

LICENSING REGULATORY COMMITTEE	<u>Part One</u> (D) Agenda Item 6
Date of Meeting: 9th May, 2017	
Reporting Officer: Principal Environmental Protection & Licensing Officer	
<p>Title: Zoo Licensing Act 1981 (as amended) Zoo Licence for South Lakes Safari Zoo Ltd</p> <p>Original Licence Application (pursuant to s.2 Zoo Licensing Act 1981) – Cumbria Zoo Company Limited</p> <p>Summary & Purpose of the Report</p> <p>On the 12th January 2017 Cumbria Zoo Company Limited (“CZCL”) submitted a valid application for an original licence to operate a zoo at premises known as South Lakes Safari Zoo, Melton Terrace, Lindal-in-Furness, Cumbria, LA12 0LU. The necessary inspection of the Zoo was undertaken on 16th, 17th and 18th January 2017 in parallel to an inspection which was undertaken for the fresh licence application from the current licence holder, Mr David Gill.</p> <p>Inspectors verbally recommended on 18th January 2017 that CZCL be refused a licence at that time, and CZCL subsequently withdrew their application.</p> <p>On 23rd January 2017 the Council received a further valid application from Cumbria Zoo Company Limited for an original licence to operate South Lakes Safari Zoo. An inspection was carried out on the 13th & 14th March 2017, resulting in the Zoo Inspectors recommending that an original licence should be granted. Members should note that an original licence will last for 4 years.</p> <p>S.4(1) Zoo Licensing Act 1981 (“the Act”) confirms that before granting or refusing to grant a licence for a zoo, the local authority shall consider inspectors’ reports made in pursuance on inspections of the zoo under the Act.</p> <p>The purpose of this report is for Members to determine this application.</p>	

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1. Background

- 1.1. South Lakes Safari Zoo (“the Zoo”) (formerly named South Lakes Wild Animal Park) has been licensed as a zoo under the Act since 1994. The current licence was granted on 8th June 2010 for a period of 6 years.
- 1.2. At a hearing on the 5th - 7th July 2016 the Licensing Regulatory Committee refused to grant the renewal of Mr David Gill’s licence and directed him to apply within 6 months for a fresh licence in accordance with s.6(1)(b) of the Act.
- 1.3. On the 28th October 2016, Mr David Gill gave the Council notice (pursuant to s.2(1) of the Act) of his intention to apply and submitted his application for a fresh licence on the 6th January 2017.
- 1.4. Pursuant to s.6(2) of the Act where an application for a fresh licence is made by the holder of an existing licence, before the end of that licence or within 6 months of receiving notice to apply, then the existing licence shall continue in force until the application for a fresh licence is either disposed of or withdrawn.
- 1.5. On the 4th November 2016 a company controlled by existing employees of the Zoo known as Cumbria Zoo Company Limited (“CZCL”) gave the Council notice of their separate intention to apply for a zoo licence to operate South Lakes Safari Zoo. This was deemed valid on the 10th November 2016. As a result, the earliest date on which an original application for a zoo licence could be made pursuant to s.2(1) of the Act was 11th January 2017.
- 1.6. CZCL have subsequently made two applications for an original zoo licence;

The first application was made on 12th January 2017 which was subsequently withdrawn following an adverse report from Inspectors following their inspection of the Zoo between the 16th and 18th January 2017 (**See APPENDIX A**).

The second application (**See APPENDIX B**) was made on 23rd January 2017 which now forms the basis of today’s application for which a subsequent inspection was undertaken on 13th and 14th March 2017.
- 1.7. On the 6th March 2017 the Licensing Regulatory Committee refused to grant the fresh licence application from Mr Gill. This decision was appealed by Mr Gill on the 30th March 2017 and will be subject of a Case Management Hearing at Furness Magistrates Court on 4th May 2017.

Additionally on 6th March 2017 the Committee made a Zoo Closure Direction Order pursuant to s.16B(4) for the whole zoo having determined that a Direction Order made under s.16A(2) which required a change in management had not been complied with. This decision has also been appealed and will be subject to the same Case Management Hearing at Furness Magistrates Court on 4th May 2017. The affect of the Order remains suspended until determination of the appeal.

The Zoo can remain open to the public until Mr Gill's appeal against refusal of his fresh licence application is determined.

2. Original Licence Applications

2.1. Section 2(1) of the Act states that an application shall not be entertained unless at least two months before making it, the applicant has:-

- (i) Given notice in writing to the Local Authority;
- (ii) Published notice of that intention [in the required newspapers];
- (iii) Exhibited a copy on site; and
- (iv) Stated that the notice to the local authority may be inspected.

2.2. Section 3(1) of the Act states that the local authority shall take into account any representations made by or on behalf of any of the persons mentioned in subsection (2). The relevant persons in subsection (2) are:-

- (a) the applicant;
- (b) the chief officer of police (or in Scotland the chief constable) for any area in which the whole or any part of the zoo is situated;
- (c) the relevant fire and rescue authority;
- (d) the governing body of any national institution concerned with the operation of zoos;
- (f) any person alleging that the establishment or continuance of the zoo would injuriously affect the health or safety of persons living in the neighbourhood of the zoo;
- (g) any other person whose representations might, in the opinion of the local authority, show grounds on which the authority has a power or duty to refuse to grant a licence.

A public consultation has taken place between the 23rd January 2017 and 28th February 2017.

2.3. Ss.4(1) and (1A) of the Act requires that before granting or refusing to grant a licence for a zoo, the local authority shall:

- (1) (a) Consider inspectors' reports made in pursuance of inspections of the zoo under this Act.
- (1A) (a) Consult the applicant about the conditions they propose would be attached to the licence, if one were granted, under section 5(2A) and (if applicable) section 5(3); and
- (1A) (b) Make arrangements for an inspection to be carried out in accordance with section 9A.

2.4. Section.9A(7) requires the Inspectors to be nominated, after consultation with the local authority, by the Secretary of State from the list of 25 approved inspectors. The Secretary of State nominated inspectors were:

- Professor Anna Meredith; MA VetMB PhD CertLAS DZooMed DipECZM MRCVS
- Nick Jackson MBE, Director of the Welsh Mountain Zoo.

Local Authority representatives also attended the inspection and comprised of:

- Dr Matthew Brash; B.Vet.Med Cert Zoo Med MRCVS Council's Veterinary Advisor,
- Anne Chapman; BSc Env. Health MCIEH Environmental Health Manager,
- Graham Barker; MSc Env. Health Principal Environmental Protection & Licensing Officer.

2.5. When a local authority resolves to grant an original licence under s.4 they may attach conditions pursuant to s.5(3) of the Act that they think necessary or desirable for ensuring the proper conduct of the zoo during the period of the licence .

2.6. Pursuant to s.4(1A)(a) the local authority consulted with the applicant (CZCL) on the 20th December 2016, on the proposed conditions to be attached to the zoo licence. The proposed conditions were a duplication of the conditions attached to the existing licence held by Mr Gill at that time . No representations were received from CZCL; therefore the Secretary of State Inspectors assessed compliance with those conditions at their inspection pursuant to s.4(1A)(b).

2.7. S.18(1)(a) of the Act contains the right of appeal against a decision not to grant a licence . S.18(2) requires an appeal to be brought within 28 days from the date on which the licence holder receives the written notification of the local authority's decision.

Pursuant to s.18(3) a Magistrates Court may confirm, vary or reverse the local authority's decision or generally give directions as it thinks proper having regard to the provisions of the Act.

3. Cumbria Zoo Company Limited

- 3.1. Cumbria Zoo Company Ltd (CZCL) was formed in October 2016 and has operated South Lakes Safari Zoo (“the Zoo”), under the licence held by Mr David Gill since the 12th January 2017, when leases and service agreements were signed.
- 3.2. CZCL have published the following Mission Statement (within their application - Document 7), the full Mission Statement is attached at **APPENDIX C**.

“CUMBRIA ZOO COMPANY aims to provide a first-class zoo experience dedicated to inspire in people a respect for animals, the environment and the world in which we live, delivered through authentic experiences and sustainable practices.”

- 3.3. CZCL are a registered company with Companies House, incorporated on 12th October 2016. Information from their application form and Companies House, confirm the following ‘Officers’

Chairman	LAMBERT, Stewart David
Chief Executive Officer	BREWER, Karen
Directors	
Accountant	BIRKETT, Jayne
Animal Manager	BANKS, Kim Zee
Deputy Animal Manager	BLACK, Katherine Emma Sarah
H&S Coordinator	GILLARD, Anna Elizabeth
Maintenance Manager	STEEL, Adam Peter
Head of WWS	WALKER, Yasmin Nastasja

- 3.4. Ownership details and pen portraits were submitted by CZCL as part of their representation and response to the March 2017 inspection report.

“COMPANY OWNERSHIP

CZCL is a Limited Liability Company based in Dalton in Furness owned by shareholders. Shareholding has been offered to a number of individuals with a diverse range of individual experiences and qualities and experience of Safari Zoo and knowledge and experience of operational zoos all of which are committed to ensuring the continued success of the zoo.

<i>Stewart Lambert</i>	<i>Karen Brewer</i>	<i>Yaz Walker</i>	<i>Kim Banks</i>
<i>Kathy Black</i>	<i>Jayne Birkett</i>	<i>Adam Steel</i>	<i>Anna Gillard</i>

MANAGEMENT TEAM

The current management team as portrayed in the organisational chart is experienced to deliver the business goals. Advisory consultants in the form of

Andreas Kauffman and Jonathan Cracknell have been involved. Andreas as a consultant advisor to the Animal Department, Jon Cracknell to ensure zoo licence compliance and systems and to assist in the application for the new licence, in the new company name. Both consultants are highly qualified and are of good standing and recognized by the inspection team and have met council officers. Andrew Greenwood of International Zoo Veterinary Group a vital support to both the animal and vet department.”

“PEN PORTRAIT DIRECTORS OF CUMBRIA ZOO COMPANY LIMITED

Stewart Lambert

My name is Stewart Lambert, I am 58 years old and I have been farming on our family farm for 42 years, educated at Queen Elizabeth School, Kirkby Lonsdale and at Newton Rigg College of Agriculture.

I was a member of Lunesdale YFC both at club and county level and served on the management team of Kirkby Lonsdale Youth Centre for 5 years as chairman until its closure due to youth service cutbacks. I have always put a high value on education, being a Governor at St Mary’s Primary School for 20 years doing a 4-year term as vice and Chair of Governors. I have hosted and arranged farm visits around our farm for nursery classes, schools, colleges, farmers discussion groups and WI’s and I am still presently actively involved in hosting and giving talks.

I have known Safari Zoo since its creation, advising on good farming practice and being involved with the acquisition of vehicles and machinery to ensure safe operation.

Karen Brewer

My Family have lived on Barrow Island for generations and I was born in Barrow in Furness moving away as a baby as my father served in the Armed forces and we travelled as a family all over the world. My main schooling, “O” levels and “A” levels, was at the Bar Convent Grammar School in York and after which I travelled and worked before returning to the local area a few years ago when I joined Safari Zoo as Education Officer, making use of my research focussed degree. I dislike zoos and the idea of animals in captivity, but am not naïve enough to not see the worth and value of good zoos and the difference they can and need to make in the realms of education & conservation. I have 15 years’ experience of working in the zoo environment at different levels from Education Officer, through to the position I hold today. I have seen the good and the bad and know we have a fabulous opportunity to build on that good.

I am well organised, like systems and processes and my role in this new company is to bring that all together to make sure we are maintaining targets – budgetary and other, deadlines, ensuring compliance within legal

frameworks, and to help develop new internal and external relationship. I have been involved in the Zoo licencing aspect of the Company for c 3years and confident in my position to manage the zoo and positive in the management structure and confident the changes we are making to the animal department will result in a team which will take Safari Zoo from strength to strength.

I work well with the team of staff and take an active role in all day to day management. This new company team are determined to succeed, we feel like a family and that's why people are so invested to make it succeed. As a director of I am enthusiastic in my role in helping to carry the Safari Zoo forward by being actively involved in maintaining and promoting this exciting visitor attraction in the Furness Peninsular.

Jayne Birkett MAAT

Jayne is the company's financial Director but plays a crucial role in the management team bringing her vast experience to the table across all departments.

My name is Jayne Birkett I have worked at the zoo for 4 years, leaving for a short period before returning to join Cumbria Zoo Company in February 2017 to take up the role of Finance Director. I oversee finances and am the point of contact for banks, HMRC etc

My family are from Barrow in Furness where I was born and brought up, I joined the Army in 1996 and travelled overseas where I managed people from all different backgrounds, I returned to Barrow in 2003 with my family living with the Hawcoat ward. My background is in accounts and administration whereby I am qualified up to AAT Level 4, also in Business Administration and Computers.

I am a logical thinker, business minded and calm under pressure. This allows me to put a measured response forward and to look at things on a broad spectrum.

Adam Steel

Taking a proactive role in all aspects of CZCL, the experience and skills, personal and practical Adam brings to the team make him a crucial part of the management team.

I have worked as maintenance manager at Safari Zoo for over 8 years and have a thorough working knowledge of the workings of the zoo. I have built a portfolio of knowledge from being involved on a practical every day perspective - including electric fences, utilities, heating systems, drainage, designing and building enclosures, redevelopment. I have a good working relationship with everyone here at the zoo allowing me to liaise across departments. I hold or have held a number of certificates including: CPCS –

construction plant competence scheme certificate, CITB health, safety & environment, CPCS theory & test plant – A31 Ride on roller, Manual Handling, Cat & Genny, Fire awareness, site safety awareness, abrasive wheels, face fit, Health & safety awareness, fork lift truck certification, portable appliance testing, plant safety awareness, first aid in the workplace, NVQ in activity leadership, hospitality food prep, food hygiene all of which help me keep a breast and work within up to date legal framework requirements.

Kim Banks

Kim is our Head keeper, taking charge of the day to day operations within the Animal Department. Kim is an active member of the management team.

I have grown up working on my family farms, one dairy and the other sheep and beef cattle, from a very young age I was milking and calving cows and lambing sheep. I gained a BSc (Hons) in Animal Biology from Stirling University then worked for the RSPCA Cumbria North & East branch in their Carlisle Clinic before starting at the zoo. I have been at the park for 5 years during which time I have gained experience working with most of the species including category 1 species. I started working with the rhinos and giraffes and now head that section. I spent a lot of time with the primates, birds, bears and kangaroos and progressed to animal manager. In this role I am heavily involved in the training of routines and am able to pass on my knowledge and experience. I am also a key member of the firearms and emergency response team, often leading practice sessions.

Anna Gillard

Anna has worked in all departments of SZ from tills, to admissions, to restaurant and her practical experience and knowledge of the business from the bottom up make Anna's day to day input vital.

I have worked at Safari Zoo since July 2007 starting as a part time retail assistant. Whilst working at the zoo I studied Information Technology, Law and Maths A-Level at Sixth Form College. I then went onto a Business Admin Apprenticeship, using the zoo as my placement to develop the qualification. Having finished my apprenticeship and gaining the Level 2, I became interested in a vacancy that became available in the admin department at the park and I felt that I could use my skill base and knowledge and also develop my skills in those areas and also be more involved in the day to day running of the zoo whether it be food ordering, experience bookings or general customer service.

I started within the Admin department in January 2014, I then went on to study NEBOSH General Certificate which is still in progress. I had then been given the opportunity to work alongside management as Health & Safety Administrator to help maintain the policies and procedures and compliance throughout the zoo.

I had visited the zoo with my family as a child, and the events, team and day to day working has played a huge part in my knowledge and skill base throughout the past ten years, giving me the ability to work in the fast, versatile environment which is developing every day.

I am extremely enthusiastic and excited about my role as a director to work alongside a fantastic team; putting everything into making sure Safari Zoo maintains modern zoo standards.

Yaz Walker

Yaz takes a senior role within the Animal department deputising for Kim, co-ordinating rotas and also keeping animal records up to date on ZIMS.

I have worked at Safari Zoo for a number of years advancing to being head of Carnivore section and working with a number of species throughout the zoo. Attending a number of external workshops and training courses I feel I have a deep knowledge and understanding of the zoo world and the requirements of being a good keeper and building a good zoo which conforms and flies the flag for modern zoo standards. I am also a key member of the firearms and emergency response teams.”

4. Inspectors' Report – 16th - 18th January 2017

- 4.1. Before considering the current licence application, submitted on the 23rd January 2017, it is necessary to inform Members about the initial licence application from Cumbria Zoo Company Limited (CZCL) which was later withdrawn. As stated earlier, this was submitted on the 12th January and an inspection carried out from the 16th to 18th January 2017.
- 4.2. On the 18th January 2017, the inspection team met with CZCL and their legal representative to discuss their initial findings of the inspection. At that meeting CZCL were informed that the Defra Inspectors would be recommending refusal of their application. The Inspectors have produced the DEFRA Inspection Report Form of their findings, which confirms the recommendation that the original licence application from CZCL is refused at that time.
- 4.3. A copy of the Report is attached at **APPENDIX A**. For information, below is an extract from the inspectors additional comments:

'The key reasons for recommendation for refusal are serious concerns over:

1) Lack of a robust management and staffing structure. Despite advice given at previous inspections of the existing zoo on the requirement for a competent, suitably qualified and experienced full time Curator/Zoological Director (or Senior manager) with day to day responsibility for the running of the zoo in order to comply with SSSMZP, such a person is still not in place. The current animal manager, and the written job description for this role, do not fulfil this requirement, as evidenced by the numerous deficits noted during the inspection. Such a role is also not stated in the development plan, or budgeted for over the next 3 years. This is the case despite the recognition by the inspectors that the new regime has only been in place for less than a week.

2) Veterinary care. The current routine (local) veterinary provider is, in the inspectors' opinion, inadequate in terms of an up to date approach to modern zoo veterinary practice, leading to some serious animal welfare concerns directly related to inappropriate or inadequate veterinary care.

3) The legal arrangements made for the lease, loan of animals, and service agreement. It is the inspectors interpretation that the legal arrangements that have been put in place could give the owner a degree of control over the management of the animal collection that will not permit completely independent decisions to be made by the applicant, and may lead to conflict and/or affect the applicant's ability to comply with SSSMZP at all times.

4) Financial viability of the Cumbria Zoo Company Limited. The zoo has no assets, bank account or overdraft facility. Under the terms of the signed lease, the level of rent and other payments required (e.g. compulsory contribution of £30,000 per annum to cover the fine imposed on SLSZ) leave little or no room in the projected budgets (as supplied at the inspection) for the applicant to

maintain and develop the zoo in order that it will comply with SSSMZP. For example, there is no budgetary provision for the required zoological director/curator (see point 1 above), new local veterinary arrangements (point 2), payment of local authority licencing/maintenance fees, substantial emergencies, or dispersal of animals in the event of closure. The inspectors also have concerns over the possible risk to CZCL arising from any outstanding amounts owed by SLSZ to creditors.'

'These 4 concerns mean that we are not satisfied that the conservation measures referred to in Section 1 A of the Zoo Licensing Act 1981 will be implemented in a satisfactory manner by Cumbria Zoo Company Limited. We are also not satisfied that the ability to provide standards of accommodation, staffing or management are currently adequate for the proper care and wellbeing of the animals in the zoo.

Whilst the inspectors are still very concerned about the ongoing welfare issues, and lack of progress with obtaining the services of a full time qualified Curator/Zoological Director (and therefore compliance with condition 34 on the existing licence held by David Gill / SLSZ) and there are marked deficiencies with the existing level of routine veterinary care, the inspection team does acknowledge that great strides have been made in many areas of this zoo, with the input of external consultants. There is an improved culture, many previous issues have been dealt with, eg, heating and accommodation in the Africa house, stock reductions and control of excessive breeding amongst free ranging animals, bites and escapes, etc. If suitably funded and with a realistic business plan, CZCL should be able to obtain the services of a competent and qualified Curator/Zoological Director, appropriate veterinary services, a legally binding agreement ensuring complete separation from the current owner, and invest in the infrastructure as required. If this were to be the case, with appropriate robust evidence that all such plans would be put in place and implemented within a very short period of time, there may be merit in reconsidering an application for a new licence by CZCL.'

4.4. CZCL subsequently withdrew this initial application.

5. Inspectors' Report – 13th & 14th March 2017

- 5.1. Following the second application made by Cumbria Zoo Company Limited (CZCL) on the 23rd January 2017, an inspection was carried out on the 13th & 14th March 2017.
- 5.2. On the 14th March 2017, the inspection team met with CZCL and their legal representative to discuss their initial findings of the inspection. At that meeting CZCL were informed by the DEFRA Inspectors that they would be recommending to the local authority that their application for a licence be granted. The Inspectors have produced the DEFRA Inspection Report Form of their findings, received by the Council on the 30th March 2017, which confirms the recommendation, that the original licence application from CZCL is granted.
- 5.3. A copy of the Report is attached at **APPENDIX D**. The Report is split into three sections; Section 1 – Directive Conditions which are mandatory, Section 2 – Other / New Conditions proposed by the Local Authority and Section 3 – Other Conditions proposed by the nominated Secretary of State Inspectors.
- 5.4. The Report also contains the following additional comments and recommendations:

'Pre-ambble

Cumbria Zoo Company Ltd (CZCL) took over the operation of the zoo on 12th January 2017, under a lease and services agreement (updated on 23rd January 2017). CZCL have applied for a new licence in order to take over both licence and zoo operator roles entirely from Mr Gill, who remains as landlord only. Mr Gill therefore no longer has any involvement whatsoever in the management of the zoo. The lease, services agreement, business and financial plans were supplied to and scrutinised by the inspectors.

The staff of CZCL are largely the same as those previously employed by and working in the zoo under SLSZ (with the exception of Mr Gill and his wife Ms Schrieber). Therefore this new licence inspection report refers, unusually, to an existing and fully operational zoo, operating in the appeal phase of a licence that has been refused. SLSZ under Mr Gill's management (up until 12th January 2017) had a historical catalogue of a large number of licence conditions, directions of compliance, and special inspections related to animal welfare concerns, public health and safety, and management/staffing structure. BBC proposes to attach many of these existing licence conditions to any new licence, should it be granted (see section 2).

The current inspection team is the same as has performed the previous SLSZ inspections since November 2015, so is very familiar with the very complex history of this zoo leading to the current situation. This history and context are taken into account by the inspectors in consideration of this new CZCL licence application (see also see also separate report regarding condition 34)

Additional Comments

The pre-inspection audit was comprehensively completed and provided good evidence of significant development and improvements in organisation and processes, including record keeping and the organisation of the programme of curative and preventive veterinary care.

The inspectors were impressed and highly encouraged by the improvements made since the takeover of full management since January 2017, the palpable change of culture and attitude of all staff, their level of engagement, dedication and enthusiasm, and ambitious plans to move forward now that the owner/previous director is no longer involved.

Recommendations:

- 1. All small primates should be provided with UV lighting indoors (currently only some species have this available).*
- 2. Additional ventilations should be added to all carnivore houses (the Inspectors note that this is currently being researched with a trial extractor fan unit in the tiger house, and to be rolled out across the collection).*
- 3. Drainage needs to be improved in many outdoor enclosures (noted that this is already being addressed in some areas and is on the ongoing maintenance schedule).*
- 4. The education building could be better branded as an education centre with interpretation installed. Consideration should be given to increasing dedicated staff resources to education provision as the zoo continues to develop (currently 2 PT staff).*
- 5. If live animals eg reptiles, are used in public encounters hand washing facilities must be available in the immediate vicinity.*
- 6. Noted that the corn snake in the 'Keeper Room' did not have a water container large enough to fully immerse. This should be provided.*
- 7. The corn snake vivarium in the 'Keeper Room' did not have a thermometer. This should be provided and appropriate records kept.*
- 8. Any electrical installations in the kangaroo/bear house should be meshed in to prevent access when lemurs are free-ranging in the house.'*

- 5.5.** The Secretary of State's nominated inspector(s) recommendation to the local authority it is that the collection (the Zoo) be licensed in accordance with the Act subject to the Directive Conditions listed in section 1 and the Additional Conditions listed in section 2 and/or 3 of their report.
- 5.6.** Further information on the Inspectors' findings are detailed in Section 8 of this report.
- 5.7.** For Members information, the experience of the Secretary of States' Appointed inspectors and the Council's Veterinary Advisor is attached at **APPENDIX E**.

6. Applicants Response to the March 2017 Inspection Report

6.1. The Inspector's Report was sent to Cumbria Zoo Company Limited (CZCL) and their legal representative on the 5th April 2017, giving 14 days to make representations. A full copy CZCL's response is attached at **APPENDIX F** and is summarised below.

6.2. Response

6.2.1. *Cumbria Zoo Company Limited acknowledges and is encouraged by the report prepared by eminent inspectors Prof Anna Meredith FRCVS (Secretary of State Part 1 Inspector); Mr Nick Jackson (Secretary of State Part 2 Inspector) and Dr Matt Brash MRCVS (LA Vet).*

6.2.2. *We acknowledge the authors are experts in their respective fields and their input and positive report is a great boost, Safari Zoo has as everyone will be aware received a great deal of negative media attention but this report recognising the numerous changes and works that have been recognised as having taken place together with the granting of a Zoo Licence will enable CZCL to move forward with our plan which will see the continuous development of the zoo.*

6.2.3. *Our vision is to establish Safari Zoo as a flagship visitor attraction providing a first-class zoo experience dedicated to inspire in people a respect for animals, the environment and the world in which we live through authentic experiences and sustainable practices. We aim to be an active member of the zoo community participating with EAZA, BIAZA and coordinated breeding programmes. A company that is legally compliant, financially robust, engaged within the local community; demonstrating best practices within the zoo community, the business world; setting the standards as an employer providing significant opportunities to enable employees to fulfil their fullest potential; A company offering superior customer service and one which actively participates in effective education and participates and supports active and effective conservation.*

6.2.4. *We have, as this response will outline with specific reference to Zoo Licensing, continued to work and drive forward. Outside the Zoo Licensing scope our work is also underway to implement our development strategy, with the help of a number of external agencies/bodies/individuals all charged with moving Safari Zoo forward.*

6.2.5. CURRENT SITUATION:

When CZCL took over operational control of Safari Zoo we took on a zoo with many challenges, without a penny in the bank, with responsibility for nearly 80 staff and significant financial liabilities. On the 23rd January when we took over the complete operation we took over a zoo which was not just physically divided by a physical fence separating CZCL from the old SLSZ but two teams of staff which were very much divided, a zoo that had much of

its commercially essential incidentals removed. The first thing we had to do was take the fence down and put the 2 back together and start the rebuild. I think it is testimony to the strength of this team and this “family” that we have done that and are pleased with the progress made.

Historically Safari Zoo attracts more than 300,000 visitors, 85% of which travel on a day trip from outside the region.

Safari Zoo performance ratings on public review site such as trip advisor show an average rating of 4.18 /5; ranked number 1 of things to do in the local area. 84% of visitors give Safari Zoo a thumbs up and the zoo has been rated excellent by 1601 reviewers.



6.2.6. *Following the recent disclosures and licencing issues for David Gill and Safari Zoo and massive negative national and international coverage CZCL were faced with a complete breakdown of visitor confidence. With 80% reduction in income and visitor numbers cancelled bookings and school visits, there was a significant down turn in income.*

6.2.7. *Emergency communications strategies and the appointment of a specialised PR consultant were put in place, “come and see for yourself has been our approach”, we are the new company with a new approach come and speak with us and come and do that free of charge”. The last 2 week in particular has seen a rally of confidence and good visitor numbers returning but more importantly positive comments and reviews.*

6.2.8. *Social media reviews March/April: Attached you will find a complete list of public reviews for March/April from visitors who have visited during that period.*

51% of reviewers scoring full marks (5/5)

30% giving a score of 4/5;

7% giving a score of 3.

“Incredible, Highly recommend it, would return, Fab day out”

Reviewers show just how far and where a typical visitor to Safari Zoo travels from: Manchester; Greater Manchester; Newcastle; Arlington; Sunderland; Colne; Blackburn; Preston; Kirkham; Southport; Liverpool; Northumberland. That distribution is mirrored in visitor surveys and in website visitation. Website visitation, time spent on the site and page view statistics, is stabilising to reflect a position similar to that of this time last year.

6.2.9. *GHP – A retail consultancy company CZCL have also commissioned the services of GHP, a company who have worked in the leisure and visitor attraction market since the late nineties, working with attractions such as Chester Zoo and Blackpool Pleasure Beach. “GHP helps retailers and those in the retail marketplace deliver better focused businesses often in challenging environments. Working with retailers; analysing and understanding their business and their product offer. Helping to improve their performance”*

6.2.10. *The first piece of work commissioned was to carry out a mystery shop of the zoo and all the facilities (report attached) The style and format of the mystery visit is in line with those visits carried out for Chester Zoo over a period of four years. The format allows for scores to be allocated to different parts of the visitors’ journey and comment to be made around the experiences encountered by the visitors. The visit was carried out on 2nd April 2017 and scores of good and excellent were recorded across the experience. CZCL were extremely pleased with the overall visit score of 80%.*

6.2.11. *The second piece of work was a visitor exit survey, in support of the Licence Application. The objective of the Survey was to ascertain the views and opinions of real life visitors who had just experienced a visit to the Zoo and captured their responses whilst they were uppermost and fresh in their minds.*

6.2.12. *The full report is attached however a summary follows:*

*How likely is it that you would recommend the Zoo to a friend or colleague?
An NPS of +50 is seen as excellent. SAFARI ZOO Scored: +65 (70+ is World Class)*

67% (or two-thirds) of Visitors come from 10 Postcode Areas.

LA: Lancaster Area 13% NE: Newcastle upon Tyne Area 13% BB: Blackburn Area 6% WA: Warrington Area 6% M: Manchester Area 5% CA: Carlisle Area 5% SR: Sunderland Area 5% TS: Cleveland Area 5% L: Liverpool Area 5% BL: Bolton Area 4%

Only 49% of visitors had visited Safari Zoo previously.

The whole experience of the zoo was rated 8.45 out of 10

98% said they would visit again 96% found their visit educational.

With comments regarding species information and conservation status.

6.2.13. *Both of these pieces of work as well as providing areas for improvement provided an insight to the visitor experience and both of them produced fantastic high scores which reflects on an educational zoo which brings many visitors to the region on a trip they enjoy, and would return again.*

6.2.14. *We believe at Cumbria Zoo Company Ltd in ensuring our animals are well looked after in a safe and suitable home and thank everyone for the*

support demonstrated by our many visitors, friends and colleagues over what has been a difficult month.

- 6.2.15. *It is because of the support we get from friends, family and visitors we can continue to develop and put into action our passion to make Safari Zoo a zoo that the team here can demonstrate to the world we are a positive force for change – both in the care of the animals on our site, the ability to engage our guests with the natural world and our impact to make effective changes through our conservation and educational programmes.*
- 6.2.16. *We have demanded of our consultants complete transparency and openness throughout the review process. A large proportion of the documentation released by Barrow Council was proactively provided by Cumbria Zoo to meet the requirements of the zoo licence inspection process as well as providing evidence of our robust welfare, operational and husbandry systems evolving at Safari Zoo.*
- 6.2.17. *Questions have been asked of our dedicated team's ability to enforce the changes needed. We know we can and we have demonstrated our commitment to the animals in our care and the legislative requirements of a modern operational zoo.*
- 6.2.18. *Over the last very difficult weeks we have been in complete control of the zoo and we have made significant improvements in many areas of the animal operation. In this period Safari Zoo, under the operational control of CZCL, has been inspected three times by Barrow Borough Council Officers and Secretary of State Zoo Licence Inspectors (18th January and 9th February 2017, 13th March) and the feedback has been positive.*
- 6.2.19. *Despite the issues and difficulties we have faced, below are just some examples of the far reaching and positive changes that are occurring across the site through Cumbria Zoo's actions. We know we have much more work to do to get to the levels we are striving for.*
- The commissioning of a complete animal welfare audit, including a review of mortality and morbidity statistics over the last five years; complete housing audit and stocking density review; nutrition audit; and development of effective enrichment programmes, to allow identification of areas of welfare concern and to allow rapid steps to be taken to implement positive change both in the short and the long term.*
 - A review of veterinary services, preventative and curative health provision, with a permanent veterinary nurse joining the team in late 2016 and the provision of new partners in animal health care to be implemented in March 2017.*
 - A complete review of population management, group structures and group dynamics to ensure rationalised numbers of animals are found on the site, with a reduction in many group sizes to ensure effective use of our facilities and resources, always aiming to provide optimal welfare.*
 - A proactive programme of maintenance and rebuilding across the animal enclosures, identifying priorities and addressing them in a sensible and practicable fashion. This is clearly seen with many changes occurring in*

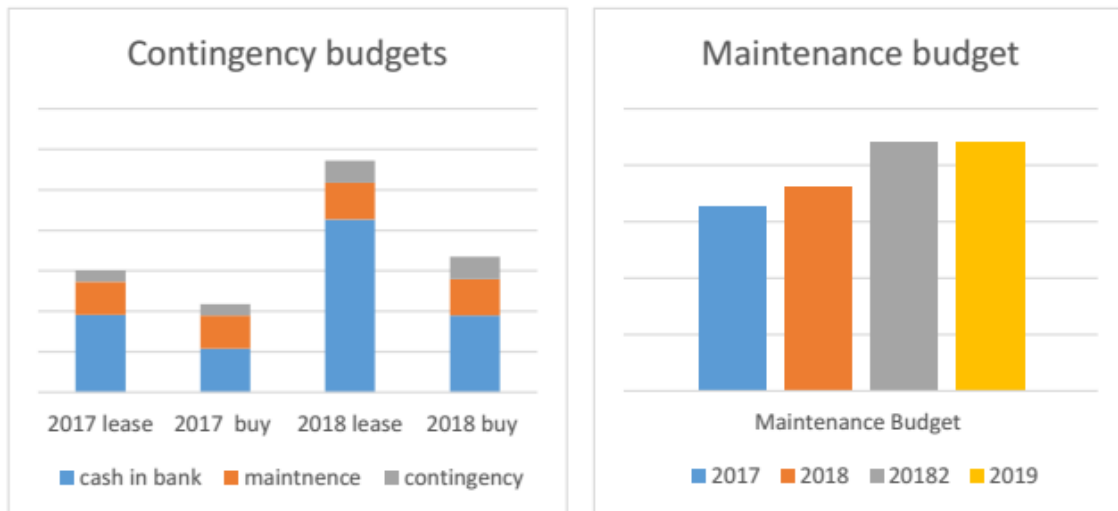
the last four weeks including new hard stands for the hippos, improved substrates for the Chilean flamingos and penguins, large outdoor enclosures for our primates where previously they were limited to indoor housing only, and many others.

- A complete review and cultural change programme with regard to animal management, husbandry and welfare delivery. Ethical review programmes became proactive and effective tools for change, supported by senior management to support positive welfare changes across all species in the collection.*

6.2.20. We have work to do, we know we do. A modern zoo should continually strive to be better in all it does. We are pushing hard to meet our goals, without compromise to achieve high standards for the animals in our care and for our staff and local community and we drive forward to earn Safari Zoo its place in the modern zoo community.

6.2.21. SUMMARY:

Budgets in Year 1 are tighter under the buyout scenario versus the lease however a viable budget is available for maintenance works, contingency and overall spare funds this improves greatly in year 2 as the current financial situation will be cleared.



6.2.22. CZCL have a time costed plan to develop and are still on budget to deliver the following:

- 1. A significant salary budget has been allocated for a full time Animal Director to be in position within 6 weeks of the granting of the license.*
 - An Advert together with a job description has been drawn up and placed on the zoo's website and sent for placement on both EAZA and BIAZA w/c30/1/17*
 - The hierarchal structure of the animal department and management team within the organisation has been revised to reflect the role.*
 - Candidates were interviewed and a suitable candidate offered and accepted the role subject to licence.*

- *Additional resources, with the reworking of departmental rotas frees up budgets to create one other apprentice role plus 3 seasonal staff (July/Aug.) in the animal department this development and staffing of the animal team will be assigned to the new Animal Director once in position.*

2. Replacement of current veterinary provision for weekly routine and emergency provision to be in position within 3 months

- *As the current zoo vet is due for retirement and following recent events a new practice and vet is being sought.*
- *Contact was been made with a suggested replacement and a recognised and qualified zoo vet visits once per week.*
- *Contact with all vet practices within 1 hour vicinity took place to find a local back up practice.*
- *Budgets are in place to ensure handover from current vet will last for 6 months or as needed.*

3. Contingency

Contingency account has been established with payments set for in the forecasted budgeted accounts. Budgets have also been prepared to ensure contingency continuing.

4. Planning

- *A planning budget introduced based on outstanding issues and costings from planning advisors.*
- *Architects appointed and essential drawings completed*
- *A planning consultant appointed and submission of outstanding matters to the LA has been made.*

5. Business continuity planning and financial risk analysis

- *CZCL have secured the support of an experienced business consultant – Phil Collier*
- *Mr Collier will aid the business and support the CEO in producing a risk analysis, risk register, continuity plans and strategic planning.*
- *CZCL is exploring the option of asking consultants to take roles as non-executive directors for governance and compliance.*
- *Review theft, fraud and competition policies.*

6. Work has begun with Retail Performance Improvement Company who as part of their initial remit carried out the following:

- *A Mystery visit: (report attached) The style and format of the mystery visit is in line with those visits the same company have carried out for Chester Zoo over a period of four years. The format allows for scores to be allocated to different parts of the visitors' journey and comment to be made around the experiences encountered by the visitors.*
- *Visitor Exit survey: To establish visitor drive times, destination, visit satisfaction and potential return visits.*

6.3. Applicants Supporting Documents

As part of the applicants' response to the March 2017 inspection report, CZCL's Veterinary Consultants and professional advisors have provided the following statements in relation to the management of the Zoo;

6.3.1. Statement from Andrew Greenwood MA VetMB DipECZM CBiol FRSB FRCVS (International Zoo Veterinary Group - IZVG)

"I have been a Secretary of State's List 1 zoo inspector since the inception of the inspection system in 1984 and probably average 7-10 UK zoo inspections per year."

"I, with support from my colleagues in IZVG, have acted as veterinary consultant to this park for the past 3 years under the previous ownership/management of David Gill and now continue to do so with CZCL." "I think it is clear to all who have been involved with the zoo during those years that the ability of myself and other consulted experts to help manage the zoo properly has been severely restricted by the attitude of the previous owner, and that applies to those responsible for the day-to-day management of the business and the animals."

"There have been changes in the zoo during the past 4 months and the work rate involved has been extraordinary"

6.3.2. Statement from Jon Cracknell BVMS CertVA CertZooMed MRCVS

"I am a DEFRA appointed Secretary of State Zoo Inspector as well as a minister appointed Irish Zoo Inspector" "I have been involved with the organisation [CZCL] for over 6 months as a zoo operations consultant."

"Cumbria Zoo Company Limited (CZCL) has many managerial elements that are the same as that previously operated under South Lakes Safari Zoo Limited (SLSZ Ltd). However, CZCL is not SLSZ Ltd and this is evidenced by the massive changes that have taken place both physically and within the infrastructure since CZCL formally took over full control of the collection in January 2017"

"There have been huge welfare improvements in the last 3 months, many since January; procedures are compliant to both the standards as set out in the SSSMZP and the additional expectations of the local authority; and the operational culture has completely turned round under the direction of Ms Brewer."

"In my position as a zoo inspector and an independent zoo professional that has watched the collection develop and grow in the last 4 months under the current directorial team, with massive changes once independence of the previous owner had been achieved."

6.3.3. Statement from Maria Kubiak BVSc CertA VP(ZM) DZooMed MRCVS

“I am a zoo veterinarian with wide experience across a range of zoological collections and am a Royal College of Veterinary Surgeons Recognised Specialist in Zoo and Wildlife Medicine. Since March 2017 I have been part of the veterinary team of this collection and have seen extensive efforts to address the historic concerns relating to animal husbandry and health, with marked improvements made in key areas even in this short time. There is a clear intent on maintaining this impetus with an ongoing system of review and progressive improvements. I am confident that the collection now meets the requirements of the Secretary of State’s Standards of Modern Zoo Practice (2012) and the Zoo Licensing Act (1981)”

“I believe the current management of Cumbria Zoo Company Limited have demonstrated their capabilities in developing and running the site as a reputable zoological collection, independent of previous management.”

6.3.4. Statement from Phil Collier (Phil Collier Associates)

“Now that David Gill has departed, it is clear to see that the stranglehold that he had on the Zoo and, critically important, the staff has gone and that there is now a positive culture and an enthusiasm to drive the new business forward.”

6.4. The Applicant has been invited to attend today’s hearing to address Members directly.

7. Representations

- 7.1. The Notice of Intention and Application has been published on the Council's website. A 28 day public consultation took place between the 24th January 2017 and the 28th February 2017. There is no statutory consultation period, although a cut-off date of the 30th March 2017 has been used, following the publication of Mr David S Gill's application hearing report, when a number of additional and updated representations were subsequently received, many of which refer to the concerns given in the following representations.
- 7.2. In accordance with Section 3(1) of the Act, representations have been received from Cumbria Constabulary, Cumbria Fire and Rescue, Captive Animals' Protection Society, Barrow Borough Council Planning Authority, Zoo / Exotic Animal Husbandry and Welfare Advisory Service, Born Free Foundation, three members of the public and Mr James Potter.
- 7.3. These Bodies and individuals have been invited to attend today's hearing to address Members directly.
- 7.4. **Cumbria Constabulary** – The representation submitted related to recommended changes to an existing condition regarding firearms, the details of which have been approved by this Committee on the 6th March 2017.
- 7.5. **Cumbria Fire & Rescue Authority** – A full copy of the representation is attached at **APPENDIX G1** and is reproduced below.

In a letter dated 2nd February 2017 Neil Denney, Watch Manager states:

“The plans submitted do not show the scale of the access roads to the site/buildings or water provision.

Vehicle access road should comply with ADB section 16.8, Table 20 and Diagram 50 and water provision as in ADB section 16.1 & 16.2.

This is subject to the premises having a suitable and sufficient fire safety risk assessment as required by the Regulatory Reform (Fire Safety) Order 2005. Under this legislation, every 'responsible person' is required to carry out a fire safety risk assessment, of which both the significant findings and the identity of any group of persons especially at risk should be recorded.

Additionally, a record must be kept of appropriate fire safety arrangements for the effective planning, organisation, control monitoring and review of the preventative and protective measures.

*Neil Denney
Watch Manager
Fire Protection for the Chief Fire Officer“*

- 7.6. Local Planning Authority** – Jason Hipkiss, Development Services, Barrow Borough Council responded on behalf of the Local Planning Authority – The full representation is attached at **APPENDIX G2**.

In an email dated 24th March 2017 Jason Hipkiss wrote:

“We now have receipt of a valid application for the revised position of the visitor building, store, Africa House and Children’s Farm/barn. The application for the Bear House was rejected as being invalid.”

*Jason Hipkiss
BA (Hons) Dip UD MRTPI
Development Services Manager*

- 7.7. Captive Animals’ Protection Society (CAPS)** – the full representation is attached at **APPENDIX G3** and is summarised below. Letter received 27th March 2017. CAPS have indicated that they will attend today’s hearing and have requested to speak.

Whilst we very strongly feel that Mr David Gill (DG), the previous licence holder, held much of the responsibility for the issues at the zoo over the years we also feel that key staff, especially those who held management positions, also bear significant responsibility. We therefore do not believe that Ms Brewer should be granted a zoo licence on similar grounds to that of DG.

Ms Karen Brewer (KB), has been present at the zoo for many years in management roles. Whilst her previous role was ‘Marketing and Development Manager’, it is clear from zoo inspection records, public communications and council representations that she was also involved in the wider management of the zoo. She moved to CEO in early 2016.

We acknowledge zoo inspector comments that DG appeared to have a very intrusive management style at the zoo making final decisions over management and seemingly ignoring council requests. However, we urge the council to see that he is not alone in his responsibility.

KB has been present at Zoo inspections since 2011 (at least 9) and has responded as a zoo representative to zoo inspection reports showing her awareness of the issues taking place at the zoo over the years. It also shows that she was involved in some way in Animal Management from 2011 to be selected to attend such inspections. She also submitted at least one Pre-Inspection Audit (18/02/2013) on behalf of the zoo which involves specific animal management questions, showing she had some significant level of responsibility in this department.

She also defines her personal responsibility as CEO in May 2016. In response to zoo inspector’s comments she has extensively defended DG. She has clearly outlined the state of the relationship between DG and the rest of the

management, that they work together and she at least strongly values DG's role, management style and abilities to run the zoo. We believe this strongly demonstrates how supportive KB was of DG and how involved the management were in decision making alongside him.

In the months since Cumbria Zoo Company Ltd (CZCL) took over the running of the zoo, there have been comments that improvements have been made. Whilst we welcome swift action to make the animals more comfortable, we feel that many of the changes made simply provide the bare minimum and are 'too little too late'. These should have been in place throughout the history of the zoo and throughout the time of KB being in a management position.

Regarding other key members of staff, we note that of the current board of Directors of CZCL at least three have been Directors of SLSZ for periods. One is still active as a Director of SLSZ and Safari Zoo Nature Limited, alongside other zoo staff members including DG's wife, Frieda Schrieber. Also various members of the new team have been in key roles or keeper positions for many years, whilst these issues have been going on. In particular Kim Banks has played a role in managing the other keepers and been in role for at least 7 years.

Based on the points made above we urge the council to refuse the licence application for the protection of the animals.

Yours sincerely,

REDACTED

**Campaigns Director
Captive Animals' Protection Society**

7.8. Zoo / Exotic Animal Husbandry and Welfare Advisory Service – the full representation is attached at **APPENDIX G4** and is summarised below. Letter received 27th March 2017

"We are now minded to the fact that MPs are seeking to have the zoo licence inspectors, council and zoo held to accountability. Andrew Rosindell, chair of the all-party parliamentary group on zoos and aquariums, called on the government to launch an inquiry into how conditions at the zoo had been allowed to get so bad.

He said licensing bodies should attend his parliamentary group to "explain why this has been allowed to happen and explain why action wasn't taken earlier". He said he would be asking them to draw up nationwide guidelines for zoo inspectors.

This is seen as damning as it gets, it is therefore seen that Karen Brewer's application be rejected, as it too fails to comply.

Karen Brewer cannot meet Condition 34 / 39 plus other Direction Orders and, there are many concerns as outlined below that are very worrying and gives little to no hope that the current set up under her control is any different to her previous CEO and management or staff as under David Gill. I therefore object to the zoo licence application from Karen Brewer.

Since Karen Brewer, her team and company took over the reins from David Gill there has been numerous deeply concerns which result in a failure to comply let alone meet the Zoo Licence Act and the current direction and notification orders placed upon them.

The zoo have not had enough animal food, Anna Gillard (director and keeper) told the staff that 'it's not her problem' when they complained they hadn't enough food to feed the animals, this also fell on deaf ears because Karen Brewer was on holiday in Spain.

Within the last few weeks a baby (few days old) Babirusa was (removed) taken away from its mother and it died the following day. Also an adult Babirusa died in January; along with lemurs, kangaroos, wallabies, capybara, scarlet ibis, leopard tortoise, squirrel monkey, rhea, and an emaciated penguin.

It can be seen that Karen Brewer who is the CEO and Director of Cumbria Zoo, along with many of the current staff are also the same persons who have been and were employed by David Gill under South Lakes Safari Zoo. The only difference being is that there is a name change.

If Karen Brewer was to be awarded this zoo licence application, it is and will be done so as a licence by Proxy. It means that the same staff and management that are the root and cause for failing to come upto scratch on experience, qualifications and experience; are complicit along with David Gill in the poor animal welfare, husbandry, deaths, escapes, bites, animal management and overall management of the zoo. After all, the staff do have a voice and can at any-time over-ride the directions given by David Gill, which they have not done and have also said they have not done so. That makes them all involved and complicit. It is seen and witnessed within the Reports on the 6th March 2017 for David Gill's zoo licence application that Karen Brewer, management and staff were also taken to task regarding the poor welfare and practices.

Yours sincerely

REDACTED

**ZEAHWA Service
Zoo / Exotic Animal Husbandry and Welfare Advisory Service**

As a person with just over 30 years' experience within the zoo industry, working my way through various keeping positions (from zookeeper, to senior keeper, head keeper and curator) and, in various zoos throughout the UK;

along with devising many animal enrichment, husbandry and management tools, I feel that my experience more than qualifies me to give a professional opinion.”

7.9. Born Free Foundation - the full representation is attached at **APPENDIX G5** and is reproduced below. Email received 30th March 2017. Born Free have indicated that they will attend today’s hearing and have requested to speak.

“I am writing on behalf of the Born Free Foundation, the international animal welfare and conservation organisation.

Since being founded as Zoo Check in 1984, Born Free has been the leading zoo watchdog. We work to improve the lives of animals by ensuring that zoos are – at the very least – licensed correctly and compliant with legislation. Born Free maintains the most complete and up-to-date database of zoos in the UK. This allows us to keep a close eye on trends and changes in the zoo industry, while investigating public concerns about zoos, and pushing for zoos to be subject to mandatory licensing and inspection.

We are aware that Barrow-in-Furness Borough Council has received an application from Karen Brewer on behalf of the Cumbria Zoo Company Ltd to operate South Lakes Safari Zoo (SLSZ). While we welcome the decision by Barrow-in-Furness to refuse a new licence to Mr David Gill, we formally oppose the application made by Ms Brewer. This is based on evidence gathered by Born Free, as well as the most recent report issued by the licensing regulatory committee; in which Ms Brewer is identified as playing a key part in the running of SLSZ.

A senior staff member of SLSZ since 2011, Karen Brewer has been part of the management team under the direction of David Gill for many years. During this time ongoing concerns have been raised regarding the welfare of both animals and keepers at the zoo as well as members of the public. It is also noted that in the response to the inspection report released in May 2016, Ms Brewer stated that despite being confident in her ability to run the zoo, the team at South Lakes Safari Zoo, ‘still need David Gills’ ideas and contributions as they are vital to keeping its heart alive’. This is a concerning claim; it has been purported that should Cumbria Zoo Company Ltd be granted a licence, Mr Gill intends on handing over full control to Ms Brewer.

It is important to note, that this is not solely a management issue that can be fixed by awarding a zoo licence to another applicant. There are clearly fundamental issues including staffing, infrastructure and resources at the Zoo that risk this concerning situation being perpetuated if the Zoo continues to be licensed.

Born Free calls upon Barrow-in-Furness Borough Council to take note of the previous welfare and safety issues that have occurred under the management of Ms Brewer and members of her team, and to refuse a licence to this facility.

Born Free stands ready to work with Barrow-in-Furness Borough Council and other stakeholders to ensure the welfare of the animals currently at the Zoo, should closure be deemed appropriate.

Kind Regards

REDACTED

Zoo Check Officer – Born Free Foundation”

7.10.Representation from local residents is attached at **APPENDIX G6** and is summarised below. Email received 17th February 2017

“We the residents of Melton Terrace wish to make representation regarding the application for a Zoo Licence by Karen Brewer CEO of Cumbria Zoo Ltd. This application must be refused for the following reasons.

On a daily basis over the last few weeks and numerous other occasions throughout the years, residents of Melton Terrace have been subjected to an intolerable situation to such a degree that it has had a detrimental impact on our health and well being.

Free entry was promoted in newspapers as far away as Liverpool, the volume of Zoo traffic far exceeded the Zoos car parking capacity, the Zoo shows no regard or respect for residents of Melton Terrace or its own visitors.

Visitors abandon their cars both sides and the full length of the U6097 from the junction A590 many parking on the pavements, pedestrians are walking on the carriageway throughout the days, as a result residents are imprisoned in our homes, leaving them means we cannot return until the Zoo closes for the night.

As residents we have all lived in our properties for over 30 years, we now find our selves in a situation where we are continually deprived of our basic Human Rights, Our Liberties are continually infringed, we are imprisoned in our homes unable to return if we leave.

We are denied the right to a private or family life, family and friends cannot visit us, they cannot access our homes, and we cannot visit them because we are unable to return home.

We are unable to use our homes and gardens in the way we choose, when traffic leaves the Zoo in any numbers when the ques build up outside our homes we can smell the fumes, this not only has a detrimental impact on our health and well being, but on our enjoyment of our homes and gardens.

Our privacy is breached people peering into our homes and gardens in large numbers in the queuing traffic and people who have parked on the U6097 walking up to the Zoo.

Had we required emergency services no way could they have been able to access our homes or get to us.

Pedestrians having no alternative but to walk on the road because cars are parking on the pavements, is clearly a serious road safety issue and a large number of small children walking along, their parents oblivious to the danger their only thoughts to get into the Zoo clearly must be addressed.

Large amounts of litter left behind, dirty nappies, food, bottles etc. in a once litter free, clean tidy environment must also be addressed

The Planning Inspector imposed a Marshalling Plan as a condition in granting planning permission this is non existent has never been implemented and the Zoo has no adequately trained staff to direct traffic. Before a licence to operate as a Zoo is granted this must now be addressed, implemented and prove to be adequately effective, using properly trained staff capable of dealing with large visitor numbers, who hold the relevant certificates and are held accountable.

If the Zoo wants a licence to operate they have to act responsibly, respect the area in which they want to operate, respect the people who have to live along side them, respect residents rights, respect the need for other local businesses to operate keeping the U6097 clear at all times, they seem unwilling or unable to achieve this, Barrow Borough Council must not Grant a licence, time and time again the Zoo and the people who operate it have proved they are not fit for purpose.

Residents of Melton Terrace

REDACTED

7.11. Representation from a member of the public is attached at **APPENDIX G7** and is summarised below. Email received 28th February 2017

"I formally submit my letter of opposition to Ms Karen Brewer's application for a new licence under which she would become the manager of South Lakes Safari Zoo/Cumbria Zoo Company Ltd.

Living in the locality of the zoo, and as an animal lover, I am appalled and extremely concerned that Mr David Gill and Ms Karen Brewer have applied for renewed licences.

My opposition is based on the extensive list of abuses and negligence towards all of the animals in their care, including the staff at South Lakes

Safari Zoo, along with reports from the local press, and from my own first-hand accounts by previous employees,

The applicants have repeatedly displayed little or no concern for animal welfare and husbandry, or for the protection and well-being of their employees, which was shockingly and tragically the case in 2013 when big-cat keeper Sarah McClay was mauled and killed by a Sumatran tiger.

With regard to Ms Brewer being awarded a licence, this would purely serve as a "smoke-screen" for Mr Gill to resume his role in running the zoo, as he has so arrogantly continued to do so, despite losing his licence. To sum up, Ms Brewers' admission in the local press stated that, "it was impossible to prevent Mr Gill from any involvement in the day to day running of the venture as he lives on the premises"! Therefore, whether a licence is granted to Mr Gill or Ms Brewer, the result will be that the overall running and operations at South Lakes Safari Zoo will continue to rest firmly with Mr Gill!!!

While I dislike any establishment where animals are kept captive, I acknowledge that as long as South Lakes Safari Zoo exists, it employs a substantial number of local people. However, in acknowledging this, animal welfare should never be over-ruled in order to satisfy the demands of local tourism, and therefore, it is imperative that Mr Gill and Ms Brewer are refused licences to continue operating the zoo in question.

I am grateful to you for considering the points and concerns that I have raised.

I would respectfully request that my identity and personal details are withheld from the applicants please.

Yours faithfully

REDACTED

7.12. Representation from a member of the public is attached at **APPENDIX G8** and is summarised below. Letter dated 3rd March 2017

"With reference to the granting of the new licence covering South Lakes Zoo / Cumbria Zoo Dalton in Furness, applied for, In the name of "Karen Brewer", who has been working at this establishment for the past years.

I have to say that you as the Borough Licensing Committee have just recently refused to grant a licence to Mr David Gill based on the very bad reports your different advisory representatives made to yourselves covering the deplorable animal management and practices that appertained to South Lakes Zoo stretching over a lot of years. After all of the information this committee has been provided with there is no way for it not be liable.

I would like to ask you this, When you made your decision to not grant him this licence, if the reports overall you had, helped you to reach this decision / conclusion. Surely the report also appertained overall to the staff in general at this "Zoo". Did you as a committee purely find David Gill was solely the cause of the incidents at this Zoo? Do you as a committee not see that all of these conditions CANT be the result of one man alone? I know the refusal had to be directed to him, because at the time he was the applicant, but, the practices and conditions that led to this refusal surely have to be a joint disaster by all of the people up there.

To give this licence in the name of the very same people, and management that jointly caused and knew of, the results you have in front of you from your experts, would be very wrong and damaging. And the reports you already have were a result of bad practice and management for a LOT of years.

In actual effect, NOTHING has changed up at the Zoo, and you are about to consider re-issuing this licence to the "VERY SAME" management that were responsible for the cruel and devastating conditions that have been going on at this Zoo for years. And now you as the council cannot deny knowledge of this. Those people have to be held somewhat responsible because they themselves didn't act upon these things.

Corporately, it may / would leave the council and us the taxpayer liable for future deaths or cruelty at this place in the future.

The outcome and responsibility of the decision of this licence, is now on your hands, and the general public won't blame the people managing and working at this Zoo if this goes wrong. At the end of the day you the council have overseen this travesty and are equally culpable.

Now after this decision, you are totally responsible, in the public eye.

*I know that some people still like to visit the Zoo but it all comes down to....
AT WHAT COST.*

The ONLY ones that can stop this now is Barrow Borough Licensing Committee.

REDACTED"

7.13. Representation from James Potter is attached at **APPENDIX G9** and is summarised below. Letter dated 25th April 2017

"Whilst I initially wanted to remain anonymous I am aware the information I provide will reveal myself as your source of said information, so I have now come forward to make this statement official as I am no longer prepared to keep quiet at the expense of the animal welfare at South Lakes Safari Zoo and (now trading as) Cumbria Zoo."

I was prepared to speak to your inspection team at the recent inspection on 13/14th of March but in typical KAREN BREWER fashion, your team were kept

away from me as Ms Brewer and management knew that if you were given the chance to have spoken to me properly I would have raised my concerns with yourselves again.”

“I would like to make you aware of my concerns regarding Cumbria Zoo’s application for a licence. I am aware that work has been done to meet/satisfy some of your criteria, but the overall welfare of the animals starts with their diet, which is the role I was employed in.”

“I have been made my Ms Brewer to feed the animals mouldy bread in the past, and been reprimanded for throwing it away, I was regularly having to “beg” for scraps of food from the Maki (restaurant) kitchen just to give the animals some fresh food, I have always had this struggle under the management of Mr Gill, but under the new regime of management it is even worse”

“I was told to feed the tortoises cabbage despite management being made aware that cabbage should NOT be in their diet. I regularly had no fruit for the fruit bats and have even been told by senior management - being the CEO, Karen Brewer) “it doesn’t matter they can wait a few days”.

I was also told by the member of the management team (Anna Gillard, who orders the food in for the animals) that it was not her problem if there was no food.”

“Under the new managements orders in the early months of this year I was instructed to reduce the food for the female babirusa as they thought she was getting too fat, it turned out she was pregnant, to which she had her baby recently, that baby is now subsequently dead after for whatever being removed from its mother at a few days old, it died the following day, the animal deaths at the zoo are still continuing (since January 2017) under the new management including the adult male babirusa (poh), and other animals including a mongoose, leopard tortoise, scarlet ibis, rhea and an emaciated penguin amongst some.”

“As a result of my experience with both companies in my opinion neither applicant would has the animals welfare as their main priority, they may have revamped the enclosures etc but they are not willing to spend a great deal of money on the animals dietary needs”

Regards

James Potter

8. Officers Report.

8.1. Section 4 of the Act relates to the grant or refusal of licences. It is reproduced in full here::

Subsection (2) The local authority **shall** refuse to grant a licence for a zoo if they are satisfied that the establishment or continuance of the zoo would injuriously affect the health or safety of persons living in the neighbourhood of the zoo, or seriously affect the preservation of law and order.

Subsection (2A) The local authority **shall** also refuse to grant a licence for a zoo if they are not satisfied that the conservation measures referred to in section 1A will be implemented in a satisfactory manner at the zoo.

Subsection (3) The local authority **may** refuse to grant a licence for a zoo if, subsection (2A) does not apply but, they are not satisfied that the standards of accommodation, staffing or management are adequate for the proper care and wellbeing of the animals or any of them or otherwise for the proper conduct of the zoo.

Subsection (4) The local authority **may** also refuse to grant a licence if--

- (a) the applicant, or
- (b) (where the applicant is a body corporate) the body or any director, manager, secretary or other similar officer of the body, or
- (c) any person employed as a keeper in the zoo,

has been convicted of an offence under this Act or under any of the enactments mentioned in subsection (5), subsection (5A) or of any other offence involving the ill-treatment of animals.

Subsection (6) If the local authority are not satisfied that any planning permission required under Part III of the Town and Country Planning Act 1990, for the establishment of the zoo or for the continuance of the zoo during the period for which the licence would be in force, has been, or is deemed to be, granted, they **shall** either refuse to grant the licence or grant the licence but suspend its operation until the local planning authority have notified the local authority that any such planning permission has been or is deemed to be granted.

8.2. Officers have considered the Zoo Inspectors' reports, the applicants' response, representations from the statutory consultees and those received as part of the public consultation.

8.3. Section 4(2) of the Act

*S.4(2) The local authority **SHALL** refuse to grant a licence for a zoo if they are satisfied that the establishment or continuance of the zoo would injuriously*

affect the health or safety of persons living in the neighbourhood of the zoo, or seriously affect the preservation of law and order.

- 8.3.1. A public representation (Appendix G6) has focused on concerns, regarding the health & safety of neighbouring residents. The new entrance (off Melton Terrace) and car park was subject to Planning Approval, by Barrow Borough Council. The Planning Approval includes a Marshalling Plan, to deal with traffic arriving and departing from the Zoo.

During the February 2017 half-term holidays, there were increased visitor numbers to the Zoo, that required the implementation of the Marshalling Plan. Complaints were received from local residents about the build-up of traffic on Melton Terrace, to such an extent, that it was at a stand-still. Council Planning Officers brought this to the attention of the current zoo operator.

- 8.3.2. In email correspondence with the Development Control Manager, dated 22nd February 2017 he states:

“Over the recent half term including the weekend 18/19th Feb the PA received complaints from Melton Terrace residents relating to queueing traffic on the hill outside their homes. It was alleged that this was due to poor staff supervision of the car park. The borough enforcement officer has visited and spoke to the zoo duty manager about the need to maintain a robust approach to managing visitor vehicles. He will make further inspections over the coming days”

Furthermore, in email correspondence with the Planning Enforcement Officer dated 12th April 2017, he states:

[Timed at 08:16]

“from an enforcement perspective I am not in receipt of any additional specific concerns in relation to the marshalling plan from the public.”

“The issues are intrinsically linked to the numbers of patrons visiting the Park, and the ability of the Park to accommodate high volumes at peak times.

Notwithstanding I will contact the Park to remind them of their responsibilities under the plan as the Easter weekend approaches.”; and

[Timed at 11:42]

“I have carried out an unannounced visit to the Park this morning and spoke to Ms Karen Brewer.

I have observed that Cumbria Police have placed no waiting cones on Melton Terrace and on the approach to the Park in response to Community concerns.

Ms Brewer stated that The Park have engaged with their direct neighbours to mitigate past problems and provide them with signage where appropriate. Ms

Brewer stated that they have the staff and managers in place to react to high volumes of visitors and to comply fully with the marshalling plan.

She fully acknowledged that the Park could not afford to allow a repetition of the situation which occurred at February half term.”

8.4. Section 4(2A) of the Act

S.4(2A) The local authority **SHALL** also refuse to grant a licence for a zoo if they are not satisfied that the conservation measures referred to in section 1A will be implemented in a satisfactory manner at the zoo.

The Conservation Measures stated in Section 1A of the Act form the Directive Conditions that are attached to all Zoo Licences. In relation to each measure, the DEFRA Inspectors have stated to following:

1. Promote public education and awareness about biodiversity conservation. In particular, provide information about the species of wild animals kept in the zoo and their natural habitats.

“Likely to be met - Good education facilities, signage and interpretation, detailed education plan and good school teaching resources. Two staff members allocated part time. Will benefit from further development but currently meeting standards.”

2. Accommodate and keep the animals in a manner consistent with the standards set out in the Secretary of State’s Standards of Modern Zoo Practice.

“Likely to be met - All enclosures inspected. All accommodation satisfactory. No animal welfare issues noted.”;
“Much improved levels of enrichment since January. Still some drainage issues in some enclosures but being addressed in ongoing maintenance and upgrading schedule”; and
“Veterinary programme now being implemented effectively. New consultant vet on site on day of inspection and interviewed. New arrangements for appropriate level of veterinary care and input now in place to satisfaction of inspectors.”

3. Prevent escapes and put in place measures to be taken in the event of any escape or unauthorised release of animals.

“Likely to be met - Perimeter fence complete. New prairie dog buried fence in progress”

4. Introduce practical measures designed to prevent the intrusion of pests and vermin into the premises of the zoo.

“Likely to be met - Effective pest control programme in place. No evidence seen of significant rodent activity”

5. Keep up-to-date records of the animals, including numbers of different animals, acquisitions, births, death, disposals and escapes, causes of deaths and the health of the animals.

“Likely to be met - ZIMs used effectively. Up to date stock list supplied at inspection”

6. Participate in at least one of the following:-

- Research which benefits the conservation of wild animals.
- Training in relevant conservation skills.
- Exchanging information about the conservation of wild animals.
- Breeding of wild animals in captivity.
- Repopulating an area with wild animals, or re-introducing wild animals.

*“Likely to be met - Participation in many EEPs and ESBs.”; and
“The zoo is breeding red squirrels and will be linking in the future with projects to release these to the wild”*

8.5. Section 4(3) of the Act

S.4(3) The local authority **MAY** refuse to grant a licence for a zoo if, subsection (2A) does not apply but, they are not satisfied that the standards of accommodation, staffing or management are adequate for the proper care and wellbeing of the animals or any of them or otherwise for the proper conduct of the zoo.

A number of representations have focused on the Zoo’s management team, being the same that was previously in operation under Mr David Gill’s licence and if any culpability can be laid at CZCL’s feet for the poor conditions found at the Zoo in January 2017 including any historical animal welfare issues.

At previous Committee hearings, Members have heard inconsistent statements relating to who is actually in control and the final decision maker. Below are some examples:

8.6. Previous Committee Hearings & Records of Decision

8.6.1. Licensing Regulatory Committee – 23rd, 24th February and 2nd March 2016

From the Record of Decision of the Licensing Regulatory Committee held on the 23rd & 24th February & 2nd March 2016, Mr Gill had stated in his representation that:

“For the last 10 years he had run the zoo for only half of the year and Karen Brewer had been managing the zoo in his absence.”

On the 2nd March 2016 Karen Brewer submitted a written statement to Members that included the following statements:

“The Board had appointed a Zoo Chief Executive Officer, Ms Karen Brewer, who would be fully responsible for all Zoo activities and operations.”

“The CEO will have total control over the Zoo staff in every aspect and will also have complete delegated responsibility to do all that is necessary to fulfil the Zoo Licensing Act (as amended).”

It was also recorded that the Council’s Veterinary Advisor, Dr Brash had made the following representations:

“During the process [November 2015 Inspection] it had become apparent that Mr Gill was overriding decisions made by the Management Team.. ”

Should the new CEO and Management Team be allowed to, Mr Brash was hopeful that they could do a very good job.”

Members considered an extract from the Zoo’s Management which related to Condition 39 and contained the following statements:

“Members were informed by Ms Brewer that this response was penned by Mr Gill and that she contributed to this in the section headed ‘CEO personal position update’.”

It was recorded that:

“It was put to the directors that there was a disparity in what was being told to Members. Inconsistencies.”

In attendance at this hearing were representatives of the operator of the zoo. In response to questions from Members, Karen Brewer stated:

“that the Management Team were working hard to ensure compliance but did say that the Zoo Licence holder was David Gill.” and

“When questioned about Mr Armitage, Karen Brewer informed the Committee that he wasn’t the right man for the job as animal manager as he wasn’t comfortable with protocols and procedures which had moved on over the last 10 years but did agree that he had also been squashed a bit whilst carrying out his role as the previous animal manager role.”

“Ms Brewer stated that DA was “squashed” (as were others) when taking on that role [by Mr Gill].”

“David Gill was still the land owner and the 100% shareholder until the Memorandum of Understanding was in place.”

“Members suggested to Karen Brewer that as land owner and 100% shareholder, that would override the Memorandum of Understanding, if David Gill so wished.”

Clarification about the Memorandum of Understanding was sort from Ms Brewers’ legal representative:

“She stated that it wasn’t legally binding and David Gill could override it at any time.”

In summarising Ms Brewers submissions, the following was recorded:

“David Gill does not figure in the long-term future of the zoo, but whilst the licence was in his name and as such everything went through him it was one of the barriers standing in their way.”;

8.6.2. Licensing Regulatory Committee – 5th to 7th July 2016

From the Record of Decision of the Licensing Regulatory Committee, the Secretary of State Inspectors concluded that:

“The zoo is clearly being managed by David Gill.”

The reasons for the decision included:

“The zoo is clearly being managed directly by Mr Gill and the way that the collection is being managed still has a profoundly negative impact on the welfare of the animals kept in this collection, and continues to act as a potential danger to the public.”

“Members had concerns regarding the reliability of statements made by Mr Gill and the Zoo Management.”

8.6.3. Licensing Regulatory Committee – 10th November 2016

On the 10th November 2016, Karen Brewer attended this Committee, as representative of South Lakes Safari Zoo. She addressed Members questions and made the following comments regarding the Africa House:-

The lack of bedding was not due to the lack of knowledge or passion from the Keeper's, it was due to the fact that they were knocked back by Management (Mr Gill's decisions were overriding);

When questioned why Mr Gill's decisions were overriding when she has previously categorically stated at Committee meetings that Mr Gill was not making any decision, Ms Brewer denied ever saying such a thing [Members noted records held by the Council officers from previous hearings that Ms Brewer had previously stated / confirmed that Mr Gill was not making any decisions];

She understands how the Committee feel about there being no stability at the Zoo but they know that they have to make the changes.

Ms Brewer also stated "We know what needs to be done. We know it changes from one week to the next. David Gill makes the final decision."

Following that Committee, the Council wrote, via email, to Mr Gill regarding the comments made by his Chief Executive Officer, Karen Brewer. In response, Mr Gill's legal representative wrote, in an email, dated 24th November 2016, [timed at 16:09]: **(emphasis added)**

*"The Zoo Licence is, of course, in Mr Gill's name and he is aware of the responsibilities which follow from that. He has traditionally had the final say in matters within the Zoo. However, he is aware that the governance of the Zoo must change and in response to concerns raised, he has taken the decision to hand over the reins. We are therefore in something of a transitional period, in that Mr Gill remains licence holder but has empowered the proposed new management team. **As of the end of last week he has passed all day to day decision-making responsibility to Karen Brewer and her team** in anticipation of Cumbria Zoo Company Limited becoming the tenant of the Zoo site and becoming the licensee in due course.*

As such, the evidence given to the Committee in November was correct."

The EMAIL from Livingstons Solicitors is attached at **APPENDIX H**

8.6.4. Licensing Regulatory Committee – 6th and 29th March 2017

At a hearing of this Committee, on the 6th March and concluding on the 29th March 2017, Officers reported on the ongoing work, carried out by CZCL, since the January 2017 inspection. For example, from an additional informal inspection, in February 2017, the Councils Veterinary Advisor Dr Brash reported (*summarised*):

"Immediately after the inspection in January, the owner DG, passed management of these animals in the Tambopata Aviary area back into the control of CZCL. A report was drawn up by the veterinary consultant."

At the time of the inspection in February 2017, the inspectors noted;

- 1. The whole area has been thoroughly cleaned. The previously overwhelming smell due to the high level of ammonia is no longer present.*
- 2. The stocking density has been decreased with a number of species removed. There are plans to reduce the stocking density further, but this is limited at this time of year.*
- 3. The reptiles have been provided with an improved environment.*
- 4. The Parma Wallabies have a significantly improved environment.*
- 5. The veterinary nurse informed the inspectors, that apart from one more Parma wallaby that died soon after the last inspection in January there have been no further deaths, in this area.*
- 6. All diets for animals in this section have been reviewed by the veterinary consultant and signed off.*
- 7. There has been a concerted attempt to get rid of vermin, although a sick rat was noted during the inspection.”*

The Inspectors' have also stated, in their March 2017 report, the similarities in the management team at the Zoo, and qualify their recommendation with the following:

“The staff of CZCL are largely the same as those previously employed by and working in the zoo under SLSZ (with the exception of Mr Gill and his wife Ms Schrieber).”

“The inspectors were impressed and highly encouraged by the improvements made since the takeover of full management since January 2017, the palpable change of culture and attitude of all staff, their level of engagement, dedication and enthusiasm, and ambitious plans to move forward now that the owner/previous director is no longer involved.”

8.7. Management Structure and Condition 34.

Inspectors' Reports Relating to Inspection 13th/14th March 2017

The Inspectors have produced, as part to their Inspection Report Form 11A (**APPENDIX D**), a detailed report on the management structure (Condition 34) and their justification for rewording the condition, this is summarised below:

Between November 2015 and July 2016, many different guises of management teams have all been put forward to the inspectors and the licencing committee. During this process it was evident to the inspectors

that DG would continue to exert influence over the management of the zoo and the way it was run, whether directly or indirectly.

Throughout this period, November 2015 to March 2017, the inspectors have taken great pains to show that, in their opinion, it was DG and his style of management that was the root cause of the problems in this zoo, and not the keepers and staff who worked for him.

In the report of the November 2015 inspection the inspectors wrote;

The inspectors note and commend the overall evident hard work and dedication of the keeping staff and administration team.

In the report for the inspection in May 2016 the inspectors wrote

They were particularly impressed with the highly motivated, dedicated and enthusiastic keeping staff, and the evident desire of the staff and management team to move forward and develop and progress the zoo following the previous inspection. The inspectors recognise the many very positive aspects of the zoo and the public's experience.

In the report for the CZCL New Licence application, in which the inspectors recommended refusal, the inspectors wrote:

There is an improved culture, many previous issues have been dealt with, e.g., heating and accommodation in the Africa house, stock reductions and control of excessive breeding amongst free ranging animals, bites and escapes, etc. If suitably funded and with a realistic business plan, CZCL should be able to obtain the services of a competent and qualified Curator/Zoological Director, appropriate veterinary services, a legally binding agreement ensuring complete separation from the current owner, and invest in the infrastructure as required. If this were to be the case, with appropriate robust evidence that all such plans would be put in place and implemented within a very short period of time, there may be merit in reconsidering an application for a new licence by CZCL.

During interviews with the consultants, and the staff at the zoo, it was apparent that they were attempting to manage a very difficult situation; Viz that whilst the staff were attempting to modify the zoo so that it complied with all the requirements, DG continued to interfere, splitting the zoo into two, removing or moving animals, etc.

The inspectors acknowledge that this company is made up of the same managers and keepers who all worked under DG, many of whom for several years, however it also includes several staff that had left the zoo, but were now willing to return once DG was no longer present (e.g. JB). It is also strongly supported by a network of zoo consultants.

It is important to note that, in the inspectors' opinion, the staff are fiercely loyal, hardworking and dedicated. In our opinion this appears to be due to a deep affection and loyalty for the zoo itself and its animals, and the service it provides to the local community.

Inspection - January 2017

the inspection team did acknowledge that great strides have been made in many areas of this zoo:

There is an improved culture, many previous issues have been dealt with, e.g., heating and accommodation in the Africa house, stock reductions and control of excessive breeding amongst free ranging animals, bites and escapes, etc. The inspectors believed that, if suitably funded, and with a realistic business plan, CZCL should be able to obtain the services of a competent and qualified Curator/Zoological Director, appropriate veterinary services, a legally binding agreement ensuring complete separation from the current owner, and invest in the infrastructure as required.

If this were to be the case, with appropriate robust evidence that all such plans would be put in place and implemented within a very short period of time, there may be merit in reconsidering an application for a new licence by CZCL.

Inspection – February 2017

Since the last inspection in January there is a noted improvement in the management of the animals. The indoor housing for many of the animals has a markedly improved enriched environment.

Inspection – March 2017

At the recent New Licence inspection in March, sufficient changes have now been put in place for the inspectors to be able to say that, in their opinion;

The zoo was being managed in such a way that the SSSMZP were being met and the standards of accommodation, staffing or management are adequate for the proper wellbeing of the animals.

The zoo is likely to be managed in such a way that the SSMZP are likely to be met.

There is no evidence that granting a licence would injuriously affect the health or safety of persons living in the neighbourhood of the zoo, or seriously affect the preservation of law and order.

That all the conservation measures referred to in section 1A are now likely to be complied with.

The inspection team discussed the budget, leases and service agreement with KB and CZCL's lawyer and the complete team were satisfied, as far as reasonably possible, that these were credible and sufficiently robust for the zoo to be able to comply with the SSSMZP.

The inspectors agreed that we had noted considerable improvements, and that a licence could be granted to CZCL.

In CZCL's response to the March 2017 Inspection, two Secretary of State Inspectors, who are contracted to the Zoo, have stated:

"I think it is clear to all who have been involved with the zoo during those years that the ability of myself and other consulted experts to help manage the zoo properly has been severely restricted by the attitude of the previous owner, and that applies to those responsible for the day-to-day management of the business and the animals." – Andrew Greenwood

"In my position as a zoo inspector and an independent zoo professional that has watched the collection develop and grow in the last 4 months under the current directorial team, with massive changes once independence of the previous owner had been achieved." – Jon Cracknell

8.8. Cost of compliance monitoring and enforcement at the Zoo.

Officers have spent a significant amount of time, monitoring and enforcing compliance of the Zoo Licence conditions during 2015/16, which is reflected in the level of the annual maintenance fee. The Council is able to operate at full cost recovery, for those licences where it is able to set its own fees and charges. The approved maintenance fee for 2017/18 is £111,000 and would be payable by CZCL if their licence application is granted.

8.9. Lease Agreements / Service Agreements and Financials

----- PART 2 Item -----

8.10. Section 4(4) of the Act.

S.4(4) The local authority **MAY** also refuse to grant a licence if--

- (a) the applicant, or
- (b) (where the applicant is a body corporate) the body or any director, manager, secretary or other similar officer of the body, or
- (c) any person employed as a keeper in the zoo,

has been convicted of an offence under this Act or under any of the enactments mentioned in subsection (5), subsection (5A) or of any other offence involving the ill-treatment of animals.

On the 19th November 2014 both Mr David S Gill and South Lakes Wild Animal Park Ltd were convicted of offences under Section 14 of the Wildlife & Countryside Act 1981 regarding the escape into the wild of a number of Sacred Ibis from South Lakes Wild Animal Park. At that time, Stuart Lambert, Karen Brewer and Jayne Birkett were not Directors / Officers of South Lakes Wild Animal Park Ltd.

Therefore none of the current directors, managers or keepers of CZCL have been convicted of an offence stated in Section 4(5) of the Act.

For information, Members will be aware that the RSPCA are conducting an investigation into historic animal welfare and potential offences under the Animal Welfare Act.

8.11. Section 4(6) of the Act.

S.4(6) If the local authority are not satisfied that any planning permission required under Part III of the Town and Country Planning Act 1990, for the establishment of the zoo or for the continuance of the zoo during the period for which the licence would be in force, has been, or is deemed to be, granted, they **SHALL** either refuse to grant the licence or grant the licence but suspend its operation until the local planning authority have notified the local authority that any such planning permission has been or is deemed to be granted.

In email correspondence, dated 12th April 2017, the Development Control Manager stated:

“We have a retrospective application to regularise the four main buildings not built in accordance with the original planning approval. This needs committee approval as there are objections. (May 23rd)

As yet no application for the Bear House.

Karen Brewer has been informed, last Friday, of the need to provide the 2017 Marshalling Plan in accordance with the planning consent.”

8.12. Duplicity of Licences

Mr Gill has appealed the refusal of his fresh licence application and a case management hearing is listed for the 4th May 2017. As explained this means the Zoo can remain open. His legal representative has stated this appeal has only been made to keep the Zoo open.

It is the Council's view that it cannot lawfully grant two licences on a premises for the same licensable activity i.e. the operation of a zoo to which members of the public have access.

Unless the appeal by Mr Gill is withdrawn and/or the licence is surrendered on or before today, Members of this Committee will be limited to a decision to either:-

- a) Refuse; or
- b) Be minded to grant (with conditions) subject to the existing licence, held by Mr David S Gill, ceasing to exist.

Members could also delegate the issuing of the licence to the Environmental Health Manager, subject to Mr Gill withdrawing his appeal or surrendering his licence. If either of these actions are taken by Mr Gill, his licence would end and any direction orders associated with it, would lapse.

9. Proposed Licence Conditions.

If Members decide to grant Cumbria Zoo Company Limited (CZCL) an original zoo licence, a decision regarding what conditions are necessary or desirable for ensuring the proper conduct of the zoo will need to be made.

During the zoo inspection on 13th and 14th March 2017, the Zoo Inspectors assessed compliance with current licence conditions on Mr Gill's licence, which the Council had deemed as the starting point.

Members should note that any conditions attached to a licence issued to CZCL would be assessed after three months via an informal zoo inspection. Compliance would then be assessed again during the first year via a periodical inspection as required by section 10(3)(a) of the ZLA which states that such inspections shall take place:

“in the case of an original licence, during the first year and not later than six months before the end of the fourth year of the period of the licence.”

Conditions on the licence can be split into three sections:

- a) Directive Conditions
- b) Standard Conditions
- c) Additional Conditions

9.1. DIRECTIVE CONDITIONS (IN ACCORDANCE WITH SECTION 1A OF THE AMENDED ACT)

The following Directive Conditions are mandatory on all Zoo Licences, under Section 5(2A) of the Act that states: A licence under this Act shall be granted subject to conditions requiring the conservation measures referred to in section 1A to be implemented at the zoo.

South Lakes Safari Zoo Must:

1. *Promote public education and awareness about biodiversity conservation. In particular, provide information about the species of wild animals kept in the zoo and their natural habitats.*
2. *Accommodate and keep the animals in a manner consistent with the standards set out in the Secretary of State's Standards of Modern Zoo Practice.*
3. *Prevent escapes and put in place measures to be taken in the event of any escape or unauthorised release of animals.*
4. *Introduce practical measures designed to prevent the intrusion of pests and vermin into the premises of the zoo.*

5. *Keep up-to-date records of the animals, including numbers of different animals, acquisitions, births, death, disposals and escapes, causes of deaths and the health of the animals.*
6. *Participate in at least one of the following:-*
 - *Research which benefits the conservation of wild animals.*
 - *Training in relevant conservation skills.*
 - *Exchanging information about the conservation of wild animals.*
 - *Breeding of wild animals in captivity.*
 - *Repopulating an area with wild animals, or re-introducing wild animals.*

The zoo must keep information to show how it has complied with this condition and supply it to the Local Authority upon request.

9.2. STANDARD CONDITIONS

In the Guide to the Provisions of the ZLA produced by Defra, the following Standard Conditions are also suggested. These complement the directive conditions stated earlier, therefore it is proposed to place these on any future licence relating to South Lakes Safari Zoo.

7. Insurance

Within one month of the date of the licence and one month of the date of renewal of the policy, where applicable, a copy of the zoo's current public liability insurance policy, and of subsequent renewals thereof, to be sent to the Licensing Authority.

8. Stocklist

A copy of the zoo's annual stocklist, as defined by the Secretary of State's standards of modern zoo practice, shall be forwarded to the Licensing Authority by 1st April of the year following that to which it relates.

9. Hazardous animals

The Licensing Authority shall be notified in writing at least one month in advance of the proposed addition of any animal listed in Category 1 of the Hazardous Animal categorisation (see Appendix 12 of the Secretary of State's Standards of Modern Zoo Practice) which is from a taxonomic family of which Category 1 species have not previously been kept in the zoo.

Such notification shall include all plans and strategies necessary to safely contain any such animal. All such notifications, plans and strategies shall

be approved by the Licensing Authority and fully implemented and in place prior to the arrival at the Zoo of any animal detailed in the notification.

10. Temporary removal of Category one animals

The licensees shall notify the Licensing Authority before the temporary removal from the zoo (other than for veterinary attention or inter-zoo movements) of any animal listed in the Category 1 of the Hazardous Animal categorisation of Secretary of States Standards of Modern Zoo Practice, as currently amended. Such notification shall be given as early as possible and, in any case, no later than 12 hours before the removal, unless the zoo operator and Licensing Authority mutually agree a shorter period. When giving notification, details of the destination and method of transportation of the animal and of the arrangements for its well-being, as well as for the safety of the public whilst it is away from the zoo, to be provided.

11. Escapes

In the event of any non-domestic animal escaping from the confines of the zoo, notification shall be made to the Licensing Authority as soon as possible and, in any case, not later than 24 hours following the escape.

9.3. ADDITIONAL CONDITIONS

The following Additional Conditions are currently on Mr Gill's licence. These will now be assessed individually to see if they should be added to any future zoo licence for CZCL. They can only be added if they are deemed necessary or desirable for ensuring the proper conduct of the Zoo.

12. Animal Escapes

If the policy / procedure relating to animal escapes changes a copy shall be sent to the Licensing Authority within one month of being made.

Inspector Comments

The Inspectors have deemed this condition as 'complied with' and 'likely to be met' in their report stating this is "*based on the inspectors' professional judgement.*"

Zoo Comments

"12. Animal Escapes: Current policy attached; this has previously been supplied to Inspectors and Council Officers."

Officer Comments

The Zoo will already have to report escapes to the Council if they occur via proposed standard condition 11 stated above. The policy/procedure has to

be agreed with the police and is attached as a document in Part 2 of this Committee report.

Officer Recommendation

That this condition should be added to CZCL's zoo licence.

Reason for the Recommendation

Adding this condition would keep Council Officers up-to-date with the correct escape procedure to be followed. This complements the condition below relating to firearms.

Options for Members

ACCEPT the Officer recommendation and add the condition to the licence;
or

REJECT the Officer recommendation and do not add the condition to the licence.

13. Hazardous Animals

In accordance with paragraph 5.1 and 10.1 of the SSSMZP all staff who work with newly arrived hazardous species [any animal listed in Category 1 of the Hazardous Animal categorisation (see Appendix 12 of the Secretary of State's Standards of Modern Zoo Practice)] not previously held in the collection (or not within other staff's past experience) must undergo a period of recorded training at a collection already holding the species. Evidence of this training must be forwarded to the Licensing Authority prior to the hazardous animal arriving on site. If staff have previous experience then that experience must be detailed including dates and establishments where the training was received and forwarded to the Licensing Authority 4 weeks prior to the animal arriving.

[Timescale – Immediate]

Inspector Comments

The Inspectors have deemed this condition as 'complied with' and 'likely to be met' in their report stating this is *"based on the inspectors' professional judgement and assessment of current documentation."*

Zoo Comments

"For the short to medium term period our primary focus will be consolidation of the collection resulting in a reduction of species and animals with the aim of a manageable collection from a staff and expertise perspective, giving time, focus and funds to concentrate on essential review and upgrade of current facilities.

There will be no additional hazardous species joining the collection."

Officer Recommendation

This condition should not be placed on CZCL's licence.

Reason for Recommendation

The Inspectors have stated that the Zoo has complied with and is likely to meet this condition going forward. In addition, CZCL has stated there will be no additional hazardous species joining the collection.

Options for Members

ACCEPT the Officer recommendation and do not place the condition on the licence

REJECT the Officer recommendation and place the condition on the licence

14. Ethics Committee

The ethics committee must meet regularly and minutes of the business of that committee be kept on record

Inspector Comments

The Inspectors have deemed this condition as 'complied with' and 'likely to be met' in their report and stated this was "*based on the inspectors' professional judgement.*"

Zoo Comments

"An ethical review process is in place and has been supplied to the Local Authority within the pre-inspection audit. The ethics committee will meet a minimum of two times a year with additional meetings held as deemed necessary. Ethical review is an ongoing process at CZCL undertaken on a daily basis by all members of staff, if problems requiring ethical review are presented outside the meeting then review can take place through an open forum via email with review of decisions made at the following ethics committee meetings. Membership is reflected upon the medium size of the Zoo and in line with Appendix 2.6 of the SSSMZP(2012) will be carried out by a formal committee that includes the following persons:

- The Animal Department Director*
 - Member(s) of the senior animal management staff*
 - A representative of the zoo veterinary team*
 - A senior member of the zoo marketing/PR department*
 - A senior member of the zoo education department*
 - Person(s) independent of the establishment. Invitations to sit on future committees have been extended.*
 - Person(s) co-opted on a regular or occasional basis to provide specific expertise e.g. in aspects of zoo animal care, disease control, welfare, etc*
- A secretary whose sole function is to record the discussions and decisions.*

POWERS OF THE COMMITTEE

The ethics committee may:

- *Authorise an operation under ethical review to proceed or pass without requiring any amendment. Any such authorisation is granted on the basis of the project as stated on the ethics submission form, any changes to personnel or to the protocol must be notified to the committee giving final approval.*
- *Require clarification or modification of parts of operational activities of ethical problems submitted. The Chair will normally be granted authority to approve the amendments without requiring further consideration by the full committee.*
- *Defer consideration of a submission to a subsequent meeting if substantial modification is required or where significant additional information is required.*
- *Reject the ethical problem proposed in whole or part.*
- *Revoke the approval if dissatisfied with the conduct of the staff or team undertaken operational activities.”*

Officer Comments

Officers have seen copies of the Minutes of the Ethics Committee when checking compliance with specific issues e.g. the foot health of the Chilean Flamingos.

Officer recommendation

That this condition should not be added to the licence.

Reason for Recommendation

- (i) The inspectors have stated that the Zoo has complied with and are likely to meet this condition.
- (ii) The Zoo has confirmed that an Ethics Committee will meet a minimum of two times a year.

Options for Members

ACCEPT the Officer recommendation and do not place the condition on the licence; or

REJECT the Officer recommendation and place the condition on the licence.

15. Safe and Effective Control of Vermin

In accordance with 1.3a and 3.25 of the SSSMZP a report covering the safe and effective control of rodent vermin and including recommendations is produced and submitted to the Local Authority by an independent, professional pest control company during each month of September and such report to be submitted to the Local Authority by no later than 31st October each year.

[Timescale – annually by 31st October]

Inspector Comments

The Inspectors have deemed this condition complied with and stated this *'was based on their professional judgement having viewed documentation and on-site assessment'*.

Zoo Comments

"A rodent policy is in place and has been supplied to the Local Authority within the pre-inspection audit. The most recent vermin Control Report was submitted to the Licensing Officers on 28 February 2017. It has been implemented and is ongoing."

Officer Comments

A condition relevant to vermin control is already a Directive Condition (condition 4 above) and therefore a mandatory condition on all zoo licences. If issues with vermin control are found in the future this condition can be escalated to a Direction Order.

Officer recommendation

That this condition should not be added to the licence.

Reason for Recommendation

- (i) The inspectors have stated that the Zoo have met and are likely to meet this condition.
- (ii) There is an existing condition on the licence relating to vermin control that can be escalated to a direction order if there are future problems.

Options for Members

ACCEPT the Officer recommendation and do not place the condition on the licence; or

REJECT the Officer recommendation and place the condition on the licence

16. Keep public walkways safe

In accordance with 8.13 and 8.18 of the SSSMZP, the public wooden walkways and platforms must be designed to meet BS 6399-1: 1996 and be able to cope with the heavy duty loading and maintained in safe condition. The effect of any walkway or platform stanchions being submerged in water for prolonged periods should be assessed in terms of deterioration and structural stability. A programme of inspection, maintenance and structural repairs needs to be documented.

A report must be produced for the Licensing Authority addressing the following six issues:-

- 1) *The Zoo must produce design calculations that demonstrate that all timber walkways and platforms are designed to carry the loads specified in Clause 10 and Table 4 of BS 6399-1: 1996 with structures considered to be carrying 'heavy duty' loading;*
- 2) *Design calculations must be produced to confirm that 'stability critical' longitudinal and lateral sway stiffness of the structures is confirmed for at least 10% of the 5kNm⁻² vertical loading in the appropriate combinations with lateral loading on the parapets and the timber post supports;*
- 3) *The Zoo must demonstrate through design and calculations that the design incorporates protection against any accidental (impact) loading on the timber posts;*
- 4) *The Zoo must demonstrate through design and calculations that the design incorporates a suitable assessment for any disproportionate collapse (i.e. structural integrity under failure of one or possibly more timber posts);*
- 5) *That the Zoo provides an independent Structural Engineer's report on the condition of the timber walkways and platforms within the Zoo and carry out any works that will meet the design standard and specifications above; and*
- 6) *That the Zoo implements a regular recorded assessment, inspection and maintenance regime*

Elevated to Direction Order – 18th December 2015

Compliance date – 31st May 2016

Condition and Direction Order escalated to Zoo Closure Direction for three walkways/platforms – 19th July 2016

Inspector Comments

There were no comments from the Inspectors on this condition.

Zoo Comments

The Zoo did not comment on this condition.

Officer Comments

A zoo closure direction relating to three walkways/platforms within the zoo was issued on 19th July 2016 and is still in place. This relates to:

- Snow leopard/wolf access ramp
- Anteater viewing platform
- Duck feeding platform

If a new zoo licence is issued to CZCL then Mr Gill's licence will have either been surrendered or the appeal against the refusal to grant a fresh licence

will have been withdrawn. As a result any direction order or zoo closure direction will lapse.

Therefore it is proposed that the three closed walkways will be dealt with under health and safety legislation going forward to protect public safety.

Officer recommendation

That this condition should not be added to the licence.

Reason for Recommendation

The zoo closure direction will cease to exist if CZCL are granted a licence and this matter can be dealt with under health and safety legislation.

Options for Members

ACCEPT the Officer recommendation and do not place the condition on the licence; or

REJECT the Officer recommendation and place the condition on the licence.

17. Firearms cover and Protocol regarding escapes

- a) *In accordance with 8.20 and 8.34 of the SSSMZP there must be an agreed and written protocol for liaison with the Cumbria Constabulary in response to the escape of an animal outside of the perimeter of the licensed premises and appropriate firearms cover for the premises. This must be reviewed on a yearly basis and be provided to the Licensing Authority upon review.*
- b) *A MINIMUM of two firearms 'users' shall be on-duty at all times during opening hours. At least one of these should be an established user with at least the initial training and the other user shall have at least one year/six 'range days' experience in the role, or as agreed between the Zoo and the Firearms Operation Unit at Cumbria Police.*

[Timescale – immediate and annually on 1st April]

Inspector Comments

The Inspectors have confirmed that this condition is complied with in their report stating *"this is based on the Inspectors' professional judgement having viewed documentation"*.

Zoo Comments

"CZCL have recognized within the team 3 additional firearms personnel who have attended team training sessions. Those applications have been submitted to Cumbria Constabulary and are being progressed. 2 further applicants have also been submitted. Bringing the total in-house firearms

personnel to 8 from across 2 different departments ensuring maximum coverage. On-going external training sessions led by an external expert are booked in for the calendar year ahead and recorded. Firearms provision/ duty personnel are identified upon the rota and a minimum of 2 are on duty during opening hours.”

Officer Comments

This condition was amended by the Licensing regulatory Committee on 6th March 2017 as a result of a request from Cumbria Police (resulting in part b) being added).

Officer Recommendation

That this condition should be added to CZCL’s zoo licence

Reason for the Recommendation

Cumbria Police has requested that this condition be placed on the licence.

Options for Members

ACCEPT the Officer recommendation and add the condition to the licence;
or

REJECT the Officer recommendation and do not add the condition to the licence.

18. Perimeter Fence

In accordance with 8.7 and 8.29 of the SSSMZP all vegetation, shrubs, bushes and trees in proximity to the perimeter fence must be cut back and maintained to ensure they remain clear of the electric fencing. All shrubs, bushes and trees overhanging or near the perimeter fence must be kept cut back to prevent animals from escaping.

Inspector Comments

The Inspectors have confirmed that this condition is complied within their report and is also ‘likely to be met’ stating *“this is based on the Inspectors’ professional judgement having made an on-site assessment”*.

Zoo Comments

“All shrubs, bushes and trees overhanging or near the perimeter were cleared/ cut back to prevent animals escaping. The cutting back of overhanging trees and the undergrowth is an ongoing job on the maintenance schedule.

Adam Steel

Maintenance Manager”



Officer Comments

A condition relevant to preventing escapes is already a Directive Condition (proposed condition 3 above) and therefore a mandatory condition on all zoo licences. If issues with vegetation overgrowing the perimeter fence are found in the future, this directive condition could be escalated to a direction order.

Officer Recommendation

That this condition is not included on CZCL's zoo licence.

Reason for the Recommendation

- (i) The inspectors have stated that the Zoo have complied with this condition.
- (ii) There is an existing Directive Condition on the licence relating to prevent escapes that can be escalated to a Direction Order if there are future problems.

Options for Members

ACCEPT the Officer recommendation and do not add the condition to the licence; or

REJECT the Officer recommendation and add the condition to the licence.

19. Future Design of Enclosures

- a) *In accordance with 1.5 and 5.1 of the SSSMZP the design of any new or remodelled accommodation for Category 1 animals must be sanctioned by a suitably qualified person and submitted to the Licensing Authority prior to the accommodation being built. The design*

must ensure that keepers do not have to enter an enclosure with a Category 1 animal.

- b) *A written document detailing the animal management practices, including risk assessments, must be forwarded to the Licencing Authority before the accommodation is occupied.*

Escalated to a Direction Order – 19th July 2016 for a period of 2 years

Inspector Comments

The Inspectors have confirmed that this condition is likely to be met by CZCL and stated this ‘based on the Inspector’s professional judgement.’

They have also stated that there is a ‘*key, fundamental change of the departure of Mr David Gill from any practical involvement of running the Zoo.*’ (3rd Inspectors’ report)

Zoo Comments

“For the short to medium term period our primary focus will be consolidation of the collection resulting in a reduction of species and animals with the aim of a manageable collection from a staff and expertise perspective, giving time, focus and funds to concentrate on essential review and upgrade of current facilities.

There may be redesigns of current enclosures. A process is in place which covers the arrival of any potential changes and address the fundamentals of condition 30. (see earlier)”

Officer Comments

This condition was placed on Mr Gill’s licence as a result of concerns by Inspectors that Mr Gill designed, built and remodelled the accommodation of category 1 animals without any consultation with zoo staff or veterinary consultants employed by the Zoo. This resulted in keepers having to enter enclosures with category 1 animals to carry out tasks and the accommodation was also unsuitable for animals.

Members should note that this condition was escalated to a direction order for 2 years from 19th July 2016. As stated earlier, if a new zoo licence is issued to CZCL then Mr Gill’s licence will have either been surrendered or the appeal against the refusal to grant a fresh licence will have been withdrawn. As a result any direction order or zoo closure direction will lapse.

Officer recommendation

That this condition should not be added to the licence.

Reason for Recommendation

The inspectors have judged that the Zoo is likely to meet this condition. The Inspectors have stated that Mr Gill is no longer involved in the practical

running of the Zoo therefore the problem of badly designed enclosures should no longer occur.

Options for Members

ACCEPT the Officer recommendation and do not place the condition on the licence; or

REJECT the Officer recommendation and place the condition on the licence.

20. Review of Public Feeding

In accordance with paragraphs 1.5 and 1.10 of the SSSMZP, any organised sessions involving members of the public preparing food or feeding animals that involves raw meat and fish must be the subject of a written risk assessment and protective gloves must be worn by all participants.

Inspector Comments

There are no comments contained in the Inspectors' reports.

Zoo Comments

The Zoo has made no comment.

Officer Comments

The Committee noted this condition had been complied with during a meeting from 5th to 7th July 2016 but decided to keep it on Mr Gill's licence to show a sustained period of compliance.

Officer Recommendation

That this condition is not included on CZCL's zoo licence.

Reason for the Recommendation

The condition was complied with in 2016 and there have been no further identified problems.

Options for Members

ACCEPT the Officer recommendation and do not add the condition to the licence; or

REJECT the Officer recommendation and add the condition to the licence.

21. Written Protocol for Quarantine of "Rescue" Animals

In accordance with 3.19, 3.21 of the SSSMZP written protocols must be reviewed, with advice from the veterinary consultants, for the housing and quarantine of any animals introduced to the collection or accepted as rescue

animals. Staff must receive training on the protocols and their implementation and this should be documented.

[Timescale 6 months]

Compliance date – 2nd September 2016

Inspector Comments

There are no comments in the Inspectors' reports.

Zoo Comments

The Zoo has made no comment.

Officer Comments

The required written protocol was completed and submitted to the Council in the pre-inspection audit information received prior to the Zoo Inspection carried out on 23 to 25th May 2016 (new arrivals procedure and biosecurity programme). This was assessed by the Zoo Inspectors at the time and compliance confirmed.

Officer Recommendation

That this condition is not included on CZCL's zoo licence.

Reason for the Recommendation

The condition has been complied with.

Options for Members

ACCEPT the Officer recommendation and do not add the condition to the licence; or

REJECT the Officer recommendation and add the condition to the licence.

22. Review of Animal Bites

- a) *In accordance with Appendix 6 paragraph 6.14 of the SSSMZP, a suitable and effective action plan to eliminate bites and injuries must be put in place, and a copy of this plan forwarded to the Licensing Authority. The action plan must then be implemented fully and its effectiveness monitored.*

- b) *In accordance with 8.14 of the SSSMZP, all contact injuries to visitors from animals must be reported to the Local Authority within 14 days.*

Elevated to a Direction Order [ZDO/16/07] – 24th October 2016
Effective date - 21st November 2016

Inspector Comments

The Inspectors have deemed this condition as 'complied with' and 'likely to be met' in their report and stated this was based on the inspectors' professional judgement, documentation viewed and successful implementation of the action plan.

The plan aims to "eliminate" bites, but in the inspectors' professional opinion, and given human nature and behaviour, bites can never be 100% eliminated."

Zoo Comments

"An action plan was written and supplied to the local Authority and inspectors as part of the pre inspection audit. Public Lemur feeding takes a seasonal break from October to Easter and has just resumed. Below is an outline of the revisions to the process.

Lemur Feeding Session Review - Cumbria Zoo Company Ltd

The Lemur hand feeding sessions have been developed and improved by Cumbria Zoo Company Ltd (CZCL) for 2017. Visitors of the zoo have the opportunity to hand feed a variety of lemur species every day when purchasing a feeding wristband, CZCL has made changes and improvements from the previous method of lemur feeding carried out in past years.

In the past lemur hand feeding sessions have often been extremely busy and hectic due to having only one feeding time in a day and as a result hundreds of people have attended at one time which made the session hard to manage. Due to the high volume of people participating it made the feeding session more hazardous to the public and also to the lemurs. CZCL has now scheduled three lemur feeding sessions throughout the day; these also clash with giraffe feeding, which is equally as popular so people have to make a choice and in essence cut the crowds for both. This method means that the visitor numbers are split during the day between feeds thus lowering the risk and generally improving the welfare situation for the lemurs. With this change feeding sessions are more manageable for the keepers supervising, the animals are in a less crowded environment and the visitors can have a more enjoyable experience.

Experienced lemur keepers lead the lemur feeding sessions; they begin by explaining all of the rules needed for the feeding, i.e. no touching the lemurs, wearing gloves whilst feeding and keeping a good distance from the barrier so lemurs can move freely, the keeper will then move onto an educational talk. During this talk other keepers are positioned around the feeding area to monitor the behaviour and actions of the lemurs and public, it is their job to ensure that the public are not attempting to touch or distress the lemurs, and also ensuring that the lemurs are staying on the barrier, the talk also includes a demonstration of how to safely feed the lemurs. Once the talk is finished staff will move on to distributing the plastic gloves and food to the public. The keepers move in an orderly fashion from one end of

the barrier to other ensuring the public have a safe and pleasant experience.

Keeper numbers at the feeding session depend on how the busy the day is, on a very busy day there is staff carrying out the feeding session and also other keepers just monitoring the behaviour and actions of public and lemurs to ensure the rules are being followed correctly. Keepers are vigilant at all times to ensure safety is paramount.

The visitors who have purchased the feeding wristbands are given the food at the feeding sessions; the visitors are not permitted to feed the lemurs at any other time. The keepers at the feeding session hand out one piece of food separately to each visitor, the quantity of food given to the lemurs is monitored closely as the keepers need to ensure the lemurs will come into the house for their main feed at the end of the day, which is very important as the keepers will need to do a final health check of the animals each day before finishing work. This method ensures the animals are cared for to the highest standard.”

Officer Comments

From the Record of Decision 29th March 2017; Findings of fact:

“During a periodical inspection in January, 2017 Inspectors acknowledged the following:-

- The lemurs were no longer free-ranging over the Zoo and were contained within the World Wide Safari Area;*
- The permanent manning of the Illescas Aviary when members of the public were present;*
- Planned positive changes to the way public lemur feeds were carried out;*
- The improved security at the entrance to the World Wide Safari to prevent lemurs entering other parts of the Zoo; and*
- The increase in warning signs about food and animals, etc.*

Members noted that all three Inspectors agreed that it was likely to be impossible to guarantee to 'eliminate bites' when there were animals and the public in the same enclosure” ; and

From the Reasons for Decision:

“It was noted in the January 2017 inspection that the Zoo had implemented the action plan, although lemur feeding could not be assessed as this did not take place during the winter months.”

In their report on the March 2017 Inspection, the DEFRA Inspectors reiterated their comments on the word 'eliminate' and stated:

“The plan aims to “eliminate” bites, but in the inspectors’ professional opinion, and given human nature and behaviour, bites can never be 100% eliminated.”

CZCL have reviewed the Lemur Feeding experience for 2017 and made the following changes, for example: increased the number of feeding sessions,

improved the safety talk and demonstration and increased the number of keepers when demand dictates.

For Members information the SSSMZP guidance states:

6.14 In walk-through exhibits with exotic herbivores/primates, the following points should be noted:

- *appropriate risk assessments, particularly regarding zoonotic diseases and direct or indirect contact with animals, should be undertaken and reviewed regularly by a suitably qualified person (this would usually be a veterinary surgeon). These will be dependent on animal species and exhibit design and should cover risks to both public and animal safety;*
- *numbers of people allowed in the exhibit at any time, and allowable visitor behaviour and activities, should be consistent with the animals' welfare;*
- *appropriate staffing must be available, and protocols in place for staff to intervene in defence of either the visitor or animal if any conflict arises;*
- *staff and/or visitors should have a clearly indicated means of contacting assistance if required, including that of trained first-aiders;*
- *feeding of animals should only take place under supervision by staff.*

Officer recommendations

Amend the wording of the condition to:

- a) *In accordance with Appendix 6 paragraph 6.14 of the SSSMZP, a suitable and effective action plan that, as far as reasonably practicable, eliminates bites and injuries must be put in place. The action plan must be implemented fully, its effectiveness monitored and be reviewed annually.*
- b) *In accordance with 8.14 of the SSSMZP, all contact injuries to visitors from animals must be reported to the Local Authority within 14 days.*

Reason for Recommendation

- (i) The Zoo had produced an animal-guest interaction audit which had reviewed the risk of bites or injury to the public in compliance with point 1 of the Direction Order.
- (ii) The Zoo had also produced a written action plan and implementation times following on from the review, in compliance with point 2 of the Direction Order.
- (iii) The Zoo has actively implemented the action plan, and furthermore reviewed the Lemur feeding experience for 2017.

(iv) The Zoo have notified the Local Authority, within 14 days, and one animal contact injury, to a staff member was reported on the 10th April 2017.

(v) The compliance date of 19th June 2017, had not yet been reached.

(vi) If a new zoo licence is issued to CZCL then Mr Gill's licence will have either been surrendered or the appeal against the refusal to grant a fresh licence will have been withdrawn. As a result the direction order will lapse.

Options for Members

ACCEPT the Officer recommendation and place the amended condition on the licence.

REJECT the Officer recommendation and place the existing condition on the licence.

REJECT the Officer recommendation and amend the wording of the condition and place it on the licence.

REJECT the Officer recommendation and do not place the condition on the licence.

23. Management and Staffing Structure

As previously commented upon in Section 8 of this report, the DEFRA Inspectors have recommended the following condition be placed on CZCLs licence.

a) To ensure continued compliance with Section 1A of the Act and Section 10 of the SSSMZP, the post of an Animal Director or Senior Manager, must be filled. This post must have overall senior responsibility for all aspects of the Zoo related to the animal collection including, but not restricted to, animal welfare and veterinary care, husbandry, breeding, accommodation design, dangerous animal security, conservation programs, research, collection planning, and inter-zoo liaison.

[Timescale 4 Months; Compliance Date: 9th September 2017]

b) This post holder must have the ability and authority to make decisions independent of the registered land owner(s).

Inspector Comments

During the March 2017 inspection, compliance and likely compliance with the proposed conditions was assessed by the Secretary of State Inspectors and the Councils Veterinary Advisor. The inspectors stated:

“Based on the inspector’s professional judgement, documentation viewed and assessment on-site, the proposed conditions are ‘Met’ and are ‘Likely to be met’ ”

Referring back to the Inspectors Report (**APPENDIX D**), they conclude:

“The Secretary of State’s nominated inspectors, supported by the Local Authority veterinary advisor, are confident that the present management and staffing structure has raised standards in the Zoo sufficiently to meet Section 10 of the Secretary of State’s Standards of Modern Zoo Practice.

This, in conjunction with the key, fundamental change of the departure of Mr David Gill from any practical involvement in running the Zoo, means that it is our opinion that for all practical purposes the main aims of Condition 34 have been sufficiently met for the LA to consider that a licence could be granted to CZCL.

To quote the Zoo consultant

‘It is as if the blinds have been lifted up, and sunlight is now pouring into the room’.

At the March inspection, the whole inspection team were unanimous in considering that a new licence could be issued to CZCL based on the standards presented on that day.

In the inspector’s opinion, condition 34, originally written in November 2015, under very different circumstances, has now ostensibly served its purpose. Our current recommendation is that if CZCL are granted a licence by the LA, in order to ensure that an animal manager is still employed in a timely fashion to enable the zoo to continue to progress, a new condition be applied to the licence;

To take the Zoo to the next stage in a modern, progressive development program, and to ensure continued compliance with Section 1A of the Act and Section 10 of the SSSMZP, we recommended this new condition.”

Zoo’s Comments

“The current team are with the assistance of a number of zoo specialists contractors managing the zoo successfully and complying with SSSMZP. Part of the concerns surrounding the imposition of condition 34, and perhaps this extends further, relate to the independence from David Gill. CZCL are an independent company and the relationship between the 2 amounts to nothing more than that of a landlord/tenant. CZCL articles of association prevent David Gill or any member of his family/ connected person from holding any position within the company.”:

Members

- 2.1 The liability of the members is limited to the amount, if any, unpaid on the Shares held by them.
- 2.2 With the object of complying with the expectations of the Company's regulators, the Directors shall not admit as a member of the Company David Stanley Gill or any person who is a connected person to David Stanley Gill as defined by ss. 252 and 253 of the Companies Act 2006.

“Although the current team are managing the zoo within zoo licencing CZCL are committed to developing and looking to the future. A position for a full time Animal Director has been included in the development plan and budget and advertisement and interviews taken place. The hierarchal structure of the animal department and management team within the organisation has been revised to reflect the role.”

“An offer has been made to one of the candidates that offer has been accepted subject to a licence being issued to CZCL.”

Officer Comments

The DEFRA Inspectors have stated in their report that:

“The zoo was being managed in such a way that the SSSMZP were being met and the standards of accommodation, staffing or management are adequate for the proper wellbeing of the animals.

The zoo is likely to be managed in such a way that the SSMZP are likely to be met.”

Additionally, they recognise that:

“to ensure continued compliance with Section 1A of the Act and Section 10 of the SSSMZP” and “To take the Zoo to the next stage in a modern, progressive development program” this new condition is recommended to the Local Authority.

As of the 25th April 2017, Members please note that an appointment of a new Animal Manager is still to be made.

Officer recommendation

That the new condition, recommended by the DEFRA Inspectors, is placed on the licence.

Reason for Recommendation

- (i) The Secretary of State's nominated inspectors, supported by the Local Authority veterinary advisor, are confident that the present management

and staffing structure has raised standards in the Zoo sufficiently to meet Section 10 of the Secretary of State's Standards of Modern Zoo Practice.

- (ii) To ensure continued compliance with Section 1A of the Act and Section 10 of the SSSMZP
- (iii) To take the Zoo to the next stage in a modern, progressive development program.
- (iv) To give CZCL adequate time to employ an Animal Director or Senior Manager.
- (v) To ensure that the Animal Director or Senior has the ability and authority to make decisions independent of the registered land owner(s)

Options for Members

ACCEPT the Officer recommendation and place the new condition on the licence.

REJECT the Officer recommendation and amend the wording of the condition and place it on the licence.

REJECT the Officer recommendation and do not place the condition on the licence.

24. Africa House

a) *In accordance with Section 2 of the SSSMZP an appropriate written action plan must be developed that demonstrates clearly how the Africa House will be heated, how suitable bedding and substrate will be provided, such that the welfare needs of all the animals housed within this building are met at all times, thus ensuring their well-being and comfort. A copy of this action plan must be submitted to the Local Authority.*

[Timescale: 1 week];

b) *The action plan must be implemented within 4 weeks from today's meeting. **[Compliance Date: 8th December 2016]**; and*

c) *The Africa House must be permanently monitored to ensure a suitable environment of the building including the temperatures and bedding being maintained. **[Timescale: Ongoing]**.*

Inspectors Comments

The Inspectors have deemed this condition as 'complied with' and 'likely to be met' in their report and stated this was based on the inspectors' professional

judgement, viewing documentation and results of successful implementation of the action plan.

Zoo Comments

“To ensure the welfare of the animals in the Africa building the heating must be operational at all times, the thermostat ensures that the temperatures are kept within a comfortable range for the animals.

Temperatures are recorded morning and night to ensure any failures of the heating system are detected and resolved quickly. The house also has infra-red heaters fitted above the giraffes and above the 2 rhino pens which the young calves are in, which act as backup heating or extra heating if required. The giraffes are given access to the hardstand when weather permits, browse poles are planned for the hardstand, inside browse and branches for chewing are hung up for the giraffes throughout the day”

“Drainage work and added hardstanding by the gates on the field will solve the issues we have encountered with the field this winter, hoof stock was required to be kept off the field to prevent the risk of hoof rot, work is set to be done before next winter”

Officer Comments

From the Record of Decision 29th March 2017; Reasons for Decision:

- *The required plan, detailing the changes that would be put in place for the comfort and wellbeing of these animals was received on the 18th November 2016.*
- *Inspectors had noted during inspections that there was suitable heating and bedding in the Africa House.*
- *The Zoo had records to show the temperature was being permanently monitored by Keepers in the House.*
- *There were possible long term actions regarding drainage that still required the Operator to review during the warmer months.*

From the Zoo’s response, work on the drainage is scheduled for the Summer months and they have produced the following action plan:

“Action plan

Our aim is to improve the drainage across the zoo and add more hard stands to the following animal enclosures:

- *Africa: To improve the existing hard stands, take about one third of the field and make a suitable area for the animals over the winter season. Assess the drainage holes put in Rhino pens before the beds went down and make sure they were adequate. Add sump holes to all 3 drains that run from back to front of the house.”*

Officer Recommendation

That this condition is not included on CZCL's zoo licence.

Reasons for the Recommendation

(iii) The inspectors have stated that the Zoo have complied with this condition.

(iv) Members have noted compliance with this condition at the 29th March 2017 hearing.

(v) The Zoo have addressed the additional outstanding drainage concerns and have produced an action plan, specific to the Africa House.

Options for Members

ACCEPT the Officer recommendation and do not add the condition to the licence; or

REJECT the Officer recommendation and add the condition to the licence.

10. Options Available to Committee

- a) That Members are **MINDED TO GRANT** an original licence to Cumbria Zoo Company Limited, for a period of 4 years and that delegated authority be given to the Environmental Health Manager to issue a licence should Mr David Gill either withdraw his appeal against refusal of his fresh licence application or surrenders his licence in accordance with s.7(3).
- b) To **REFUSE** to grant an Original Licence to Cumbria Zoo Company Limited

11. Recommendation

That the Licencing Regulatory Committee are minded to **GRANT** an Original Licence to Cumbria Zoo Company Limited, for 4 years and that delegated authority be given to the Environmental Health Manager to issue a licence when Mr Gill either withdraws his appeal against refusal of his fresh licence application or he surrenders his licence.

12. Reasons for Recommendation

12.1. Section 4(1)(a) of the Act – The Local Authority have considered the Inspectors report and their recommendations that a licence should be granted to Cumbria Zoo Company Limited;

- a) The pre-inspection audit was comprehensively completed and provided good evidence of significant development and improvements in organisation and processes, including record keeping and the organisation of the programme of curative and preventive veterinary care.
- b) The (Secretary of State) inspectors were impressed and highly encouraged by the improvements made since the takeover of full management since January 2017, the palpable change of culture and attitude of all staff, their level of engagement, dedication and enthusiasm, and ambitious plans to move forward.
- c) At the March inspection, the Zoo Inspectors were unanimous in considering that a new licence could be issued to CZCL based on the standards presented on that day.

12.2. Section 4(1A)(a) of the Act – The Local Authority have consulted Cumbria Zoo Company Limited about the conditions they propose would be attached to the licence, if one were granted, under section 5(2A) and (if applicable) section 5(3);

12.3. Section 4(1A)(b) of the Act – An inspection has been carried out in accordance with section 9A;

12.4. Section 4(2) of the Act – The Local Authority is satisfied that the establishment or continuance of the zoo would not injuriously affect the health or safety of persons living in the neighbourhood of the zoo, or seriously affect the preservation of law and order;

- a) The Inspectors reported: There is no evidence that granting a licence would injuriously affect the health or safety of persons living in the neighbourhood of the zoo, or seriously affect the preservation of law and order.
- b) The Zoo has operated at the present location for a number of years. The Council acknowledge that the use of the new access has caused excessive traffic backing up on the A590 and on Melton Terrace, which are mitigated by the marshalling plan and can be monitored.

12.5. Section 4(2A) of the Act – The Local Authority is satisfied that the conservation measures referred to in section 1A will be implemented in a satisfactory manner at the zoo.

- a) The Inspectors reported: that all the conservation measures referred to in section 1A are now likely to be met and complied with;
- b) The inspectors agreed “that we had noted considerable improvements, and that a licence could be granted to CZCL.”

12.6. Section 4(3) of the Act – The Local Authority is satisfied that the standards of accommodation, staffing or management are adequate for the proper care and wellbeing of the animals or any of them or otherwise for the proper conduct of the zoo.

The Local Authority acknowledges that representations show there are concerns that Directors of CZCL were employed at the Zoo under Mr David Gill. However, the Inspectors reported:

- a) The zoo was being managed in such a way that the SSSMZP were being met and the standards of accommodation, staffing or management are adequate for the proper wellbeing of the animals.

- b) The zoo is likely to be managed in such a way that the SSSMZP are likely to be met with the employment of a suitable full time Animal Director/Manager to ensure ongoing compliance and further development.
- c) The recommended imposition of an additional condition attached to the licence:

To ensure continued compliance with Section 1A of the Act and Section 10 of the SSSMZP, the post of an Animal Director or Senior Manager, must be filled. This post must have overall senior responsibility for all aspects of the Zoo related to the animal collection including, but not restricted to, animal welfare and veterinary care, husbandry, breeding, accommodation design, dangerous animal security, conservation programs, research, collection planning, and inter-zoo liaison.

This post holder must have the ability and authority to make decisions independent of the registered land owner(s).

12.7. Section 4(4(a)) of the Act – The applicant, any director, manager or keeper have not been convicted of a relevant offence under this Act.

12.8. Section 4(6) of the Act – The Council are satisfied that any planning permission required, for the continuance of the zoo during the period for which the licence would be in force, has been, or is deemed to be, granted.

The Planning Authority have stated: “a minor material amendment application for the repositioned buildings (visitor reception, Africa House and associated store) has been submitted. This application will be subject to checking for completeness including the correct fee and sufficient information upon which a decision can be made.” “No application has yet been received for the Bear House”.

The Planning Authority have not stated that this is a fundamental reason for refusal.

12.9 Duplicity of Licences

As has been stated earlier, the Council cannot issue a zoo licence in the name of Cumbria Zoo Company Ltd whilst an existing licence is in place. However Members can state they are minded to grant such a licence and delegate authority to the Environmental Health Manager to issue it subject to Mr Gill either withdrawing his appeal against the refusal of his fresh licence application or surrendering his licence.

13. Considerations

(i) Legal Implications

Section 4 Requirements

The Zoo requires a licence to be able to open to the public and the Zoo Licencing Act 1981 (ZLA) makes the local authority responsible for administering the Licence. Anyone running a Zoo without a licence is guilty of an offence.

Section 4 Grant or refusal of licence

- (1) Before granting or refusing to grant a licence for a zoo, the local authority shall--
 - (a) consider inspectors' reports made in pursuance of inspections of the zoo under this Act. . .
 - (b)
- (1A) Before granting or refusing to grant a licence for a zoo, the local authority shall also--
 - (a) consult the applicant about the conditions they propose would be attached to the licence, if one were granted, under section 5(2A) and (if applicable) section 5(3); and
 - (b) make arrangements for an inspection to be carried out in accordance with section 9A (subject to subsection (2) of that section).
- (2) The local authority shall refuse to grant a licence for a zoo if they are satisfied that the establishment or continuance of the zoo would injuriously affect the health or safety of persons living in the neighbourhood of the zoo, or seriously affect the preservation of law and order.
- (2A) The local authority shall also refuse to grant a licence for a zoo if they are not satisfied that the conservation measures referred to in section 1A will be implemented in a satisfactory manner at the zoo.
- (3) The local authority may refuse to grant a licence for a zoo if [subsection (2A) does not apply but] they are not satisfied that the standards of accommodation, staffing or management are adequate for the proper care and wellbeing of the animals or any of them or otherwise for the proper conduct of the zoo.
- (4) The local authority may also refuse to grant a licence if--
 - (a) the applicant, or
 - (b) (where the applicant is a body corporate) the body or any director, manager, secretary or other similar officer of the body, or
 - (c) any person employed as a keeper in the zoo,

has been convicted of an offence under this Act or under any of the enactments mentioned in subsection (5)[, subsection (5A)] or of any other offence involving the ill-treatment of animals.

- (5) The enactments are--
the Protection of Animals Acts 1911 to 1964 [the Protection of Animals Act 1911];
the Protection of Animals (Scotland) Acts 1912 to 1964;
[the Performing Animals (Regulation) Act 1925;]
the Pet Animals Act 1951;
[the Animals (Cruel Poisons) Act 1962;]
the Animal Boarding Establishments Act 1963;
the Riding Establishments Acts 1964 and 1970;
the Breeding of Dogs Act 1973;
the Dangerous Wild Animals Act 1976;
the Endangered Species (Import and Export) Act 1976;
[Part I of the Wildlife and Countryside Act 1981];
[sections 4, 5, 6(1) and (2), 7 to 9 and 11 of the Animal Welfare Act 2006];
section 13(6) of the Animal Welfare Act 2006, so far as the offence arises from the contravention of section 13(1) of that Act in relation to dog breeding in Wales;
the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014].
- (5A) sections 28C or 28F(16) of the Animal Health Act 1981 (c 22);
sections 19 to 24, 25(7), 29 or 40(11) of the Animal Health and Welfare (Scotland) Act 2006 (asp 11).]
- (6) If the local authority are not satisfied that any planning permission required under Part III of [the Town and Country Planning Act 1990] or under [the Town and Country Planning (Scotland) Act 1997], for the establishment of the zoo or for the continuance of the zoo during the period for which the licence would be in force, has been, or is deemed to be, granted, they shall either refuse to grant the licence or grant the licence but suspend its operation until the local planning authority within the meaning of [the said Act of 1990] or, as the case may be, [1997] have notified the local authority that any such planning permission has been or is deemed to be granted.
- (7) Except as provided by this section the local authority shall not refuse to grant a licence pursuant to an application and if they do refuse to grant it they shall send to the applicant by post a written statement of the grounds of their refusal.
- (8) When a licence is granted the local authority shall send it to the applicant by post and the licence or a copy of it shall be publicly displayed at each public entrance to the zoo.

Appeal Period

There is a right of appeal under Section 18 to the Magistrate's Court if the holder of the licence wishes to challenge the decisions of the Committee.

(1) *A person aggrieved by*

- (a) *the refusal to grant a licence;*
- (b) *any condition attached to a licence;*
- (c) *any variation or cancellation of a condition;*
- (d) *the refusal to approve the transfer of a licence;*
- (e) *a direction under section 13(8)(c) or 16A(2) or any variation of such a direction;*
- (f) *a zoo closure direction;*
- (g) *the refusal to approve a plan prepared under section 16E(2);*
- (h) *a direction under section 16E(6) or any variation of such a direction; or*
- (i) *any arrangements under section 16E(7) or (8),*

may appeal to a magistrates' court acting for the petty sessions area in which the zoo is situated.

(ii) Risk Assessment

Not Applicable

(iii) Financial Implications

The Council may be subject to an appeal against the Committee's decision in the Magistrates' Court under Section 18 of the Zoo Licensing Act 1981.

(iv) Key Priorities or Corporate Aims

None identified

(v) Equality and Diversity

Not applicable

(vi) Other Human Rights

All licence holders have a right to a fair and public hearing

(vii) Health and Well-being Implications

The ZLA contains requirements to ensure the public who visit zoos can do so safely and to ensure that the wider public are not put at risk by the Zoo's operation.

Background Papers

Zoo Licence held by South Lakes Safari Zoo Limited.

Table of Decision from Licensing Regulatory Committee

22 nd February 2016
10 th March 2016
July 2016
13 th October 2016
10 th November 2016
6 th March 2017
29 th March 2017