

BOROUGH OF BARROW-IN-FURNESS
LICENSING REGULATORY COMMITTEE

Meeting: Thursday 17th December, 2015
at 2.05 p.m. (Drawing Room)

PRESENT:- Councillors Callister (Chairman), Seward (Vice-Chairman), Biggins, Bleasdale, Derbyshire, Gill, Maddox, Opie and Wall.

Also Present:-

Barrow Borough Council

Anne Pearson (Environmental Health Manager)
Graham Barker (Principal Environmental Protection and Licensing Officer)
Richard Garnett (Principal Environmental Health Officer)
Jennifer Curtis (Senior Licensing Officer)
Jane Holden (Acting Principal Legal Officer)
Sharron Rushton (Democratic Services Officer)
Paula Westwood (Democratic Services Officer)
Liam Casson (Trainee Environmental Health Officer).

Others

Paul O'Donnell (Local Authority Retained Solicitor)
Matthew Brash (Retained Veterinary Consultant)
Inspector Paul Telford (Cumbria Constabulary)

South Lakes Safari Zoo Ltd

Karen Brewer (Marketing and Development Manager)
Ms Christina Fischer (Animal Manager)
Mrs Frieda Rivera-Schreiber (Director of Veterinary Services)
John McIntosh (Resource Manager)

35 – 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 item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 2 (Minute No. 39) of Part One of Schedule 12A of the said Act.

36 – Apologies for Absence/Attendance of Substitute Members

Apologies for absence were received from Councillors Heath, W. McClure and Proffitt.

Councillor Gill had attended as a substitute for Councillor Heath for this meeting only.

37 – Minutes

The Minutes of the Licensing Regulatory Committee meeting held on 12th November, 2015 were taken as read and confirmed.

38 – Zoo Licensing Act 1981 (as amended) - Zoo Licence for South Lakes Safari Zoo Ltd – Non-Compliance with Conditions

Mr David Stanley Gill holds a zoo licence issued on 8th June, 2010 to operate a zoo at premises known as South Lakes Safari Zoo Ltd, Crossgates, Dalton-in-Furness, Cumbria, LA15 8JR.

On 28th and 29th January, 2014, a Special Inspection was carried out at The Zoo and the results of the inspection were brought to a special meeting of the Licensing Regulatory Committee on 23rd June, 2014 following which Members resolved on 1st July, 2014 to place 11 additional conditions on the zoo licence.

The Zoo had been subject to 3 Special Inspections (11th November, 2014, 26th February, 2015, and 23rd April, 2015) to assess compliance with a number of these conditions. The results of these inspections were reported to the Licensing Regulatory Committee on 13th August, 2015 and the Committee resolved to make alterations to the zoo licence.

Three of these alterations involved conditions:

- **20(a)** – Removal of the muck heap away from the moat in the African Field;
- **21** – Survey of the wooden public walkways; and
- **23** – Firearms protocol and training.

A Periodical Inspection of the zoo had now taken place (17th and 18th November, 2015) and this had revealed that the three above-mentioned conditions had not been complied with in relation to the deadlines set by the Committee. The three conditions and details of the non-compliance along with Officer recommendations were attached to the report for information.

The report had recommended that 3 Direction Orders be served on South Lakes Safari Zoo Ltd due to continued non-compliance with existing conditions on the Zoo Licence.

The 3 Direction Orders outlined in the Environmental Health Manager's report had been discussed in detail and each of the parties concerned had been given the opportunity to make representations and ask questions.

During the course of the meeting, at relevant points, all parties with the exception of the Committee Members, Paul O'Donnell (Solicitor), Jane Holden (Acting Principal Legal Officer), Sharron Rushton (Democratic Services Officer) and Paula Westwood (Democratic Services Officer) withdrew and were re-admitted to the meeting following the Committee's deliberations.

RESOLVED:-

- (A) Condition 20(a) – To agree that the Committee elevate Condition 20(a) to a Direction Order with a compliance deadline of 28 days. The Zoo must inform the Council, in writing, when the works are completed;

In accordance with Section 15.6 of the Council's Constitution, Councillor Biggins requested his vote against the decision be recorded.

- (B) Condition 21 – To agree that the Committee elevate Condition 21 to a Direction Order with a compliance deadline of 28 days and that the Direction Order required all wooden walkways and wooden platforms to be closed to the public until the Direction Order was lifted;
- (C) Condition 23 – To agree that no further action be taken, that the deadline be extended to 1st April 2016 and a progress report be taken back to Committee at this time.

39 – Renewal Application for a Hackney Carriage Drivers Licence

The Senior Licensing Officer reported on a renewal application she had received for a Hackney Carriage Drivers Licence. She submitted information which had been drawn to her attention concerning the applicant and set out details of the Committee's policy regarding such matters.

The applicant attended the meeting to address the Committee.

RESOLVED:- To agree to refuse the application.

40 – Withdrawn Item

The following item had been withdrawn from the Agenda:-

Zoo Licence Act 1981 (as amended) - Zoo Licence for South Lakes Safari Zoo Ltd – Application to Transfer Zoo Licence.

The meeting closed at 4.20 p.m.