

# East Herts Council Report

## Licensing Committee

**Date of meeting:** 15/03/2023

**Report by:** Councillor Peter Boylan, Executive Member for  
Neighbourhoods

Councillor Eric Buckmaster, Executive Member for  
Wellbeing

Councillor Graham McAndrew, Executive Member for  
Environmental Sustainability

**Report title:** An Update on Environmental Health Licensing and  
Registration

**Ward(s) affected:** All

**Summary** – This report aims to give members oversight of the work of Environmental Health with regards to its licensing and registration functions.

### **RECOMMENDATIONS FOR LICENSING COMMITTEE:**

- a) The committee scrutinise the information within this report and raise any questions or concerns they may have regarding the operation of these licences.

#### **1.0 Background**

1.1 Environmental Health are responsible for administering a wide range of licences, registrations and permits for both businesses and individuals. These are listed below:

- a) Animal activities licences (formally known as riding establishments, pet shops, animal boarding licences)
- b) Approved food premises

- c) Campsite licences
- d) Cooling tower registrations
- e) Dangerous wild animal licences
- f) Food premises registration
- g) Houses in Multiple Occupation (HMO) licences
- h) Mobile homes sites licences
- i) Permitting of potentially pollution processes (for example dry cleaners, concrete crushers and petrol stations)
- j) Private water supply registration
- k) Skin piercing registrations (acupuncture, cosmetic piercing, electrolysis and tattooing)
- l) Zoo licences

1.2 From the list above, you will notice references to licences, registrations and permits. While there are nuances between these three terms, for the purposes of this report and for ease of reading, these will be referred to collectively as licences.

1.3 Similarly, the work referred to in this report is undertaken by both Technical Officers and Environmental Health Practitioners, but for the purposes of this report, they will be referred to collectively as Environmental Health Practitioners.

1.4 Each licence application will be assessed by an Environmental Health Practitioner (EHP) against criteria set out in either legislation and/or approved codes of practice before a licence is issued. The length of a licence will vary depending on conditions found and the type of licence applied for.

1.5 EHPs have received specialist training and are subject to consistency checks to ensure the legislation is consistently and fairly enforced. However, for some licences, the EHP requires specialist support from a suitably qualified veterinarian. These include zoo licences, some animal activity licences and dangerous wild animals licences.

## **2.0 Licence Details**

2.1 The following paragraphs in this section provide more details on the licences mentioned above. As the focus of this report is on the licensing requirements, I have not gone into requirements from other council services such as appropriate planning permission.

2.2 **Animal activity licences** – These are required if you operate a business providing boarding for dogs and/or cats, hiring of horses, breeding dogs, selling animals as pets or keeping/training animals for exhibition.

- a) There are 62 licences currently issued within East Herts.
- b) Licences range from one to three years.
- c) Businesses are awarded a star rating (between one and five) as part of the licencing process.
- d) Businesses are subject to one unannounced inspection during the life of their licence, unless they are keeping/training animals for exhibition (which is not subject to any) or hiring of horses (which is subject to an annual inspection).

**2.3 Approved food establishments** – Certain meat, fish, shellfish and animal produce establishments require approval from the council before they can sell their products. These tend to be manufacturing businesses. The full list can be found in the guidance on the Food Standards Agency's website here:  
<https://www.food.gov.uk/business-guidance/approved-food-establishments>.

- a) There are four approved establishments currently operating within East Herts.
- b) Approvals last in perpetuity, or until the business operations change.
- c) Businesses are inspected on a risk basis. More details of the approval process and inspection regime can be found in the 'Environmental Health Service Plan 2022/23' which is available online at:  
<https://democracy.eastherts.gov.uk/mgIssueHistoryHome.aspx?Id=31448&j=1>

**2.4 Campsite licences** – Unless someone benefits from the exemptions set out within the legislation, if they wish to use their land as a campsite (including trailer tents), they will require a camping site licence.

- a) At present, there are no campsite licences issued within East Herts.
- b) Licences last in perpetuity or until the planning permission specifies.
- c) Campsites will be inspected if the council receives intelligence that there is a problem with the site.

**2.5 Cooling tower registration** – If a business uses a cooling tower or evaporative condenser, they must register with the council. Cooling towers and evaporative condensers help to remove excess heat from sites like power stations, chemical plants or large manufacturing sites. Registration cannot be refused.

- a) There are six registered cooling towers within East Herts.
- b) Registration lasts in perpetuity.
- c) Businesses who operate cooling towers will be subject to risk-based health and safety inspections. Because of the nature of these premises, they will usually be undertaken by the Health and Safety Executive.

**2.6 Dangerous wild animals** – This type of licence is needed if you keep some animals considered to be wild, dangerous or exotic, including wild cats, primates, wild dogs, certain pigs and marsupials. The full list can be found within the legislation which is online here: <https://www.legislation.gov.uk/ukxi/2007/2465/schedule/made>

- a) One licence currently issued within East Herts.
- b) Licences last for two years.
- c) Licenced premises will be inspected if the council receives intelligence that there is a problem with the way the animal is being kept.

**2.7 Food premises registration** – All food businesses need to be registered with the council. A food business is anyone preparing, cooking, storing, handling, distributing, supplying or selling food. Registration cannot be refused.

- a) There are currently around 2,218 food businesses registered within East Herts.
- b) Registration lasts in perpetuity, or until there is a significant change at that businesses.
- c) Businesses are inspected on a risk basis. More details of the food registration and inspection regime can be found in the 'Environmental Health Service Plan 2022/23' which is available online at:  
<https://democracy.eastherts.gov.uk/mgIssueHistoryHome.aspx?Id=31448&J=1>

2.8 **HMO licences** - A licence is required if someone is renting out a large HMO. A property is defined as a large HMO if it is rented to five or more people who form more than one household and some or all tenants share toilet, bathroom or kitchen facilities.

- a) There are currently 114 licenced HMOs in East Herts, housing up to 763 people.
- b) Licences last up to five years, depending on the condition of the premises and confidence in the management of the HMO
- c) Licenced HMOs will be inspected if the council receives intelligence that there is a problem with the way the property is being run, or if a licence condition is due to be reviewed.

2.9 **Mobile homes sites licences** - Unless someone benefits from the exemptions set out within the legislation, if they wish to use their land as a mobile homes site (also known as a caravan site), they will require a mobile homes site licence.

- a) There are 10 mobile homes sites within East Herts.

- b) Licences last in perpetuity or until the planning permission specifies.
- c) Mobile homes sites will be inspected if the council receives intelligence that there is a problem with the site, or if a licence condition is due to be reviewed.

#### **2.10 Permitting of potentially polluting processes –**

Certain types of factory and other activities such as dry cleaners must be permitted to ensure they reduce any pollution they may cause and ensure they are not adversely affecting air quality. Full details of businesses and activities which must be permitted can be found on the GOV.UK website:

<https://www.gov.uk/government/publications/local-authority-pollution-control-general-guidance-manual>

- a) There are 34 permitted processes within East Herts.
- b) Permits last in perpetuity or until there are significant changes.
- c) The inspection frequency of these businesses is undertaken on a risk-based basis.

**2.11 Private water supply registration** - A private water supply is any supply not provided by a water company where the water is consumed for domestic purposes or as part of a public or commercial activity. The Regulations apply to private water supplies where the water is intended for human consumption.

- a) There are 145 private water supplies registered in East Herts serving homes, businesses, manufacturers. 97 of these are for single dwellings.
- b) Registration lasts in perpetuity or until there is a significant change.

- c) With the exception of single dwellings, private water supplies are risk assessed and sampled each year to check the quality of the water; larger supplies are sampled more frequently than smaller supplies. Private water supplies which supply only a single dwelling, do not have to be sampled unless the owner opts into the sampling scheme.

**2.12 Skin piercing registrations** – If someone operates a business where they offer, tattooing, semi-permanent skin colouring, cosmetic piercing, electrolysis and/or acupuncture, they will need to be registered with the council. Registration cannot be refused.

- a) There are 122 registered premises within East Herts, with a further 194 registered operatives.
- b) Registration lasts in perpetuity.
- c) Registered skin piercers will be inspected if the council receives intelligence that there is a problem and/or their premises is identified as a target area for a health and safety intervention.

**2.13 Zoo licences** – A zoo licence is needed if a business will be displaying wild animals to the public for at least seven days a year, in any place that's not a circus or pet shop.

- a) One licence currently issued within East Herts.
- b) Licences last for four years for the first licence, then six years for subsequent licences.
- c) Zoos will be inspected annually for the duration of their licence. Every third year, the inspection team will be made up of council inspectors and DEFRA inspectors.



### 3.0 Work focus for 2023 and beyond

3.1 In addition to the statutory inspections the team will undertake each year to ensure compliance with the legislation, protection of the public and/or welfare of animals, the following areas have been identified for improvement, as technology, and the corporate timetable allows.

- a) **Webforms** – Most of the application forms for the environmental health licences are currently online using the GOV.UK forms which are due to be withdrawn in approximately two years. Work is underway to utilise the council's new CRM system (Granicus) to create forms which will be hosted by the council.
- b) **Online payments** – The licence application forms which are currently hosted on the council's website do not integrate with the council's online payment system. As part of the updating of the forms with the council's new CRM system, it is hoped these will also be linked to the online payment system which will improve the overall customer journey.
- c) **Integration of systems** – Currently, whether an application form is received via the GOV.UK or council's website, the information has to be manually typed into the back-office database. As part of the work with the CRM system, it is hoped that this will be integrated, removing the need to double-enter information.

### 4.0 Options

4.1 Do not report statistics to Licensing Committee. NOT RECOMMENDED as this would deprive members of an overview of this important element of the council's licence-issuing activity.

## **5.0 Risks**

5.1 Failing to undertake this licensing work correctly could lead to:

- The health, safety and welfare of the public being put at risk through unregulated activities.
- The welfare of animals being compromised through unregulated activities.
- Financial implications for local businesses, who cannot trade without the licences.

## **6.0 Implications/Consultations**

6.1 Community Safety

- No

6.2 Data Protection

- No

6.3 Equalities

- No

6.4 Environmental Sustainability

- The council's work with regards permitting of potentially polluting processes helps ensure better air quality for the people in and around these businesses.

6.5 Financial

- No

6.6 Health and Safety

- The council's work with regards these licences helps ensure the health, safety and welfare of the public by ensuring safe practices are being implemented.

#### 6.7 Human Resources

- No

#### 6.8 Human Rights

- No

#### 6.9 Legal

- No

#### 6.10 Specific Wards

- No

### **7.0 Background papers, appendices and other relevant material**

#### 7.1 Appendix A – Summary of the Current Number of Licences

### **Contact Member**

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