

TONBRIDGE & MALLING BOROUGH COUNCIL

LICENSING & APPEALS COMMITTEE

20 August 2007

Report of the Chief Solicitor

Part 1- Public

Matters for Recommendation to Council

1 ANIMAL WELFARE ACT 2006: LICENSING OR REGISTRATION OF ACTIVITIES INVOLVING ANIMALS

1.1 Introduction

1.1.1 At present, the Council has responsibility, under a number of different Acts, for licensing the use of performing animals, pet shops, riding establishments and the breeding of dogs. Under the Animal Welfare Act 2006 the Secretary of State may repeal these acts and substitute new licensing regimes, the details of which will be specified in the regulations. The purpose of this change is said to be the simplification of the licensing regime with increased accountability of businesses for the protection of animals in their care. The Act also includes more general provisions relating to the welfare of animals, which are executive business.

1.2 Delegations

1.2.1 It will be necessary to update the delegations contained in Part 3 of the Council's Constitution as this legislation is implemented. The existing delegations CHS 200.12 (Pet Animals Act 1951), CHS 200.13 (Animals Boarding Establishment Act 1963), CHS 200.14 (Riding Establishments Acts 1964 and 1970) and CHS 200.15 (Breeding of Dogs Act 1973) will need to be updated to reflect the new legislation once Regulations have been implemented to replace them.

1.3 Legal Implications

1.3.1 This Act continues the Council's duties to regulate activities involving animals under a consolidated framework.

1.4 Financial and Value for Money Considerations

1.4.1 None.

1.5 Risk Assessment

1.5.1 The Council is required to implement this legislation.

1.6 Recommendations

1.6.1 It is **recommended** that, with effect from the implementation of relevant regulations under the Animal Welfare Act 2006, Part 3 of the Council's constitution be amended by deleting the existing delegations CHS 200.12, CHS 200.13, CHS 200.14 and CHS 200.15 and the insertion of the following new delegation:

CHS 210 To deal with the licensing and registration of activities involving animals C
under the Animal Welfare Act 2006 and regulations made thereunder.

Background papers:

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Animal Welfare Act 2006

Constitution of the Tonbridge and Malling Borough
Council

Duncan Robinson

Chief Solicitor