

## Proposed Change to the Constitution

**Title:** *(Short title for ease of reference)*

Amendments to deal with updated legislation relating to animal licensing regimes

**Relevant section of the Constitution (including page/paragraph number):**

Part 3 – as detailed below

**Description of proposed change:**

*(Please show the tracked changes here or attached as a separate word document)*

Part 3 (Changes to Page 17)

Chapter 5 (Licensing Committee)

Table at 5.5 (Sub-Committee Delegations)

1. Remove paragraphs 29 and 30 completely which relate to Power to license premises for the breeding of dogs and Power to license pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business.
2. Add in new paragraph “71: Power to licence zoos on renewal application” which is to become an officer delegation rather than that of the Licensing Sub Committee.
3. Add a new paragraph: “72: Power to licence premises for dog breeding, boarding for cats and dogs, hiring out horses, keeping and/or training animals for exhibition, and selling animals as pets”

**Reason, including referenced documents/acts, for proposed change:**

Using the numbering above

1. This legislation has been repealed
2. Renewal applications are more suitable to be determined by an officer as most simple applications do not have a great deal of discretion and officers can deal with the application based on the report put together by the inspector. Unless there are any complicating factors in which case it would be referred to a licensing sub committee, in accordance with the current draft Animal Licensing Policy.
3. This is the new legislation that replaces the outdated legislation deleted at point 1 above

**Timescale:**

To be considered by Constitution review working party on 21 November 2023.

**Proposer:**

Name:	Helen Ward
Title:	Lawyer (Contentious)
Date:	17.7.2023

**Approval** (to be completed by Legal Services)

<p><b>*Changes approved by the Monitoring Officer under delegated authority</b> <b>*Proposed major changes to be submitted to Audit and Governance Committee for approval</b> (*delete as appropriate)</p> <p><b>Signature of Monitoring Officer:</b> <b>Date:</b></p>	
Amendment No:	Date incorporated:

## Summary of Changes

21. Power to license night cafes and take-away food shops.	Section 2 of the Late Night Refreshment Houses Act 1969 (c. 53), Part II of the London Local Authorities Act 1990 and section 5 of the London Local Authorities Act 1994.
<del>29. Power to license premises for the breeding of dogs.</del>	<del>Section 1 of the Breeding of Dogs Act 1973 (c. 60) and section 1 of the Breeding and</del>
<del>30. Power to license pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business.</del>	<del>Section 1 of the Pet Animals Act 1951 (c. 35); section 1 of the Animal Boarding Establishments Act 1963 (c. 43); the Riding Establishments Acts 1964 and 1970 (1964 c. 70 and 1970 c. 70); section 1 of the Breeding of Dogs Act 1973 (c. 60), and sections 1 and 8 of the Breeding and Sale of Dogs (Welfare) Act 1999.</del>
33. Power to license dangerous wild animals.	Section 1 of the Dangerous Wild Animals Act 1976 (c. 38).
34. Power to license knackers' yards.	Section 4 of the Slaughterhouses Act 1974. <i>See also</i> the Animal By-Products Order 1999 (S.I. 1999/646).
39. Power to license persons to collect for charitable and other causes.	Section 5 of the Police, Factories etc. (Miscellaneous Provisions) Act 1916 (c. 31) and section 2 of the House to House Collections Act 1939 (c. 44)
69. Power to issue new beer license.	Sections 16 to 19 and 21 of the London Local Authorities Act 1995 (c.x.) and, to the extent that it does not have effect by virtue of regulation 2(3), section 25 of that Act.
71. Power to licence zoos on renewal application	Zoo Licensing Act 1981
72. Power to licence premises for dog breeding, boarding for cats and dogs, hiring out horses, keeping and/or training animals for exhibition, and selling animals as pets	The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

