



Agenda

Public Protection Committee

Date:	Wednesday, 27 September 2017 at 10:00 am
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor Angela Jacques (Chairman) Councillor Barbara Nash (Vice-Chairman)</p> <p>Councillors Frank Andrews, Jan Barker, Keith Beckett ISO, Brenda Blackshaw, Alan Clayton, Gail Goodman JP, Shirley Green, Peter Hardy, Neil Harvey.</p>

	PROCEDURAL ITEMS:	PAGE
1	Declarations of Interest: Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	1
2	Confirmation of Minutes: To confirm the minutes, as previously circulated, of the meeting held on 19 July 2017 as a correct record.	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 24(c).	1
	DECISION ITEMS:	
4	Request to Add Additional Conditions to the Zoo Licence for Wild Discovery, Ribby Hall, Wrea Green	3 - 20
5	Application for the Grant of a Hackney Carriage/Private Hire Drivers Licence - LPJ	21 - 26
6	Hackney Carriage/Private Hire Drivers Licence - MI	27 - 28

Contact: Sharon Wadsworth - Telephone: (01253) 658546 – Email: democracy@fylde.gov.uk

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<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

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DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	27 SEPTEMBER 2017	4
REQUEST TO ADD ADDITIONAL CONDITIONS TO THE ZOO LICENCE FOR WILD DISCOVERY, RIBBY HALL, WREA GREEN			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

An application for a Zoo Licence for Wild Discovery, Ribby Hall, Wrea Green was approved by the Public Protection Committee on 20th July 2016. Following an inspection by a zoological expert nominated by the Department for Environment, Farming and Rural Affairs, he has recommended additional conditions to be attached to the licence.

RECOMMENDATION

That the Committee consider the report and attach the recommended additional conditions to the licence.

SUMMARY OF PREVIOUS DECISIONS

Application for grant of Zoo Licence was approved 20th July 2016.

CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services (Value for Money)	✓
Delivering the services that customers expect of an excellent council (Clean and Green)	✓
Working with all partners (Vibrant Economy)	✓
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	✓
Promoting Fylde as a great destination to visit (A Great Place to Visit)	✓

REPORT

1. An application for a Zoo Licence was approved by the Public Protection Committee on 20th July 2016.
2. Following the grant of the licence a further inspection of the Zoo takes place around 12 months after the grant of the licence.
3. This inspection took place on 1st August 2017 by a zoological expert nominated by the Department for Environment, Farming and Rural Affairs and a member of the Council's licensing team. A copy of the Inspectors Report is included at appendix 1 and it can be seen that the Inspector recommends approval of

additional conditions to be attached to the licence, these are listed on page 12 of the inspection report. A copy of the existing conditions are included in appendix 2.

4. It is therefore recommended that the Committee consider the report and attach the recommended conditions to the licence.

IMPLICATIONS	
Finance	There are no implications arising directly from the report.
Legal	There are no implications arising directly from the report.
Community Safety	There are no implications arising directly from the report.
Human Rights and Equalities	There are no implications arising directly from the report.
Sustainability and Environmental Impact	There are no implications arising directly from the report.
Health & Safety and Risk Management	There are no implications arising directly from the report.

LEAD AUTHOR	CONTACT DETAILS	DATE
Andy Hough	andy.hough@fylde.gov.uk Tel 01253 658606	11 th September 2017

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Application for grant of a Zoo Licence	20/7/2016	Public Protection Committee Reports & Minutes

Attached documents

Appendix 1 – Copy of the Inspection Report dated 1st August 2017

Appendix 2 – Existing Conditions

Zoo Licensing Act 1981
Appendix 11 Secretary of State's Standards of Modern Zoo Practice/
National Assembly for Wales Standards of Modern Zoo Practice



Department
for Environment
Food & Rural Affairs

Inspection Report

Date of inspection: 01/08/2017 **Date report completed:** 08/08/2017

Name of applicant or current licence holder: Mr Neil Trickett

Name and address of zoo: The Wild Discovery,
Ribby Hall Park,
Kirkham, Lancs
Postcode:

Tel no: 01772 673836 **Licence Number:**

Date of last formal inspection: 13/06/2016 **Type of last formal inspection:** New Zoo

Timing of next formal inspection: 2020/1 **Type of next formal inspection:** periodic

Type of inspection **Statutory composition of inspection team** *Please tick appropriate box*

Section 10 Periodical: 2 Defra/Welsh Government nominees; 1 LA vet; option of up to 2 more from LA .. ☐

Section 11 Special: Any number of competent LA authorised appointees ☐

Section 14(1)(b) dispensation renewal under section 6(1A)(a) (where a direction has been made that section 10 shall not apply):
Defra/Welsh Government nominee/s..... ☐

Section 14(2) dispensation Periodical:
Defra/Welsh Government nominee/s..... ☒

For a licence inspection (Section 4(1A)(b)) and a significant change inspection (Section 9A(8)) please use the inspection form at Appendix 11A of the Standards.

Name and designation of inspector(s)	Name of zoo representative(s)
M.J.Fielding BVM&S, MRCVS ,SoS list part 1 Inspector.	Mr.Neil Trickett, Proprietor.
Mr A Hough, Technical Enforcement Officer, Licensing team	
Fylde Council	

When this form has been completed and signed the original must be sent to the local authority. If the zoo is owned by the local authority, the local authority must send a copy of the completed form to Defra where the zoo is situated in England or to the Welsh Government, where the zoo is situated in Wales.

Preamble to inspectors' report

Information and guidance about the Zoo Licensing Act 1981 (ZLA) is available at <https://www.gov.uk/government/policies/protecting-biodiversity-and-ecosystems-at-home-and-abroad/supporting-pages/species-protection> and <http://wales.gov.uk/topics/environmentcountryside/ahw/zoos/?lang=en>

Preamble to inspectors' report*, including any comments about the current dispensation status, if applicable.

The Zoo is a mixed collection, predominantly of Small Mammals, reptiles and some birds. It is situated in a level meadow area on a leisure park site at Ribby Hall, Kirkham Nr Preston. It is operated by the owner assisted by additional staff. It is a relatively new zoo having been in operation for approximately 1 year.

It is accepted that this zoo is "bedding in", after only having been licensed for one year from new. In this regard the larger than normal number of conditions advised is noted, but this is expected to substantially have been achieved by the next informal inspection.

Likewise a number of recommendations are made and if not attended to by the next formal inspection MAY be uprated to conditional status.

NOTE FOR THE LOCAL AUTHORITY:

1. Subject to any licence issued the authority is required to forward a copy of any licence with any additional conditions attached to Mr. J Harwood , APHA, at the office in Bristol.
2. The zoo at present operates under a dispensation granted under Section 14 Para (2) of the Act. In my opinion taking into account the number and variety of the animals kept, this dispensation is still appropriate for this collection.
3. Any reference in this report to SSSMZP, relate to the Secretary of States Standards of Modern Zoo Practice.
4. THIS INSPECTION IS THE FIRST FOLLOWING THE INITIAL PRE LICENSING INSPECTION and as such this inspection is the first full formal inspection of the completed premises.

Additional Recommendations (from later pages):

10. At future inspections, copies of the veterinary surgeon's CPD should be available and where possible it is useful to have the Vet present for at least a part of the Inspection Visit.
11. Emergency escapes routines should be practised 4 times annually and up to two of these may be in a desktop format. Outcomes to be recorded in all cases.

*this might include general background about the zoo (type of collection, size etc) and any relevant information or comments from the pre-inspection audit

Findings at inspection

Guidance note: Where possible a Yes, No or Not Applicable (N/A) answer should be given. Where not all criteria are met for a particular question, comments and clarification should be made indicating where any deficits occur. If appropriate, means of correction or improvement should be included as Conditions or Recommendations under 'Additional conditions' or 'Additional space' towards the end of the form.

1. Provision of food and water	Marking Yes No N/A	Comments/clarification
Section 1A(c)(ii) ZLA 1981:		
1.1. Are animals provided with a high standard of nutrition?	Yes	Diet sheets are present for the species currently held at the zoo.
1.2. Is food and drink that is supplied appropriate for the species/individual?	Yes	Food is of the correct type and good quality and stored and prepared appropriately.
1.3. Are supplies of food and water:	Yes	Suitable freezer is present and refrigeration facilities for defrosting are appropriate.
(a) kept hygienically?	Yes	Food prep area is clean and hygienic and food is prepared and presented on an appropriate form.
(b) prepared hygienically?	Yes	
(c) supplied to the animal hygienically?	Yes	
1.4. Has natural feeding behaviour been adequately considered to ensure that all animals have access to food and drink?	Yes	As required for the species currently kept.
1.5. Are feeding methods safe for staff and animals?	Yes	Appropriate risk assessments have been undertaken and adequate procedures adopted.
1.6. Is feeding by visitors permitted?	Yes	This is in one area of the exhibit only and is supervised and quantities strictly controlled in quality and quantity
(a) if 'yes', is it properly controlled?	Yes	
2. Provision of suitable environment		
Section 1A(c)(i) ZLA 1981:		
2.1. Are the animals provided with an environment well adapted to meet the physical, psychological and social needs of the species to which they belong?	Yes	BUT, Some of the planned enclosures and some of those already occupied are incomplete and require further development. The current policy of acquisition of new animals without fully completing the accommodation for them in advance requires review. If wading bird species are to be kept facilities for their welfare must be provided.
2.2. Are the following environmental parameters appropriate:		This requires monitoring in the exotic house and records kept to indicate stability and compliance with species requirements.
(a) temperature?	Yes	
(b) ventilation?	Yes	
(c) lighting?	Yes	
(d) noise levels?	Yes	
(e) any other environmental parameters?	Yes	

2. Provision of suitable environment (contd.)	Marking Yes No N/A	Comments/clarification
2.3. Are there satisfactory measures in place to safely confine the animals?	Yes	For the species currently kept
2.4. Do animal enclosures have sufficient shelter and refuge areas?	Yes	
2.5. Do animal enclosures provide sufficient space?	Yes	The reindeer at present is solitary. The intention is to increase nos, when more space & larger indoor accomodation will be required.
2.6. Are backup facilities for life support systems adequate?	No	Back up of life support particularly for the exotic house is required.
2.7. Is the cleaning of the accommodation satisfactory?	Yes	
2.8. Is the standard of maintenance adequate for: (a) the buildings?	Yes	Maintenance at present is adequate , however many of the buildings are of timber construction and will need regular maintenance & monitoring. Perimeter fence is metal and chainlink, and suitable for those species currently kept. Some enclosure fences are timber & mesh and will need maintenance as above.
(b) the fences?	Yes	
2.9. Is all drainage effective and safe?	Yes	In periods of heavy rain there is a tendency of waterlogging of the meerkat pen, the substrate of which must be monitored.
3. Provision of animal health care		
Section 1A(c)(ii) ZLA 1981:		
3.1. Are the animals provided with a high standard of animal husbandry?	Yes	There is an enthusiastic culture in the staff, but some may soon move on to other locations and any new staff must be given full training and the opportunity to extend their knowledge of the species kept.
3.2. Do animals on display to the public appear in good health?	Yes	The Pot bellied pig which has been rehabilitated still needs dietary control.
3.3. Are observations of condition and health made and recorded?	Yes	Day Diary is kept and should be kept up to date.
3.4. Do animals receive prompt and appropriate attention when problems are noted?	Yes	
3.5. Are enclosures designed and operated in such a way that social interaction problems are avoided?	Yes	Currently adequate, but requirements should be reviewed as additions/ variations to the collection are considered.
On-site facilities		
3.6. Are catch-up and restraint facilities adequate?	Yes	For the species currently held.
3.7. Is darting equipment satisfactory?	N/A	
3.8. Are on-site veterinary facilities adequate?	Yes	Yes for most species currently held, but provision should be made for an isolation area.

3. Provision of animal health care (contd.)	Marking Yes No N/A	Comments/clarification
Veterinary care Section 1A(c)(ii) ZLA 1981: 3.9. Are the animals provided with a documented and maintained programme of preventative and curative veterinary care and nutrition?	Yes	
3.10. Is there a system for the regular review of clinical and pathological records?	No	Not currently carried out formally, but should be carried out at least once annually.
3.11. Are appropriate veterinary records kept?	Yes	It is important that these are clear and accessible for all animals treated.
3.12. Are medicines kept and disposed of correctly?	Yes	Minimal amounts kept.
3.13. Are controlled drugs used and recorded satisfactorily?	N/A	Not normally kept on premises.
3.14. Are appropriate antidotes available?	N/A	
3.15. Are <i>post mortem</i> examination arrangements satisfactory?	Yes	But is some concern that all carcasses are currently frozen which risks destroying some histological evidence.
Isolation and containment 3.16. Is adequate reserve accommodation available for isolation of animals for: (a) assessment?	No	At present isolation is carried out on an ad hoc basis in that any convenient and available area may be used. This is not satisfactory. Suitable arrangements must be put in place.
(b) treatment?	No	
(c) recovery?	No	
(d) quarantine (where required)?	N/A	
Sanitation and control of disease Section 1A(e) ZLA 1981: 3.17. Are satisfactory measures in place to prevent the intrusion of pests and vermin into the zoo premises?	Yes	The area is monitored regularly by outside pest control contractors, under supervision of the Corporate landlords.
3.18. Does it appear that general sanitation and pest control are effective?	Yes	No negative evidence was seen.

4. Provision of an opportunity to express most normal behaviour	Marking Yes No N/A	Comments/clarification
4.1. Do the accommodation and management regimes encourage normal behaviour patterns and minimise any abnormal behaviour, taking into account current enrichment and husbandry guidelines?	Yes	BUT, some accommodation whilst occupied is not fully completed and new projects are underway. The policy should be that no new exhibits are introduced until current enclosures and facilities are completed to standard.
4.2. Are animals of social species normally maintained in compatible social groups?	Yes	This requirement should constantly be borne in mind when planning collection content.
5. Provision of protection from fear and distress		
5.1. Are the animals handled only by or under the supervision of appropriately experienced staff?	Yes	
5.2. Is physical contact between animals and the public consistent with the animals' welfare?	Yes	
5.3. Are interactions between the animals such that they are not excessively stressful?	Yes	
6. Transportation and movement of live animals		
6.1. Can the zoo demonstrate a knowledge of, and compliance with, the regulations covering transportation of animals, and provide copies of certificates to show compliance when transportation has occurred?	Yes	The zoo can transport and manage the animals in the collection. It must always be borne in mind that where domestic/ farm species are kept temporarily on the zoo compliance with any other legislation with regard to movement orders etc., must be effected and recorded.
6.2. Can the zoo demonstrate that: i) transport and movement equipment is in good order?	Yes	Equipment for preparing all animals in the collection for transport is present and in good order.
ii) facilities suitable for lifting, crating and transportation of all the types of animals kept within the zoo to destinations both inside and outside the zoo are readily available?	Yes	
iii) catching and transportation techniques take account of the animal's temperament and escape behaviour in order to minimise injury, damage and distress?	Yes	
iv) adequate provision is made for the animal's and the public's safety and well-being while the animal is being transported or kept away from the zoo?	Yes	

7. Conservation, education and research	Marking Yes No N/A	Comments/clarification
Section 1A(a) ZLA 1981: 7.1. Is the zoo participating in at least one of the following: (i) research from which conservation benefits accrue to species of wild animals?	No	No formal research is currently conducted.
(ii) training in relevant conservation skills?	Yes	This is largely provided by training for collection staff.
(iii) the exchange of information relating to the conservation of species of wild animals?	Yes	Minimal at present but do hold some conservationally sensitive species for EEP.
iv) where appropriate, breeding of wild animals in captivity?	N/A	Not currently undertaken but plans are in hand for the future.
(v) where appropriate, the repopulation of an area with, or the reintroduction into the wild of, wild animals?	N/A	As above. (red Squirrels etc.).
Section 1A(b) ZLA 1981: 7.2. Is the zoo promoting public education and awareness in relation to the conservation of biodiversity, in particular by providing information about the species of wild animals kept in the zoo and their natural habitats?	Yes	Signage present is informative and easy to interpret. More informative signage is recommended for the common farm species etc. Some signage still needs development and that in the exotic house is poorly lit.
7.3. Where appropriate are animals managed in a way consistent with the conservation needs of the species, (such as exchange between zoos, accommodation to encourage natural behaviour and breeding etc)?	Yes	With all the species held, the operator should ensure that he and the keeping staff are up to date with standards and expectations for enrichment of welfare.
7.4. Are on-site education facilities adequate for the resources of the collection?	Yes	Mostly done by talks but additional "activities room" is available.
7.5. Are the conservation efforts adequate for the resources of the collection?	No	Still largely in planning stage.
7.6. Are the research efforts adequate for the resources of the collection?	Yes	Locally are largely through co-operation with local FE institutions.
7.7. Is captive breeding properly managed?	Yes	

8. Public safety	Marking Yes No N/A	Comments/clarification
Section 1A(d) ZLA 1981:		
8.1. Are there satisfactory measures in place to prevent the escape of animals?	Yes	
8.2. Are there satisfactory measures in place to be taken in the event of any escape or unauthorised release of animals?	Yes	Risk assessments and protocols are in place. The escapes/emergency procedures need review to focus on precise responsibilities for staff involved.
8.3. Are escape drills carried out four times a year, recorded and regularly reviewed (at least two drills should include the escape of a Category 1 animal where present)?	No	Advice has been offered as to how to meet this requirement.
8.4. Will the perimeter deter unauthorised entry and aid the confinement of zoo stock?	Yes	For the species currently kept. This may need review dependent on any future species added.
8.5. Do stand-off barriers appear adequate?	Yes	Where appropriate. BUT there is no stand off around the Rhea and the retaining fence is wide gauge wire only.
8.6. Are adequate warning signs provided?	Yes	
8.7. Are prohibited areas appropriately signed?	Yes	
8.8. Are exits clearly marked and accessible?	Yes	
8.9. Do public areas, walkways and buildings appear safe?	Yes	BUT disabled access could be difficult in some paddock areas and disabled clients should be advised of such.
8.10. Are trees regularly inspected and appropriate remedial action taken?	Yes	Carried out by ground Landlords.
8.11. Have appropriate risk assessments for direct contact by the public with animals been carried out?	Yes	
8.12. Are the special safety requirements for walk-through or drive-through exhibits adequately met?	Yes	Only walk through is in the farmyard area where general low risk controls are in place.

9. Records	Marking Yes No N/A	Comments/clarification
Section 1A(f) ZLA 1981:		ZIMS now in use and entries being made regularly and legacy info being brought up to date.
9.1. Are there up-to-date records of the zoo's collection, including records of:		
(i) the numbers of different animals?	Yes	
(ii) acquisitions, births, deaths, disposals and escapes of animals?	Yes	
(iii) the causes of any such deaths?	Yes	
(iv) the health of the animals?	Yes	
9.2. Are daily diaries maintained, and do they contain appropriate information?	Yes	
9.3. Are animal stock records clear and up-to-date?	Yes	In the 7 column system the latin names of the species kept must be noted.
9.4. Are annual stock records completed in the correct format and submitted to the local authority?	Yes	As above & Confirmed by the local authority.
9.5. Are animal source and destination records kept?	Yes	
9.6. Are archived records secure?	Yes	
10. Miscellaneous		
10.1. Do staff numbers and training of staff appear adequate?	Yes	
10.2. Is the management structure and organisation of staff adequate to ensure compliance with the Standards at all times?	Yes	But in a new zoo situation should be constantly under review.
10.3. Are effective risk assessments carried out where appropriate?	Yes	
10.4. Has an ethical review process been established and implemented?	Yes	Still somewhat informal and needs review, particularly in respect of collection planning and addition of new species.
10.5. Are public toilet facilities adequate and serviced?	Yes	
10.6. Are parking facilities adequate?	Yes	Large public car park adjacent. on adjacent site.
10.7. Is a First Aid policy and accident reporting and recording system in place?	Yes	Conforms with regulations.

11. Associated legislation	Marking Yes No N/A	Comments/clarification
11.1. Is electrical equipment routinely serviced?	Yes	PAT tests carried out regularly and full regulatory requirements fulfilled as required.
11.2. Have fire precautions been agreed and implemented?	Yes	Extinguishers present and checked. Emergency procedures in place. (need Review).
11.3. Is refuse and clinical waste disposed of correctly?	Yes	Conform with regulations.
11.4. Are the required needs of disabled visitors met?	Yes	Disabled access possible to most areas.
12. Compliance check including licence conditions		
12.1. Is the current licence or a copy on public display at each public entrance?	Yes	
12.2. Is adequate Public Liability Insurance current?	Yes	
12.3. Have any Additional licence conditions been met?	No	

Additional space

The following space is provided for:

- additional notes and comments on the answers to the earlier questions
- recommendations (other than in respect of grant or refusal of a licence and any specific conditions recommended for a licence) including those based on comments already made to earlier questions
- any general remarks which the inspecting team may wish to record

This is the first formal inspection following the pre licence. Since then the zoo has further developed and some new species have been added, although the choices seem at times somewhat random. The operator and staff appear committed and enthusiastic to fulfil the aims of the zoo, but it needs to be ensured that training for all staff is continuous and relevant to the species kept.

It is strongly advised that new stock/species should only be introduced when the accommodation and support facilities are fully in place. In some areas the "temporary" facilities are in place for a longer period than desired as a result of emphasis on new introductions.

The intention to hold indigenous species such as red squirrel for eventual re-introduction is to be commended, but should only occur when suitable accommodation of adequate design and standard is completed.

RECOMMENDATIONS:

1. In view of the additions to the collection since the first inspection, the inspectors recommend a review of the Zoo's development/collection plan to focus the operator's intentions and that a copy of such is forwarded to the Licensing Authority for information.
2. It should be ensured that advice on hand cleansing after touching any animals is given both at the beginning and end of any public talk involving such access.
3. The principal buildings at present on site are a group of converted ranges of timber loose boxes. These have opening stable doors but in some instances animals are contained in the enclosures for a substantial part of the day and no exposure to natural light and /or outdoor enclosures is available. It should be ensured that only animals suited to this sort of enclosure are sited in these boxes, and a review of current occupants be carried out.
4. Signage where present is of reasonable quality, but several of the exhibits have little relevant information evident to the public and in the exotic house, much of the signage is poorly lit. A review is advised.
5. The bat house enclosure is open at the front for easier public viewing, but the shelf on which the public may lean to view is rough open woodwork. This should be covered with an easily cleaned impervious surface. In both this and the exotic house enclosure facings are finished in non planed natural timber. There is a potential splinter risk here of which the public particularly with young children should be warned.
6. In general a review of facilities for all species should be undertaken and changes introduced to ensure enrichment and welfare is enhanced, for example if wading species of birds are to be kept facilities for this must be considered. Where snakes are kept the enclosure size should be large enough to allow the snake to stretch out to full length.
7. The substrate in the meerkat's enclosure is bark chippings, which cannot drain and dry easily on a concrete base. Consideration should be given to an alternative substrate.
8. The operators should be discouraged from keeping solitary examples of any social species held in the Zoo.
- 9). The current reindeer accommodation is just adequate, but if/when more animals are added the accommodation should be improved and extended to acceptable standards.

Inspecting team's recommendation to the local authority

Having inspected (name of zoo)

The Wild Discovery, Kirkham Lancs.

on: 03/08/2017

the inspecting team make the following recommendation:

Please tick appropriate box

- it is recommended that a licence be refused ☐
- it is recommended that the above collection be licensed in accordance with the ZLA 1981 subject to the conservation measures in section 1A ☐
- it is recommended that the above collection be licensed in accordance with the ZLA 1981 subject to the conservation measures in section 1A and the following Additional Conditions (N.B Additional Conditions must be clearly worded so as to be enforceable and a timescale applied for compliance) ☐
- it is recommended that the following alterations be made to the above collection's licence conditions ☒

Additional Conditions (if appropriate)

1. The twice yearly visits by the lead vet must be kept up to date and at least one include a brief clinical/pathological review of the collection the outcome of which must be recorded. SSSMZP App 5 (5.5) f. (Within 2 months.).
2. The drainage of excess fluids from the waste heap must not be allowed to pool and must empty cleanly into an appropriate drain or dyke. SSSMZP 3(3.24-3.27). (within 3 months)
3. An identifiable isolation area must be provided within the zoo and approved by the lead vet as suitable for the species held at the zoo. SSSMZP 5.10-11). (Within 2 months)
4. A back up facility for life support for the exotic house must be provided and regularly checked for effective performance. SSSMZP 8.2 (All). (Within 3 Months).
5. Where any reptiles, amphibians, insects are displayed, the vivariums/ enclosures must be maintained at suitable temperature and humidity and measured and recorded daily. SSSMZP 8.1(1) to 8.2(11). (Within 3 months)
6. All multiway extension cables must be safely fixed securely in place, when in use. (H&S Reg). SSSMZP (3.4, 8.1-8.3.), (within 2 months).
7. A suitable stand-off provision must be in place at the current Rhea pen so that no public contact is possible. SSSMZP (8.7 & 8.24).
8. It must be ensured that prior to any new or additional animals being added to the zoo suitable accommodation must be in place to meet the requirements of size and any other welfare conditions including environmental enrichment for the numbers and species of animals involved. SSSMZP 2.(1-11), 4.(1-7). (with immediate effect).

Inspector(s) signature(s)

Date signed

The Data Protection Act 1998 – Fair Processing Notice

The purpose of this Fair Processing Notice is to inform you of the use that will be made of your personal data, as required by the Data Protection Act 1998.

The local authority in England (or in Wales as the case may be) is the data controller in respect of any personal data that you provide when you complete this zoo inspection form. The information that you provide may be used by the local authority in its consideration of issuing or amending a zoo licence in accordance with the Zoo Licensing Act 1981 (ZLA). The local authority may be required to release information, including personal data and commercial information, on request under the Environmental Information Regulations 2004 (EIRs) or the Freedom of Information Act 2000 (FOIA). However, local authorities will not permit any unwarranted breach of confidentiality nor act in contravention of their obligations under the Data Protection Act 1998 (DPA).

Where the zoo, to which this inspection report applies, is owned by the local authority, the local authority must send a copy of the completed form to Defra (in accordance with section 13(2) of the ZLA) where the zoo is situated in England, or to the Welsh Government where the zoo is situated in Wales. Defra or the Welsh Government (as the case may be) may use the information contained in the form to ensure that local authorities are carrying out their duties correctly in accordance with the ZLA.

Defra and the Welsh Government are also subject to the EIRs and the FOIA and so may be required to release information, including personal data and commercial information, on request. However, as above, Defra and the Welsh Government will not permit any unwarranted breach of confidentiality nor act in contravention of their obligations under the DPA.

Part 2 conditions

Wild Discovery must:

- 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.
- 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.
- prevent escapes and put in place measures to be taken in the event of any escape or unauthorised release of animals.
- introduce practical measures designed to prevent the intrusion of pests and vermin into the premises of the zoo.
- keep up-to-date records of the animals, including numbers of different animals, acquisitions, births, deaths, disposals and escapes, causes of deaths and the health of the animals.

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

Wild Discovery must keep information to show how it has complied with this condition and supply it to the local authority upon request.

Part 3 other conditions

Insurance

1. 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.

Hazardous animals

2. The licensing authority to 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.

Temporary removal of animals from the zoo

3. The licensee/s to 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 category 1 of the Hazardous Animal Categorisation of the Secretary of State's Standards of Modern Zoo Practice. Such notification is to 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.

Escapes

4. 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.

Stock Records

5. An annual stocklist of all animals must be kept and a copy must be forwarded to the local authority no later than 1 April of the year following that to which it relates. The stocklist should be in a multi-column format similar, for example, to Section 9.5 of the Secretary of State's Standards of Modern Zoo Practice, or to those that are produced by ZIMS or ARKS.

Note 1. These conditions are attached to the licence without prejudice to the application, where relevant, of the Secretary of State's Standards of Modern Zoo Practice specified in accordance with powers conferred under section 9 of the Zoo Licensing Act 1981.

Note 2. The grant of this licence does not imply that the requirements of any other legislation have been met.

Additional conditions recommended by the DEFRA appointed inspector

Wild Discovery must:

1. Provide a mission statement to clarify its aims.
2. Supply an organisational chart which illustrates the hierarchy of responsibility to cover all actions taking place in the zoo.
3. Appoint an individual Veterinary Surgeon to take responsibility for co-operating with the other practice involved in delivery of veterinary care throughout the collection. Copies of veterinary animal records must be kept in the zoo.
4. Ensure that access to the veterinary room is not via the food preparation areas.
5. Ensure that no animals are allowed in the food preparation area.
6. Ensure that there is a clear separation of preparation areas for meat and vegetables along with dedicated utensils. No human food stuffs are to be in the animal areas.
7. A refined and transparent ethical process is required and outcomes of discussions must be recorded.

8. A written policy on stock disposal must be prepared and approved by the ethics group.
9. Ensure that all doors to animal enclosures where the public are not allowed direct access are securely locked and notices posted.
10. No addition of animals which are listed in the Secretary of State's standards as category ONE (Hazardous) are to be made without advance information to the Licensing Authority, the provision of suitable accommodation and the appropriate staff training for the management of such animals.

20th July 2016

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	27 SEPTEMBER 2017	5
APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - LPJ			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

Following an application made to the Licensing Team for the grant of a Hackney Carriage and Private Hire Driver's Licence, the Committee is requested to consider the application and determine if they consider the applicant fit and proper to hold such a licence.

RECOMMENDATION

That the Committee consider the report and determine the application.

SUMMARY OF PREVIOUS DECISIONS

There are no previous decisions relating to this matter.

CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services (Value for Money)	✓
Delivering the services that customers expect of an excellent council (Clean and Green)	✓
Working with all partners (Vibrant Economy)	✓
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	✓
Promoting Fylde as a great destination to visit (A Great Place to Visit)	✓

REPORT

1. An application has been received from LPJ for the grant of a Hackney Carriage and Private Hire Driver's licence.
2. In accordance with the standard procedure for all applications, the applicant was requested to submit a Disclosure obtained through the Disclosure and Barring Service and undergo a medical examination.
3. The Disclosure has revealed convictions between 1983 and 2003, further information relating to which will be provided to members at the meeting. The convictions were declared by the applicant upon the application form.

4. Section 59 (1)(a) of the Local Government (Miscellaneous Provisions) Act 1976 states that, “a district council shall not grant a licence to drive a hackney carriage ... unless they are satisfied that the applicant is a fit and proper person to hold a driver’s licence.”
5. Section 51 (1)(a) of the Local Government (Miscellaneous Provisions) Act 1976 states that, “a district council shall not grant a licence to drive a private hire vehicle unless they are satisfied that the applicant is a fit and proper person to hold a driver’s licence.”
6. Appendix F of the Council’s Statement of Taxi and Private Hire Licensing Policy, concerning the Relevance of Convictions to Applications is attached for member’s information and use.
7. The applicant has been invited to attend the hearing and the Committee is therefore asked to determine the application.

IMPLICATIONS	
Finance	There are no implications arising directly from the report.
Legal	<p>The Committee should have regard to the requirements of fairness and proportionality in its procedures and to the European Convention on Human Rights in reaching its decision. However, the purpose of the system of driver licensing is to protect the public. If the committee considers that it should refuse the application in order to protect the public, it should not concern itself with the effect on the applicant.</p> <p>Where the council has adopted a policy which applies to a particular matter, it must take the policy into account when making its decision. Although it is not bound to follow the policy, any decision that is contrary to it should be supported and explained by clear and adequate reasons for departing from the policy.</p>
Community Safety	There are no implications arising directly from the report.
Human Rights and Equalities	There are no implications arising directly from the report.
Sustainability and Environmental Impact	There are no implications arising directly from the report.
Health & Safety and Risk Management	There are no implications arising directly from the report.

LEAD AUTHOR	CONTACT DETAILS	DATE
Andy Hough	andy.hough@fylde.gov.uk Tel 01253 658606	22 nd August 2017

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
None		

Attached documents

Appendix 1 - Appendix F of the Hackney Carriage and Private Hire Licensing Policy

APPENDIX F

RELEVANCE OF CONVICTIONS TO APPLICATIONS

The following guidelines will be used to determine the relevance of criminal convictions in relation to applications for hackney carriage and private hire driver's licences. In so stating, this Authority has adopted the guidelines set out in the DOT Circular 2/92 and HO Circular 13/92, subject to certain limited modifications.

General Policy

1. Each application will be determined on its own merits.
2. A person with a current conviction for serious crime need not be permanently barred from obtaining a licence but will be expected to remain free of conviction for 3 to 5 years, according to the circumstances of the offence, before an application is entertained. Some discretion may be appropriate if the offence is isolated and there are mitigating circumstances. However, the overriding consideration should be the protection of the public.
3. Listed below are some general principles relating to the determination of applications for drivers and operators of hackney carriages and private hire vehicles which will generally be followed where convictions are admitted.

3.1 Minor Traffic Offences

Convictions for minor traffic offences e.g. obstruction, waiting in a restricted street, speeding etc will not prevent a person from proceeding with an application. Multiple occurrences of similar current offences, however, merit the issue of a warning as to future driving standards. If sufficient penalty points have been accrued to require a period of disqualification of the applicant's driving licence then a hackney carriage or private hire vehicle driver's licence may be granted after the restoration of the DVLA driving licence, but only after a period of 12 months has elapsed since the expiry of the disqualification or from the date of any subsequent conviction. A warning will, however, be given about future driving standards.

In circumstances where a driver acquires 12 or more penalty points on his DVLA driving licence but is not disqualified from driving because of the mitigating circumstances put before the magistrates' court, the driver's hackney carriage or private hire licence may still be revoked or suspended. Such a matter will always be dealt with by way of a disciplinary hearing (see Appendix M).

3.2 Major Motoring Offences

An isolated conviction for reckless driving or driving without due care and attention etc will normally merit a warning as to future driving and advice on the standard expected of hackney carriage and PHV drivers. More than one conviction for this type of offence within the last 2 years will normally merit refusal with no further application then being considered until a period of 1 to 3 years free from convictions has elapsed. A single conviction for causing death by careless driving or by dangerous driving will be reported to the Public

Protection Committee for determination on the merits of the case.

3.3 Applications where Minor Traffic Offences are not Declared

Where an applicant has failed to disclose one or more of the offences mentioned above on their application form but such offences are subsequently uncovered during a DVLA check or by any other means, the licensing officer may, if he thinks fit, still issue the licence subject to a warning regarding future conduct. If, however, he considers that there was a premeditated intent to deceive, he will normally refer the matter to the Public Protection Committee to be dealt with by way of a disciplinary hearing (see Appendix M).

3.4 Drunkenness

3.4.1 With a motor vehicle

A serious view will be taken of convictions of driving or being in charge of a vehicle whilst under the influence of drink. Where a disqualification has been imposed as a result of a drink-driving offence, an application will generally be refused unless a period of 5 years free of conviction has passed since the return of the DVLA licence. More than one conviction for such offences will raise grave doubts as to the applicant's fitness to hold a licence and will normally require at least a 10 year clear period from conviction before an application is likely to be considered favourably. If there is any suggestion that the applicant is an alcoholic, a special medical examination will be arranged before the application is entertained. If the applicant is found to be an alcoholic, a period of 5 years must elapse after treatment is complete before a further licence application is considered.

3.4.2 Not in a motor vehicle

An isolated conviction for drunkenness need not debar an applicant from gaining a licence. However, a number of convictions for drunkenness could indicate a medical problem necessitating critical examination (see (i) above). In some cases, a warning may be sufficient.

3.5 Drugs

An applicant with a conviction for a drug related offence is required to show a period of at least 3 years free of convictions before an application is entertained or 5 years after detoxification treatment if he/she was an addict.

3.6 Sexual or Indecency Offences

The drivers of hackney carriages and private hire vehicles often carry passengers who are alone or may be vulnerable. Applicants who have convictions for rape, indecent assault, any sexual offence involving children or other vulnerable victims or any conviction for an offence under the Sexual Offences Act 2003, will, therefore normally be refused a licence. No application will be considered from a person currently on the Sex Offender's Register. Where an applicant has a conviction for a lesser sexual offence, such as indecent exposure, they will normally be refused a licence until they can show a substantial period, usually at least 5 years, free of any such convictions from the date of conviction or the date of release from jail where a custodial sentence has been imposed. More than one conviction of this kind will raise grave doubts as to the applicant's fitness to hold a licence and will normally require at least a 10 year clear period from conviction before an application is likely to be considered favourably. In all cases, consideration will be given to the circumstances of the offence and any evidence to show that an applicant is a fit and proper person to hold a licence. When considering applications, the Council may take into account any information of a sexual nature which does not amount to a criminal offence that is brought to its attention where that information may indicate that an applicant may not be a fit and proper person to hold a licence.

3.7 Violence

As hackney carriage and PHV drivers maintain close contact with the public, a firm line will be taken with applicants who have convictions for offences involving violence. Applicants with a conviction or caution for grievous bodily harm, wounding, serious assault, possession of a dangerous weapon or other serious offence involving violence or where the offence involved loss of life, will normally be refused a licence. At least 5 years free of such conviction or caution, from either the date of conviction or caution, or from completion of any custodial sentence imposed, whichever is the latter must be shown before an application is entertained and even then careful consideration will be given to the circumstances of the offence and a strict warning will be administered. Convictions for minor violence related offences, e.g. threatening, abusive or insulting behaviour will not necessarily prevent a person from proceeding with an application. In deciding whether to grant such an application the authority will consider the nature of the offence, how long ago it was and what age the applicant was when it was committed and any other factors, which may be relevant.

3.8 Dishonesty

Hackney carriage and PHV drivers are expected to be persons of trust. The widespread practice of delivering unaccompanied property is indicative of the trust that business people place in drivers. Moreover, it is comparatively easy for dishonest drivers to defraud the public, for example, by demanding more than the legal fare. Overseas visitors can be confused by the change in currency and become 'fair game' for an unscrupulous driver. For these reasons a serious view will be taken of any convictions involving dishonesty. In general, a period of 5 years free of convictions will be required before an application is entertained.

3.9 Persistent Criminality

Due to the potential risks to the public, applications from persons with a persistent record of criminality, where the record suggests a persistent lack of regard for the well-being of others or for their property rights, would normally be refused.

3.10 Other Offences and special circumstances

If the applicant has declared any other offences not listed above or the circumstances of the case justify it, the licensing officer will, if he considers it appropriate, refer the application to the Public Protection Committee for determination.

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	27 SEPTEMBER 2017	6
HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MI			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

MI is the holder of a combined Hackney Carriage driver and Private Hire driver's licence issued by this Authority. A complaint has been received regarding MI, the details of which will be presented to members at the Committee. The Committee will be requested to determine whether they consider MI a fit and proper person to hold a licence.

RECOMMENDATION

That the Committee considers the report and either:

- a) Notes the report and take no further action
- b) Issue a warning letter
- c) Suspend the licence
- d) Revoke the licence

SUMMARY OF PREVIOUS DECISIONS

There are no previous decisions relating to this matter.

CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services (Value for Money)	✓
Delivering the services that customers expect of an excellent council (Clean and Green)	✓
Working with all partners (Vibrant Economy)	✓
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	✓
Promoting Fylde as a great destination to visit (A Great Place to Visit)	✓

REPORT

- MI is a current licensed driver, holding a combined hackney carriage and private hire driver's licence which is due to expire on the 17th May 2018.

2. A complaint has recently been made regarding MI's conduct whilst acting as a driver, the details of which will be provided to members at the meeting.
3. Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 states, "a district council may suspend or revoke or ... refuse to renew the licence of a driver of a Hackney Carriage or a Private Hire vehicle on any of the following grounds:-
 - a) that he has since the grant of the licence:-
 - i) been convicted of an offence involving dishonesty, indecency or violence
 - ii) been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or of this part of the Act; or
 - b) any other reasonable cause."
4. Should the Committee feel it appropriate to suspend or revoke the licence, the grounds for such decision must be given to the driver within 14 days of the decision and a driver aggrieved by the decision may appeal to the Magistrates' Court.
5. MI has been invited to the meeting and the Committee is therefore requested to consider the report and determine whether to:
 - a) note the report,
 - b) issue a warning letter,
 - c) suspend the licence
 - d) revoke the licence

IMPLICATIONS	
Finance	There are no implications arising directly from the report.
Legal	<p>The Committee should have regard to the requirements of fairness and proportionality in its procedures and to the European Convention on Human Rights in reaching its decision. However, the purpose of the system of driver licensing is to protect the public. If the committee considers that it should refuse the application in order to protect the public, it should not concern itself with the effect on the applicant.</p> <p>Where the council has adopted a policy which applies to a particular matter, it must take the policy into account when making its decision. Although it is not bound to follow the policy, any decision that is contrary to it should be supported and explained by clear and adequate reasons for departing from the policy.</p>
Community Safety	There are no implications arising directly from the report.
Human Rights and Equalities	There are no implications arising directly from the report.
Sustainability and Environmental Impact	There are no implications arising directly from the report.
Health & Safety and Risk Management	There are no implications arising directly from the report.

LEAD AUTHOR	CONTACT DETAILS	DATE
Chris Hambly	chris.hambly@fylde.gov.uk	11 th September 2017

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
None		