

LICENSING AND APPEALS COMMITTEE

MONDAY, 28 JANUARY 2019

Present: Councillor D A Burnett BEM, Chair

Councillors: E H Atherton
D Bagshaw
E Cubley (substitute)
T A Cullen
W J Longdon (Vice-Chair)
R D MacRae
J C Patrick
M E Plackett
K E Rigby
P D Simpson
A W G A Stockwell

Apologies for absence were received from Councillors M J Crow and M Radulovic MBE.

22 DECLARATIONS OF INTEREST

Councillors R D MacRae and K E Rigby declared interests in agenda item number 6 due to pre-determination, minute number 26 refers.

23 MINUTES

The minutes of the meetings held on 11 December were confirmed as a correct record and signed.

24 ANIMAL WELFARE (LICENSING OF ACTIVITIES INVOLVING ANIMALS) (ENGLAND) REGULATIONS 2018

The Committee considered changes in the licensing of animal activities legislation, in addition to proposed fees and charges and associated policies and procedures arising from the new legislation.

RESOLVED that:

- 1. Environmental Health Officers and Environmental Health Technical Officers in Public Protection are authorised under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.**
- 2. The Chief Executive, Head of Public Protection, and the Chief Environmental Health Officer be delegated responsibility for the issue, refusal, variation and amendment of animal licences and associated conditions.**
- 3. Premises ratings be published during April 2020.**

RECOMMENDED that the proposed fees and charges in respect of animal activities licensing to the Finance and Resources Committee for approval and thereafter be subject to the regular review in accordance with other fees and charges.

25 EXCLUSION OF PUBLIC AND PRESS

RESOLVED that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Schedule 12A of the Act.

26 APPEAL AT STAGE 3 OF THE COUNCIL'S GRIEVANCE POLICY

Members considered details relating to an appeal of a former employee. Outcomes were sought on two grounds of appeal.

RESOLVED that:

1. **The Interim Monitoring Officer's decision be upheld.**
2. **The Interim Monitoring Officer's decision be upheld.**

(Having declared interests in the item, Councillors R D MacRae and K E Rigby left the meeting prior to debate or voting on the item. Councillor W J Longdon had to leave the meeting for personal reasons during the Committee's deliberations on the item and therefore did not vote on it.)

27 APPEAL AGAINST DISMISSAL

Members considered details relating to an appeal of a former employee. Outcomes were sought four grounds of appeal.

RESOLVED that:

1. **The Deciding Officer's finding of 'Gross Misconduct' be amended to 'Misconduct'.**
2. **Summary dismissal was inappropriate and that dismissal with pay in lieu of notice be the appropriate and reasonable decision.**
3. **There was no failure to follow procedure and upholds the decision of the Deciding Officer.**
4. **There was no evidence of prejudice or bias.**