related anti-social behaviour, and crime and disorder so preventing displacement of the problem. The area we would propose would be bounded by the following: The Craven Park side of Abbey Road from the junction of Abbey Road with Hindpool Road, Collingwood Street, Dryden Street, the railway side of Rawlinson Street, Ramsden Street, The Strand, Hindpool Road back to the junction of Abbey Road with Hindpool Road.

We recognize that licensed premises contribute to the Barrow in Furness economy. However, the situation has reached such a stage that the cumulative impact from their activities is disproportionately affecting the rest of the Borough of Barrow in Furness. The Barrow in Furness Night Time Economy draws valuable resources into the Town Centre at key periods. This means those in genuine need of the Police, Ambulance or Health Care are likely to get a delayed service due to their resources being challenged by drunken violent people.

The Night Time Economy of Barrow in Furness has a direct cost to ALL members of the Borough of Barrow in Furness who pay for the excesses of a minority.

We believe that the adoption of a Special Cumulative Impact Policy would provide a positive message to those running and using the Night Time Economy and show that Cumbria Police and Barrow in Furness Borough Council are serious about keeping people safe and reducing the harm caused by alcohol.

Yours sincerely

A handwritten signature in black ink that reads "Mark Pannone". The signature is written in a cursive style with a large initial 'M'.

Mark Pannone  
Superintendent





# BARROW BOROUGH EVIDENCE IN SUPPORT OF A SPECIAL CUMULATIVE IMPACT POLICY

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## Handling Instructions

- *This report may not be disseminated further without the prior agreement of the originator.*
- *This cover sheet must not be detached from the report to which it refers*

**Author** – Catherine Cooke on behalf of Superintendent Mark Pannone

**Time Period Covered** – 1<sup>st</sup> November 2013- 31<sup>st</sup> October 2014.

**Report Contents: -**

- 1) Purpose of Report
- 2) Background
- 3) The Licensing Act 2003
  - a. Special Cumulative Impact Police and Licensing
  - b. Effect of a Special Policy
  - c. Home Office Guidelines. Steps to be taken
- 4) Identification of concerns with regard to Crime & Disorder
  - a. Problem Identification
  - b. Areas to be covered
    - i. Barrow town centre
- 5) Consultation with other relevant bodies
- 6) Intelligence Unit Report
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- 7) Maps of the defined areas
  - a. Barrow town centre

### 1) Purpose of Report

The purpose of this report is to request that defined areas of Barrow town centre be included within a new special cumulative impact policy. This report is intended to provide evidence and information to the Licensing Committee and Full Council to support this request by providing relevant crime and disorder statistics.

### 2) Background

Under the Licensing Act 2003, there is a presumption to grant all licensing applications. Should any individual premises be identified as being poorly managed then action can be taken to review that licence, based on evidence being presented. There is an expectation that the review of a licence should only take place once all other options have been explored. The Act does not in ordinary circumstances address Crime and Disorder issues which cannot be tied to any individual licensed premises.

Where a specific defined areas has so many licensed premises that it becomes impossible to identify where incidents of crime and disorder originated, then the area may be defined as saturated and a special cumulative impact policy may be included in the Council's Licensing Policy to address the problems.

This report highlights the crime and disorder issues and demand the police and other services associated with the night-time economy within Barrow town centre.

### 3) The Licensing Act 2003.

#### a. Special Policy and Licensing Policy.

A Special Cumulative Impact Policy (SCIP) is not absolute. Each licence application will still be considered on its own merits. Those applications where it can be shown do not have an adverse impact on crime and disorder within the stress area and are unlikely to add to the cumulative impact on the licensing objectives will be considered.

The statement of policy says that Licensing Law is not the primary mechanism for the general control of anti-social behaviour and nuisance by individuals once they are away from the licensed premises and beyond the direct control of the respective business or club holding the licence, certificate or authorisation. Nevertheless, it is a key aspect of such control, and the licensing law will continue to be an integral part of the overall management of the evening and night-time economy in Barrow town.

#### b. Effect of a Special Cumulative Impact Policy

The effect of adopting a SCIP will be to create a rebuttable presumption that an application for a new premises licence, club premises certificate, a variation application or Temporary Event Notice will normally be refused. This special policy will come into effect once a representation has been submitted by a relevant authority or interested party. Whilst such a policy is in place any applicant would have to clearly demonstrate why the operation of those premises would not add to the cumulative impact already being experienced.

#### c. Home Office Guidelines: Steps to be taken.

Guidelines state that certain steps need to be taken when considering whether to adopt a SCIP within the statement of Licensing Policy: -

- Identification of concern about Crime and Disorder or Public Nuisance.
  - Consideration of whether it can be demonstrated that the Crime and Disorder and Public Nuisance are occurring and are caused by customers of licensed premises. If so, then identifying the area or areas from which those problems are arising and the boundaries of the area or areas, or that the risk factors are such that the area or areas are reaching such a point that cumulative impact is imminent.
  - Consultation with other relevant bodies. Subject to that consultation, inclusion of a special policy about future premises licence or club premises certificate applications from within that area or areas within the terms of this guidance in the statement of Licensing Policy; resulting in,
  - The Publication of the SCIP as part of the statement of the Licensing policy.
- 4) Identification of concern with regards to Crime and Disorder Problem Identification.
- a. Problem Identification

In considering whether a SCIP is appropriate for Barrow town centre it needs to be shown that the Crime and Disorder problems are caused by the patrons of a number of premises rather than one individual premise. This includes both the concentration of licensed premises in the affected areas, AND the total impact of these combined licensed premises on Crime and Disorder.

Within Barrow town centre, the majority of the Crime and Disorder problems occur close to licensed premises, but because of their proximity it is not always possible to attribute incidents to the customers from any particular premises. As many of the premises in the town centre are close together and there is a culture of circuit drinking, it is almost impossible to identify which premises may have been visited by one patron during the course of the evening.

Although the current legislation allows the Police to deal with individual premises which may be poorly managed, it does not allow the Police to manage multiple premise or deal with the larger problem of the total impact of having too many licensed premises concentrated into small areas, hence the need for a SCIP.

The area defined for inclusion in a SCIP has been identified through the use of crime analysis figures as having Crime and Disorder issues. The geographical analysis clearly shows a pattern of reported Crime and Disorder in the defined area.

b. Areas to be covered

The attached map (Appendix B) delineates the proposed areas.

Barrow town centre

The town centre, with its large number of licensed premises has high crime and disorder figures and is a heavy drain on police resources. Within the defined stress area there are currently 34 Pubs/bars and nightclubs and 17 late night refreshment premises.

Many of the bars are similar in what they provide, with very little in the way of differentiation. The only way that they can compete is being open later than their competitors. We have found that premises are submitting variation applications and TEN's to extend their hours in an attempt to capture a larger share of the customer base. The

police have been able to object successfully to such applications. This success has been based on both the number of incidents that had occurred at individual venues and the current cumulative impact of incidents in those areas. It has been proven by analysis that if venues remain open longer; the spread of incidents becomes difficult to manage with incidents of violence occurring in to the early hours of the morning.

An additional problem is the number of licensed late night refreshment premises which have proved to be a flash-point for crime and disorder. These premises rely on the custom of patrons from the bars to provide the majority of their customer base. There are growing numbers of these premises which then in turn causes further disturbances as well as litter and individuals vomiting.

Experience has shown that customers are arriving in the town centre much later than pre-Licensing Act 2003, with many of the bars being virtually empty until 11pm. Customers then drink both heavily and quickly and in most cases will have already preloaded at home. Once patrons leave these pubs/clubs they tend to hang around in the town centre even in poor weather conditions, required policing of the area to continue well past the time that many of the bars have closed.

5) Consultation with relevant other bodies.

Section 13 of the Revised Guidance issued under Section 182 of the Licensing Act 2003 and Section 4.7 Barrow Borough Council's Licensing Policy says that before determining that a Special Cumulative Impact Policy is appropriate and necessary, the Local Authority must consult with specific persons and relevant bodies as outlined in the documents.

Prepared by: Catherine Cooke, Area Intelligence Analyst  
Owner: Superintendent Pannone  
Version No: 1  
Date Last Updated: 05/12/2014

## APPENDIX A

*This product has been prepared from police data to show evidence of the Cumulative Impact that the Night Time Economy is having on Barrow town centre. It contains information in an abridged format. The GPMS is 'Not Protectively Marked.'*

### Aim and Purpose

Since 2013, Violent Crime and ASB (Anti-Social Behaviour) has begun to increase in the Barrow area with monthly figures often rising significantly above the three year average. The hot spot area for these crimes/ incidents in Barrow have historically been beats S02, S03 and west end of S04 (Salthouse) - all within the town centre and concentrated around the night time economy. Consequently the aim is to consider if there is evidence to obtain a Special Cumulative Impact Policy (SCIP) to tackle these issues.

The purpose of this document is to identify if Violent Crime and Anti- Social Behaviour is still a problem in Barrow town centre and where/ when the bulk of the crimes/incidents are occurring in order to provide evidence to support the SCIP application and ultimately reduce alcohol related violence and ASB in Barrow.

### Methodology

All crime and incident data has been extracted from SLEUTH crimes using the Area Analyst Extract V1.2 Access Database for the time period 1<sup>st</sup> November 2013 to 31<sup>st</sup> October 2014. The beat codes analysed were S02 to S11 which are the beats in Barrow and the categories were Offences against the person, Sexual Offences and Robbery.

The data for ASB incidents has been extracted from Sleuth Command and Control System with the same parameters. The data has been mapped using Northgate XD software and also formatted within Microsoft Excel for analysis purposes.

Finally Section 27 and now Section 34/35 notices have been extracted from the Section 27 Register 2014 and Section 35 spreadsheet held by Central Services.

### Scope

It is proposed that the SCIP should be that as outlined on the map. For analysis purposes this will be classed as beats S02, S03 and part of S04. It is noted that only the West end of the S04 fits into the proposed area however this is where a large majority of incidents have occurred within that beat area.

### Key Points and Evidence

#### Barrow Borough

- 29.5% of all crime in Barrow Borough were offences against the person
- 37.2% of all crime in Barrow occurred within the proposed SCIP area.

- 39% of all offences against the person in Barrow took place within the proposed SCIP area
- 43.8% of all ASB incidents took place within the proposed SCIP area.

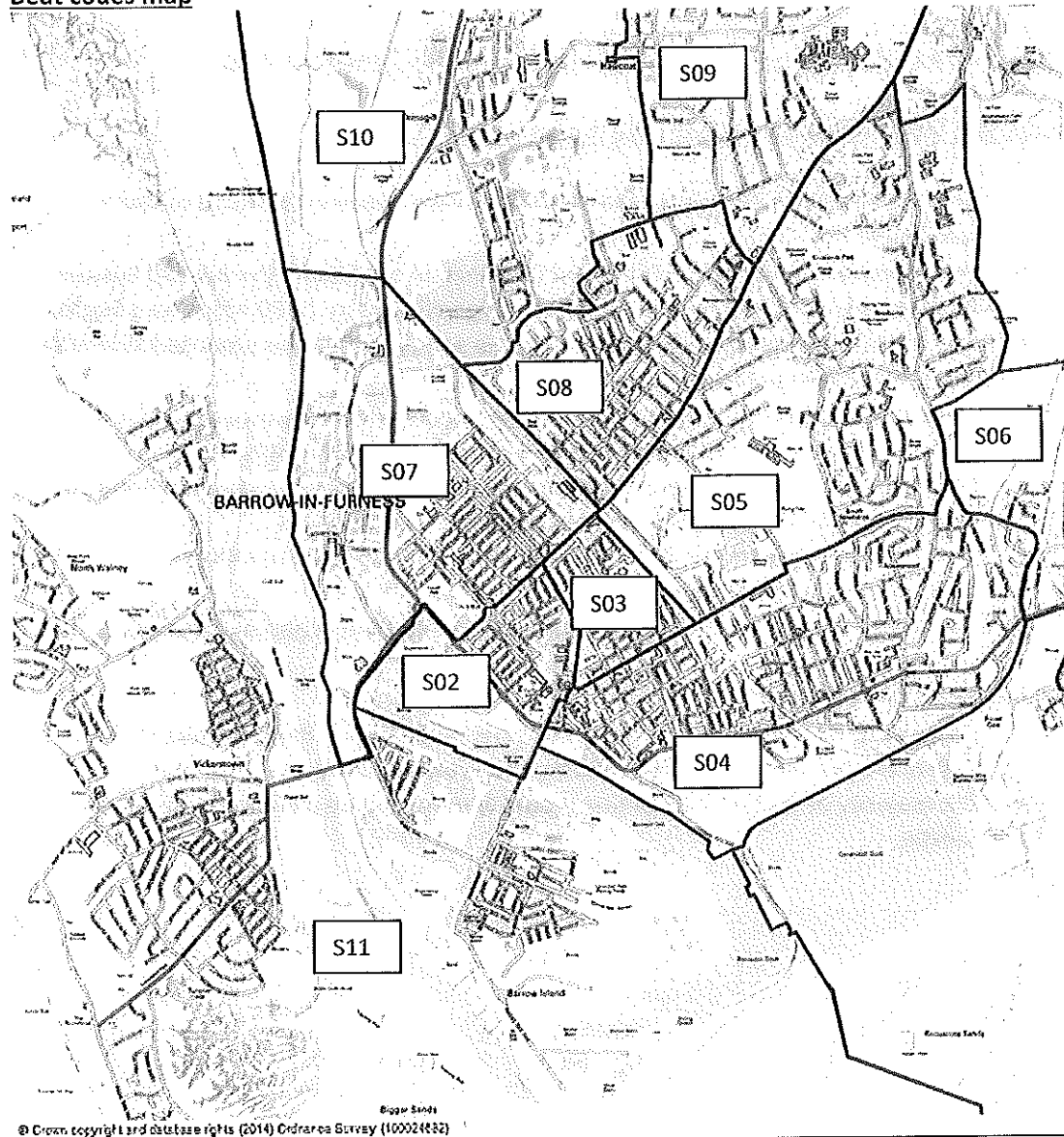
**Beats S02, S03 and S04 (west end) - The Proposed SCIP Area.**

- Nearly 40% of all offences against the person takes place in the town centre at weekends.
- Peak times are between 20:00hrs and 03:00hrs on a Friday/ Saturday and between 21:00hrs and 02:00hrs on a Saturday evening followed by 23:00 hours on a Sunday
- The top 10 premises for offences against the person within the proposed SCIP area were all licensed premises
- The top ten streets for offences against the person within the proposed SCIP area are all in close vicinity of the night time economy establishments.
- The majority of offences against the person were assault with/ assault without injury, however there were 13 Grievous Bodily Harm offences.
- 69.9% of alcohol related Anti-Social Behaviour were licensed premises, supermarkets and fast food outlets.
- The top 10 streets for ASB were all within the night time economy locations.

**Section 27 Banning Orders**

- 90.3% of all Section 27 Banning Orders were issued within Barrow town centre, mainly around the night time economy and licensed premises
- The majority of Section 27 Banning orders were issued on a Friday, Saturday and Sunday.

**Beat codes map**

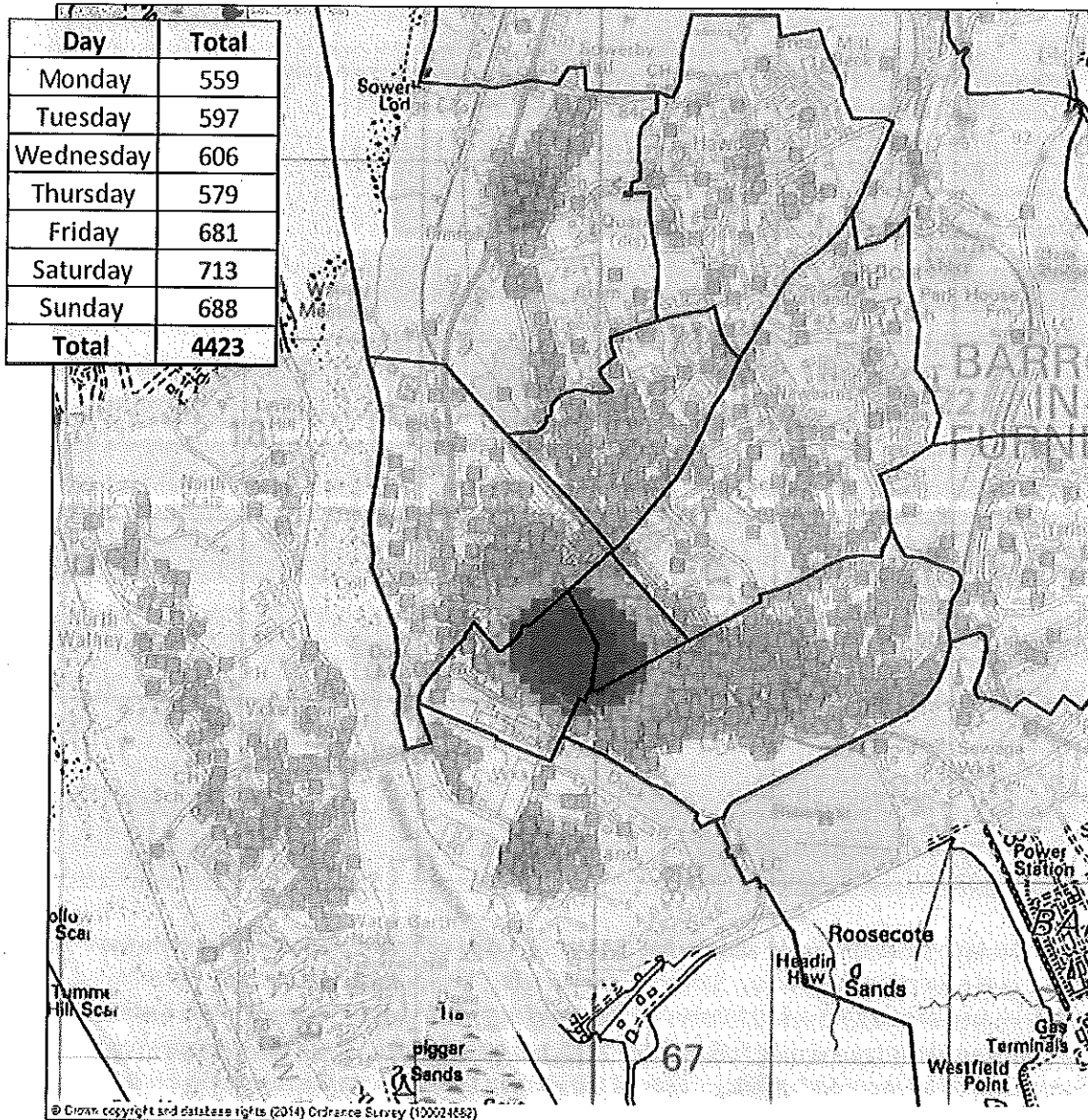


**Key Points and Evidence**

**All Crime – Barrow Borough Beats- S02, S03, S04, S05, S06, S07, S08, S09, S10, S11, S12, S13, S17 and S22.**

Between the 1<sup>st</sup> November 2013 and 31<sup>st</sup> October 2014, there were 4423 crimes recorded in Barrow Borough. This includes all aspects of crime. A total of 1648 or 37.2% of these offences took place within the town beats of S02, S03 and part of S04. This is illustrated on the hot spot map below.



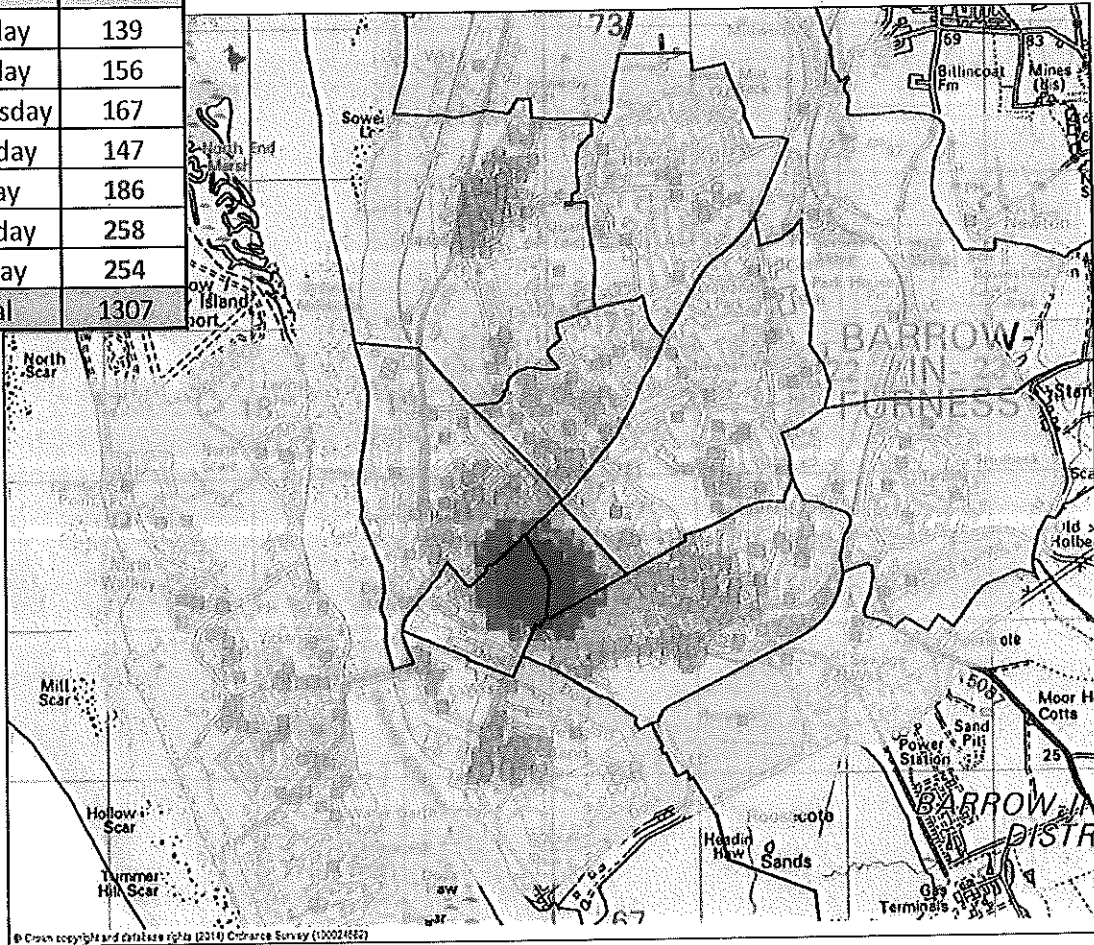


The table above shows the crimes per day based upon the 'Earliest Date Reported' and shows that 2082 or 47% of offences have occurred on Friday, Saturday and Sunday. When the timings of the offences taking place are examined, it can be seen that the busiest days/times are Friday/ Saturday 20:00 to 03:00 hours and Saturday/ Sunday from 21:00hrs to 02:00hrs. These peaks are likely to be as a result of the concentration of violence in the town centre.

**Offences Against The Person- Barrow Borough Beats, S02, S03, S04, S05, S06, S07, S08, S09, S10, S11, S12, S13, S17 and S22.**

A total of 1307 or 29.5% of the crimes recorded between 1<sup>st</sup> November 2013 and 31<sup>st</sup> October 2014 were offences against the person. A total of 511 or 39% of these crimes took place in the town centre beats of S02, S03 and S04 (west end of Salthouse). The hot spot areas are illustrated on the map below:

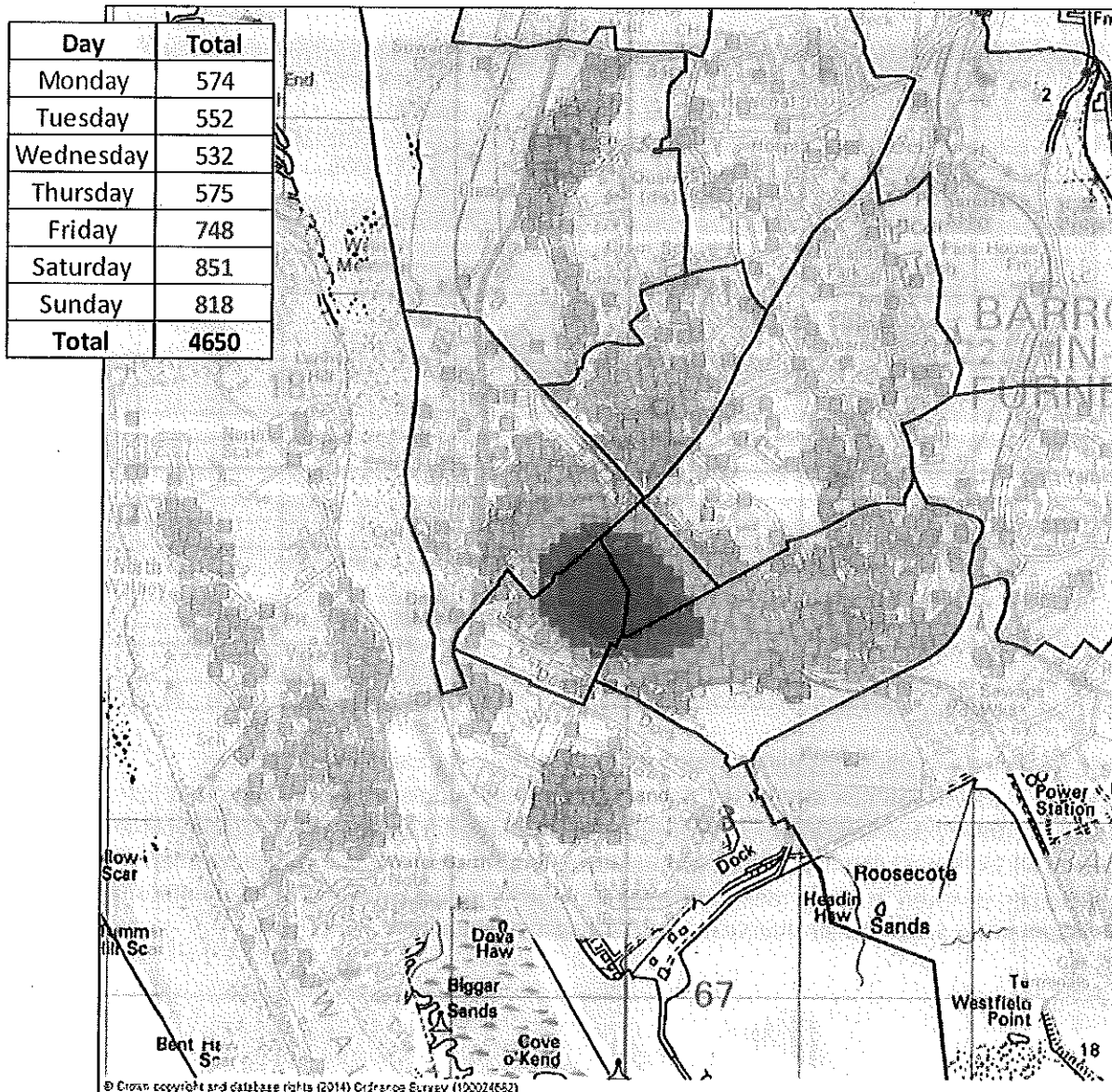
Day	Total
Monday	139
Tuesday	156
Wednesday	167
Thursday	147
Friday	186
Saturday	258
Sunday	254
<b>Total</b>	<b>1307</b>



It can be seen from the table above that 698 or 53.4% of offences against the person took place at the weekend on Friday, Saturday and Sunday. Temporal analysis shows peak in offences between 22:00 and 01:00hrs on a Friday/ Saturday and between 21:00hrs and 02:00hrs on Saturday-evening followed by 22:00hrs on a Sunday. This data indicates that nearly half of all recorded offences against the person take place in Barrow town centre, mainly at the weekends.

**Anti-Social Behaviour- Barrow Borough Beats, S02, S03, S04, S05, S06, S07, S08, S09, S10, S11, S12, S13, S17 and S22.**

The number of ASB incidents were analysed for the same time period and a total of 4650 incidents were recorded. Some 2037 or 43.8% of incidents were recorded as taking place in beats S02, S03 and the west end of S04 (Salhouse). This is illustrated as a hot spot on the map below.



Overall, 967 ASB incidents were marked as alcohol related which contributes to 20.7% of all ASB incidents. A total of 676 incidents or 69.9% of the alcohol related incidents took place in the S02, S03 and the west end of S04. These markers should be used as guidance only as they are under used – the actual figure is likely to be higher.

Temporal analysis shows that incidents of ASB are most prevalent on Friday, Saturday and Sunday with times of incidents peaking between 20:00hrs and 00:00hrs on a Friday/Saturday as well as between 21:00hrs and 02:00hrs on a Saturday/Sunday. Again, this indicates that there is a strong link between the town centre disorder and anti-social behaviour.

**Section 27 Banning Orders**

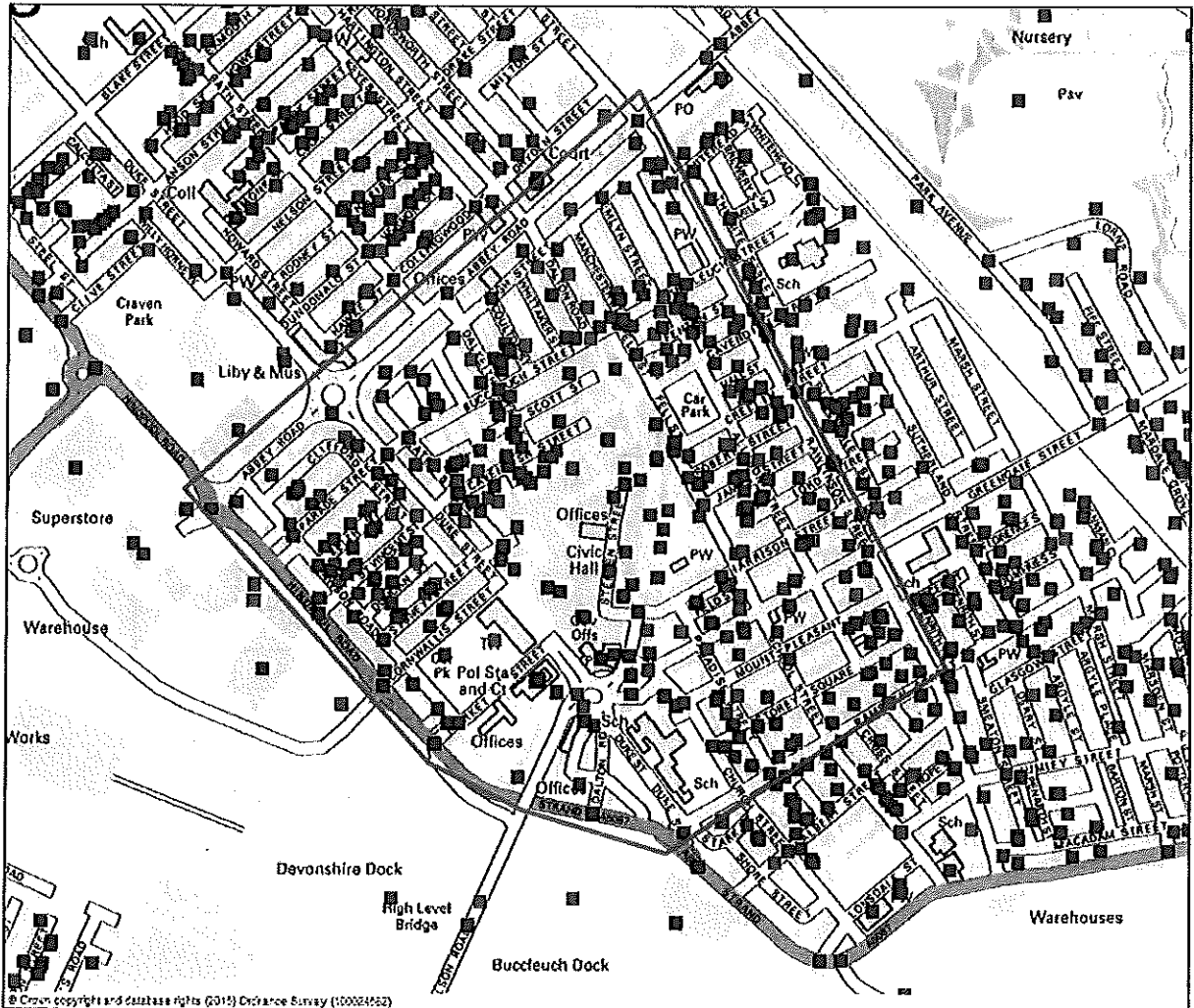
Between 1<sup>st</sup> November 2013 and 19<sup>th</sup> October 2014 (when Section 27 orders were repealed) there have been 280 Section 27 Banning Orders issued in Barrow Borough. A total of 253 or 90.3% of these were issued within the town centre and the table below shows the majority of them were issued in or around licensed premises or the main area of the night time economy.

LOCATION	COUNT	LOCATION	COUNT
CAVENDISH ST	124	THE FURNESS RAILWAY	2
CORNWALLIS ST	23	WILLIAM ST	2
DALKEITH ST	16	YUNGNIE HOUSE, CAVENDISH STREET	2
DUKE ST	9	ANGLE MEADOW LANE	1
ABBAY ROAD	5	ARGYLE ST	1
CROSS KEYS	4	BARROW ARMS, CAVENDISH STREET	1
KINGS ARMS	4	BARROW RAILWAY STATION	1
PRESTON STREET	4	CAVENDISH DOCK ROAD	1
AMBROSE HOTEL	3	CLARENCE HOUSE	1
DALTON ROAD	3	CLUB M	1
LAWSON ST	3	CROSS KEYS, WILLIAM ST	1
MARKET ST	3	FLAT 64, IDENTITY, CAVENDISH ST	1
SLATER STREET	3	LONGWAY	1
ALBION HOTEL	2	NINES, 5 DALKEITH ST,	1
BARROW TOWN	2	NORTH ROW	1
BUCCLEUCH STREET	2	PENRITH ST	1
HOLBECK PARK AVE	2	SOPHIAS, DALTON ROAD, BARROW	1
HORSE AND JOCKEY	2	TAY COURT	1
MANHATTANS, CAVENDISH STREET	2	THE DERBY HOTEL, DALTON ROAD	1
RAILWAY PUB	2	THE KNIGHTS, 2 DALKEITH ST	1
RAMSDEN ST	2	THEATRE HOTEL, CAVENDISH STREET, BARROW	1
RAWLINSON ST	2	TWEED RISE	1
SCOTT ST	2	WELLINGTON HOTEL	1
SKINT, LAWSON STREET	2	WEST SHORE BOWLING CLUB	1

Due to issues with the forms filled in for Section 27 notices, the capability to analyse temporal analysis can't be completed. Day analysis can be completed which shows that 224 of the Section 27 Banning Orders were given on a Saturday and Sunday which contributes to 80% of all Section 27 Banning Orders. During these times there have been a high number of individuals removed from the town centre for 48 hours in order to prevent them committing a violent crime or further alcohol related anti-social behaviour.

**Proposed SCIP Area.**

The map below shows the proposed Special Cumulative Impact Policy Area along with the offences against the person shown by red squares and ASB shown by blue squares. Analysis indicates that this proposed area would capture the part of Barrow town centre where the highest levels of violent crime and ASB are occurring.



**Offences Against The Person – Barrow beats S02, S03 and west end of S04**

Top 10 Premises	
Premise	Count
MANHATTANS	12
BARROW ARMS	12
CLUB M	11
CENTRAL WORKING MENS CLUB	7
THE KNIGHTS	7
BAR FIVE & THE NINES	6
WASHINGTON HOTEL	6
CROSS KEYS	5
KAVANNAS	5
BROADWAY	4

Top 10 Streets	
Premise	Count
CAVENDISH STREET	46
DALTON ROAD	32
MARKET STREET	21
DALKEITH STREET	20
CORNWALLIS STREET	19
LONGWAY	18
MARDALE GROVE	15
GREENGATE STREET	13
DUKE STREET	13
FENTON STREET	12

**ASB- Barrow beats S02, S03 and west end of S04**

TOP 10 PREMISES	
PREMISE	COUNT
BARROW ARMS	22
MANHATTANS	21
MCDONALDS	21
TESCO STORES LTD	17
ST GEORGES HOUSE	14
CLUB M	13
CENTRAL CARS	11
STEELWORKS HOTEL	10
KINGS ARMS HOTEL	10
THEATRE HOTEL	9

TOP 10 PREMISES	
STREET	COUNT
CAVENDISH ST	305
DALTON RD	103
DUKE ST	41
DALKEITH ST	28
MARKET ST	26
SALHOUSE RD	26
CORNWALLIS ST	26
HINDPOOL RD	24
ABBAY RD	20
PORTLAND WALK	18

**Hourly breakdown of offences**

Hour	Total offences
0	234
1	67
2	35
3	17
4	8
5	7
6	2
7	2
8	4
9	6
10	5
11	7
12	3
13	3
14	4
15	11
16	9
17	15
18	12
19	17
20	21
21	21
22	26
23	75
Total	611







**Recommendations:**

- To reduce the risk of a potential rise in the number of violent offences and disorder within Barrow town centre it is strongly recommended that the 'selected' area of Barrow (Map – Appendix B) becomes a Special Cumulative Impact Area in an area already saturated with pubs and clubs and late night refreshment premises.

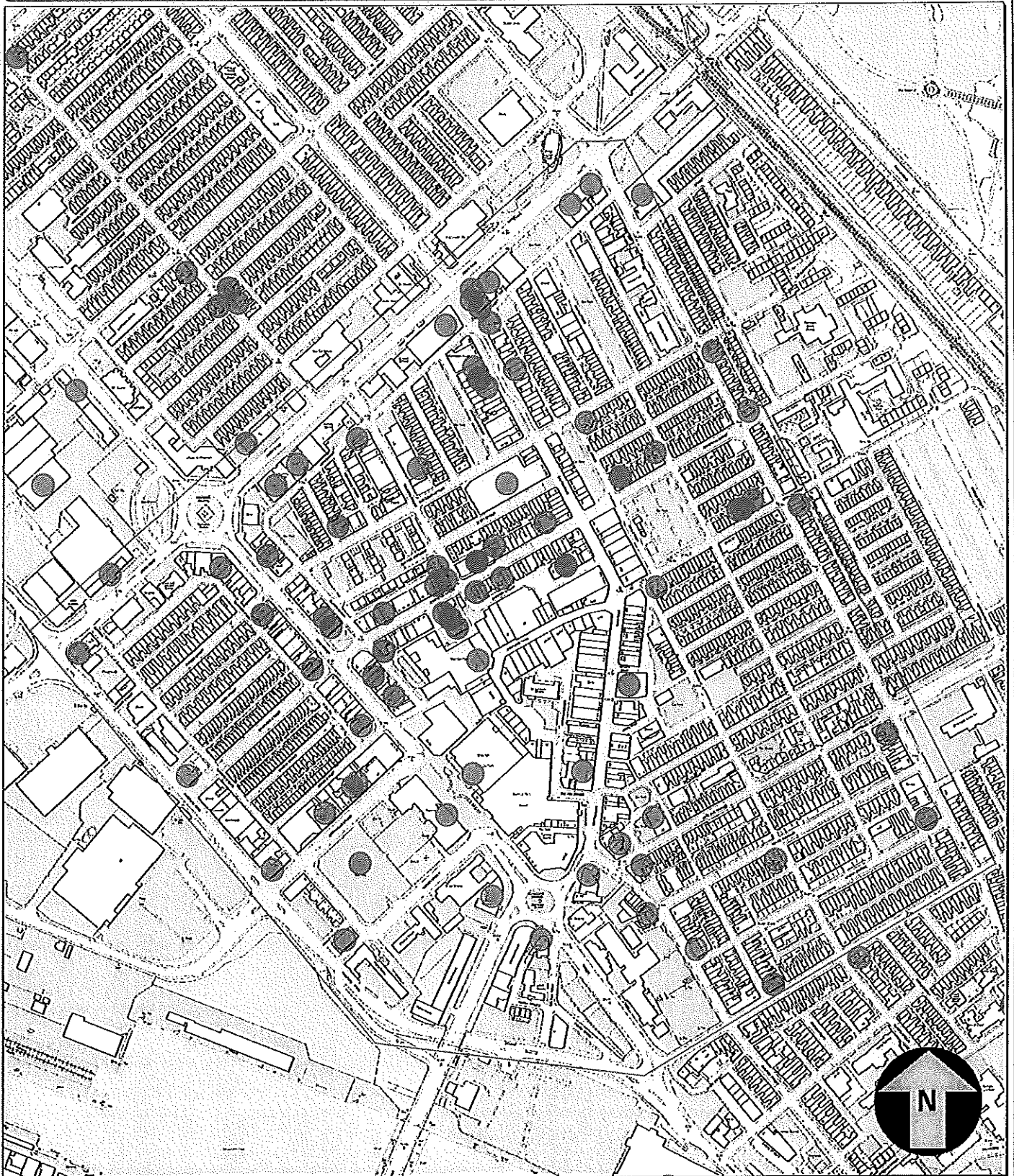
**For awareness:**

This application will not seek to impact on minor variations to premise licenses; changes to designated premise supervisors; or off licence applications.



# Licensed Premises

## Town Centre



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## APPENDIX 7

### Extract from Barrow Council's Statement of Licensing Policy

- 4.7.1 Where the authority receives representations from a responsible authority or an interested party that the cumulative effect of licensed premises is leading to an area becoming saturated with premises the Authority will consider whether or not the granting of additional licences might lead to one or more of the Licensing Objectives being undermined.
- 4.7.2 The authority recognises that the cumulative impact of a number, type and density of licensed premises in a given area, may lead to serious problems of public nuisance and crime & disorder outside and some distance from the premises.
- 4.7.3 Where representations are received from a responsible authority/interested party that an area has become saturated with premises, creating problems of disorder and nuisance over and above the impact from the individual premises, the authority will first consider whether the imposition of conditions is likely to address these problems and, if not, may consider the adoption of a special policy of refusing new premises licences or club premises certificates because the area is saturated with licensed premises and the granting of any more would undermine one of the licensing objectives.
- 4.7.4 The authority will take the following steps when considering whether to adopt a special saturation policy:
- identify serious and chronic concerns from a responsible authority or representatives of residents about nuisance and disorder
  - where it can be demonstrated that disorder and nuisance is arising as a result of customers from licensed premises, identifying the area from which problems are arising and the boundaries of that area
  - assessing the causes
  - adopting a policy about future licence applications from that area
- 4.7.5 A saturation policy will only be adopted where there is clear evidence to support any assertion that the addition of the premises in question would produce the cumulative impact claimed, taking into account that the impact will be different for premises with different styles and characteristics.
- 4.7.6 The authority recognises the diversity of licensed premises and will have full regard to those differences and the differing impact each has on the local community.
- 4.7.7 It therefore also recognises that, within this policy, it may be able to approve licences that are unlikely to add significantly to the saturation, and will consider the circumstances of each individual application.

4.7.8 Evidence of demand or need (or lack of the same) will not be considered.

4.7.9 Other mechanisms for controlling cumulative impact include:

- planning controls
- positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority;
- the provision of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols;
- powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly;
- police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
- the prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk;
- the confiscation of alcohol from adults and children in designated areas;
- police powers to close down instantly for up to 24 hours any licensed premises or temporary event on grounds of disorder, the likelihood of disorder or noise emanating from the premises causing a nuisance;
- the power of the police, other responsible authorities or a local resident or business to seek a review of the licence or certificate in question.

These may be supplemented by other local initiatives that similarly address these problems.

#### Reason

It is not the policy of the Authority to seek to limit the number of licensed premises, which will be permitted because there are already enough licensed premises to satisfy the demand. That is not a matter for the Authority.

The 'cumulative impact' of the granting of an additional licence on the promotion of the Licensing Objectives is, however, a proper matter for the authority to consider under this policy and the authority may adopt a Special Saturation Policy.

The impact from licensed premises increases considerably in areas where there are concentrations of such premises. The adverse effects from licensed uses are particularly acute in some areas of the District both in and around town centres and elsewhere.

## APPENDIX 8

### Extract from National Guidance

13.19 "Cumulative impact" is not mentioned specifically in the 2003 Act. In this Guidance, it means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. The cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for a licensing authority to consider in developing its licensing policy statement. Cumulative impact policies may relate to premises licensed to carry on any licensable activity, including the sale of alcohol for consumption on or off the premises, and the provision of late night refreshment. This includes late night fast food outlets which are not licensed to sell alcohol.

13.20 In some areas, where the number, type or density of premises selling alcohol or providing late night refreshment is high or exceptional, serious problems of nuisance and disorder may be arising or have begun to arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport. Licensing authorities should consider whether the number of fast food outlets or off licences in an area contribute to these problems, and may choose to include them in their cumulative impact policy.

13.21 Queuing in itself may lead to conflict, disorder and anti-social behaviour. Moreover, large concentrations of people may also increase the incidence of other criminal activities such as drug dealing, pick pocketing and street robbery. Local services such as public transport services, public lavatory provision and street cleaning may not be able to meet the demand posed by such concentrations of drinkers leading to issues such as street fouling, littering, traffic and public nuisance caused by concentrations of people who cannot be effectively dispersed quickly.

13.22 Variable licensing hours may facilitate a more gradual dispersal of customers from premises. However, in some cases, the impact on surrounding areas of the behaviour of the customers of all premises taken together will still be greater than the impact of customers of individual premises. These conditions are more likely to arise in town and city centres, but may also arise in other urban centres and the suburbs, for example on smaller high streets with high concentrations of licensed premises.

Evidence of cumulative impact.

13.23 There should be an evidential basis for the decision to include a special policy within the statement of licensing policy. Local Community Safety Partnerships and responsible authorities, such as the police and the local authority exercising environmental health functions, may hold relevant information which would inform licensing authorities when establishing the evidence base for introducing a special policy relating to cumulative impact into their licensing policy statement. Information which licensing authorities may be able to draw on to

evidence the cumulative impact of licensed premises on the promotion of the licensing objectives includes:

local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;

- statistics on local anti-social behaviour offences;
- health-related statistics such as alcohol-related emergency attendances and hospital admissions;
- environmental health complaints, particularly in relation to litter and noise;
- complaints recorded by the local authority, which may include complaints raised by local residents or residents' associations;
- residents' questionnaires;
- evidence from local councillors; and
- evidence obtained through local consultation.

13.24 The licensing authority may consider this evidence, alongside its own evidence as to the impact of licensable activities within its area, and consider in particular the times at which licensable activities are carried on. Information which may inform consideration of these issues includes:

- trends in licence applications, particularly trends in applications by types of premises and terminal hours;
- changes in terminal hours of premises;
- premises' capacities at different times of night and the expected concentrations of drinkers who will be expected to be leaving premises at different times.

13.25 Where existing information is insufficient or not readily available, but the licensing authority believes there are problems in its area resulting from the cumulative impact of licensed premises, it can consider conducting or commissioning a specific study to assess the position. This may involve conducting observations of the night-time economy to assess the extent of incidents relating to the promotion of the licensing objectives, such as incidences of criminal activity and anti-social behaviour, examples of public nuisance, specific issues such as underage drinking and the key times and locations at which these problems are occurring.

13.26 In order to identify the areas in which problems are occurring, information about specific incidents can be mapped and, where possible, a time analysis undertaken to identify the key areas and times at which there are specific issues.

13.27 After considering the available evidence and consulting those individuals and organisations listed in section 5(3) of the 2003 Act and any others, a licensing authority may be satisfied that it is appropriate to include an approach to cumulative impact in its licensing policy statement. The special policy should also be considered alongside local planning policy and other factors which may assist in mitigating the cumulative impact of licensed premises, as set out in paragraph 13.39. When the licensing authority decides to introduce an approach to cumulative impact, it may decide it is appropriate to indicate in its statement that it is adopting a special policy whereby, when it receives relevant representations, there is a rebuttable presumption that, for example, applications or variation applications



which seek to extend the sale or apply of alcohol or provision of late night refreshment are refused or subject to certain limitations.

### **Steps to a special policy**

13.28 The steps to be followed in considering whether to adopt a special policy within the statement of licensing policy are summarised below.

- Identify concern about crime and disorder; public safety; public nuisance; or protection of children from harm.
- Consider whether there is good evidence that crime and disorder or nuisance are occurring, or whether there are activities which pose a threat to public safety or the protection of children from harm.
- If such problems are occurring, identify whether these problems are being caused by the customers of licensed premises, or that the risk of cumulative impact is imminent.
- Identify the boundaries of the area where problems are occurring (this can involve mapping where the problems occur and identifying specific streets or localities where such problems arise).
- Consult those specified in section 5(3) of the 2003 Act, and subject to the outcome of the consultation, include and publish details of the special policy in the licensing policy statement.

### **Effect of special policies**

13.29 The effect of adopting a special policy of this kind is to create a rebuttable presumption that applications for the grant or variation of premises licences or club premises certificates which are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations, following relevant representations, unless the applicant can demonstrate in the operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives. Applicants should give consideration to potential cumulative impact issues when setting out the steps they will take to promote the licensing objectives in their application.

13.30 However, a special policy must stress that this presumption does not relieve responsible authorities (or any other persons) of the need to make a relevant representation, referring to information which had been before the licensing authority when it developed its statement of licensing policy, before a licensing authority may lawfully consider giving effect to its special policy. If there are no representations, the licensing authority must grant the application in terms that are consistent with the operating schedule submitted.

13.31 Once adopted, special policies should be reviewed regularly to assess whether they are needed any longer or if those which are contained in the statement of licensing policy should be amended.

13.32 The absence of a special policy does not prevent any responsible authority or other person making representations on an application for the grant or variation of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.

13.33 Special policies may apply to the impact of a concentration of any licensed premises, including those licensed for the sale of alcohol on or off the premises, and premises licensed to provide late night refreshment. When establishing its evidence base for introducing a special policy, licensing authorities should be considering the contribution to cumulative impact made by different types of premises within its area, in order to determine the appropriateness of including different types of licensed premises within the special policy.

13.34 It is recommended that licensing authorities should publish contact points in their statements of licensing policy where members of public can obtain advice about whether or not activities should be licensed.

### **Limitations on special policies relating to cumulative impact**

13.35 A special policy should never be absolute. Statements of licensing policy should always allow for the circumstances of each application to be considered properly and for applications that are unlikely to add to the cumulative impact on the licensing objectives to be granted. After receiving relevant representations in relation to a new application for or a variation of a licence or certificate, the licensing authority must consider whether it would be justified in departing from its special policy in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. For example, while a large nightclub or high capacity public house might add to problems of cumulative impact, a small restaurant or a theatre may not. If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.

13.36 Special policies should never be used as a ground for revoking an existing licence or certificate when representations are received about problems with those premises. Where the licensing authority has concerns about the effect of activities at existing premises between midnight and 6am on the promotion of the licensing objectives in a specific area, it may introduce an Early Morning Alcohol Restriction Order (EMRO) if there is sufficient evidence to do so (see chapter 16). The "cumulative impact" on the promotion of the licensing objectives of a concentration of multiple licensed premises should only give rise to a relevant representation when an application for the grant or variation of a licence or certificate is being considered. A review must relate specifically to individual premises, and by its nature, "cumulative impact" relates to the effect of a concentration of many premises. Identifying individual premises in the context of a review would inevitably be arbitrary.

13.37 Special policies can also not be used to justify rejecting applications to vary an existing licence or certificate except where those modifications are directly relevant to the policy (as would be the case with an application to vary a licence with a view to increasing the capacity limits of the premises) and are strictly appropriate for the promotion of the licensing objectives.

13.38 Every application should still be considered individually: Therefore, special policies must not restrict such consideration by imposing quotas – based on either the number of premises or the capacity of those premises. Quotas that indirectly have the effect of predetermining the outcome of any application should not be used because they have no regard to the individual characteristics of the premises concerned.

### **Other mechanisms for controlling cumulative impact**

13.39 Once away from the licensed premises, a minority of consumers will behave badly and unlawfully. To enable the general public to appreciate the breadth of the strategy for addressing these problems, statements of policy should also indicate the other mechanisms both within and outside the licensing regime that are available for addressing such issues. For example:

- planning control;
- positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority;
- the provision of CCTV surveillance in town centres, taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols;
- powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly;
- the confiscation of alcohol from adults and children in designated areas;
- police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
- prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale);
- police powers to close down instantly for up to 24 hours (extendable to 48 hours) any licensed premises in respect of which a TEN has effect on grounds of disorder, the likelihood of disorder, or noise emanating from the premises causing a nuisance; and
- the power of the police, other responsible authorities or other persons to seek a review of a licence or certificate.
- Raising a contribution to policing the late night economy through the Late Night Levy.
- Early Morning Alcohol Restriction Orders (see Chapter 16).

13.40 As part of its licensing policy, the licensing authority may also wish to consider the use of alternative measures such as fixed closing times, staggered closing times and zoning within its area, providing such mechanisms are justified on the basis of the licensing objectives and are only presumptive, with final decisions continuing to be made in relation to individual premises on a case by case basis in accordance with what is appropriate to promote the licensing objectives. The licensing authority would be expected to include its intention to use such measures in its statement of licensing policy and justify doing so in order to orchestrate closing times so as to manage problems in the night-time economy based on the promotion of the licensing objectives. As with the creation of a CIP, the use of such mechanisms would create a rebuttable presumption and would apply in the event of representations being received.

