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Date: 1 October 2014

Dear Councillor,

Environmental and Development Services Committee

A Meeting of the **Environmental and Development Services Committee** will be held in the **Council Chamber**, on **Thursday, 02 October 2014 at 18:00**. You are requested to attend.

Yours faithfully,

Chief Executive

To:- **Conservative Group**

Councillor Watson (Chairman), Councillor Roberts (Vice-Chairman) and Councillors Mrs. Brown, Ford, Mrs. Hall, Mrs. Patten and Stanton.

Labour Group

Councillors Chahal, Frost, Mulgrew, Stuart, Taylor and Tilley.



AGENDA

Open to Public and Press

- 1** Apologies and notification of substitutes.
- 2** To receive the Open Minutes of the Meeting held on 21st August 2014.

Open Minutes 21.08.2014 **5 - 8**
- 3** To note any declarations of interest arising from any items on the Agenda.
- 4** To receive any questions by members of the public pursuant to Council Procedure Rule No.10.
- 5** To receive any questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 6** Reports of Overview and Scrutiny Committee
- 7** CONSERVATION AREA CHARACTER STATEMENTS **9 - 19**
- 8** DOG BREEDING ESTABLISHMENTS LICENSING POLICY **20 - 59**
- 9** PET SHOPS LICENSING POLICY **60 - 89**
- 10** PRIVATE HIRE VEHICLES LICENSING POLICY **90 - 143**
- 11** COMPLIANCE WITH THE 'REGULATORS CODE' **144 - 154**
- 12** DERBYSHIRE ECONOMIC STRATEGY **155 - 202**

Exclusion of the Public and Press:

The Chairman may therefore move:-

That in accordance with Section 100 (A) of the Local Government Act 1972 the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.

- 14 To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 15 To receive the Exempt Minutes of the Meeting held on 21st August 2014.
Exempt Minutes 21.08.2014



ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE

21ST AUGUST 2014

PRESENT:-

Conservative Group

Councillor Peter Watson (Chairman), Councillor Andy Roberts (Vice Chairman) and Councillors Mrs Brown, Ford, Mrs Hall, Murray (substitute for Councillor Mrs Patten) Stanton

Labour Group

Councillors Dunn (substitute for Cllr Taylor), Mulgrew, Shepherd (substitute for Cllr Chahal) Stuart and Tilley

In attendance

Councillor Mrs Plenderleith, Councillor Harrison

EDS/13 **APOLOGIES**

Apologies for absence from the Meeting were received from Councillors Mrs Patten, Chahal and Taylor. Councillors Murray, Shepherd and Dunn substituted for them.

EDS/14 **MINUTES**

The Open Minutes of the Meeting held on 5th June 2014 were approved as a true record.

EDS/15 **DECLARATIONS OF INTEREST**

Councillor Dunn declared an interest on Item 8, the permanent diversion of a footpath, Swadlincote, in his capacity as a County Councillor. He made it clear that he would neither participate in the discussion or in the decision making on this matter.

EDS/16 **QUESTIONS FROM MEMBERS UNDER COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from elected members had been received.

EDS/17 **QUESTIONS BY MEMBERS OF THE PUBLIC UNDER COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no questions from members of the public had been received.

EDS/18 REPORTS OF THE OVERVIEW & SCRUTINY COMMITTEE

The Committee was informed that there were no Overview & Scrutiny Committee reports for it to consider.

MATTERS DELEGATED TO COMMITTEE

EDS/19 LOCAL DEVELOPMENT SCHEME

The Committee was asked to endorse the publication of the Local Development Scheme (LDS). The scheme was considered by the Committee in April and was a necessary step for preparing the 'Local Plan'. The Council had a statutory duty to maintain an up to date LDS, setting out the programme for preparing those documents required for the Local Plan and also those documents to be written as Supplementary Planning Documents (SPD's).

It was explained that since the scheme had been produced the Local Plan had been submitted to the Planning Inspectorate.

Members welcomed the progress made on the Local Development Scheme and Local Plan; and especially the fact that the plan had now been submitted to the Planning Inspectorate. There was some discussion about what progress had been made on the special planning documents and the likely time line for their production. In this context, it was noted that progress on the Greenways SPD was linked on the review by the County Council of their Greenways strategy

RESOLVED:-

That the Local Development Scheme be published

EDS/20 PERMANENT DIVERSION OF FOOTPATH - SWADLINCOTE

The Committee then considered a report recommending that part of the Public Footpath 46, which runs through Swadlincote, be permanently diverted in the area of William Nadin Way. The diversion would, it was explained, enable the construction of 158 new dwellings on the site.

Members discussed the proposal. They saw this as a sensible measure, which would benefit the local community, by creating a more pleasant, vehicle free, walking route than the existing footpath. They concluded that the diversion ought to be supported.

RESOLVED:-

To authorise the making of an order to divert the named footpath to enable the site of 158 dwellings to be implemented

EDS/21 **REVIEW OF THE RATIONALISATION OF WASTE BRING SITES**

The Committee received a report on the rationalisation of the Waste Bring Sites. The Committee had agreed earlier in the year to reduce the number of these sites from 83 to 10. But as part of this they asked for a further update on what the impact had been. The report made it clear that there continues to be sufficient capacity to receive waste and that as a consequence there had been no increase in the incidence of fly tipping in the District.

The Committee discussed the conditions at some of the specific sites, including Willington. In answers to concerns raised, it was confirmed that there were no plans to reduce further the number of Waste Bring Sites. Any changes would, it was stated, require the approval of the Committee.

RESOLVED:-

To note the conclusion of the report that the capacity of the existing Brings Sites is sufficient to meet demand and that there has been no increase in fly tipping as a result of the reduction in Bring Sites.

EDS/22 **CORPORATE PLAN 2009-15: PERFORMANCE MANAGEMENT REPORT**

Members considered the latest performance report for the Corporate Plan 2009-15. This covered the first quarter of the current financial year, or 1st April to 30th June 2014. The Committee was informed that most of the targets included in the plan had been achieved. The reasons for the lack of progress in some areas were explained. For instance, it was pointed out that the Local Plan had actually only been submitted four days late. Other delays had been caused by staffing difficulties.

In this context, the Committee discussed the Council's performance on dealing with planning applications, which had fallen slightly. This had been caused, it was explained, by staff shortages, which had now been rectified.

RESOLVED:-

To note the performance information in relation to the Council's Corporate Performance Plan for the period 1st April to 30th June 2014.

EDS/23 **COMMITTEE WORK PROGRAMME**

The Committee considered its revised work programme for the year.

RESOLVED:-

To approve the updated work programme

LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT ACT (ACCESS TO INFORMATION) ACT 1985

RESOLVED:-

EDS/24 *That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it would be likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.*

EDS/25 **EXEMPT QUESTIONS FROM MEMBERS UNDER COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no exempt questions from elected members had been received

EDS/26 **EXEMPT MINUTES**

The Exempt Minutes of the Meeting held on 5th June 2014 were approved as a true record.

P. WATSON

CHAIRMAN

The meeting terminated at 18.35

REPORT TO:	Environmental and Development Services Committee	AGENDA ITEM: 7
DATE OF MEETING:	2 nd October 2014	CATEGORY: OPEN
REPORT FROM:	Director of Community and Planning	
MEMBERS' CONTACT POINT:	Nicola Sworowski, Planning Policy Manager, ext. 5983	DOC:
SUBJECT:	Conservation Area Character Statements	REF:
WARD(S) AFFECTED:	Aston, Repton, Melbourne, Swadlincote, Stenson, Willington & Findern, Etwall, Seales	TERMS OF REFERENCE: EDS 04

1.0 Recommendations

- 1.1 That the committee approves the extension of the conservation area boundaries for Trent and Mersey canal, Stanton by Bridge and Trusley.
- 1.2 That the committee approves the adoption of the draft conservation area characters statements for Shardlow, Smisby, Stanton by Bridge, Swadlincote, Swarkestone, Trent & Mersey Canal, Trusley, Twyford, Walton on Trent and Woodhouses.
- 1.3 That the approval of the Ticknall conservation area character statements be deferred pending further more detailed consideration of the historical facts that have been proposed through the consultation.

3.0 Purpose of Report

- 3.1 To consider the outcome of the public consultation exercise on the eleven draft conservation area character statements that took place between February and March 2013.

4.0 Detail

- 4.1 This round of consultation was on the second eleven conservation area character statements (letters S – W) as the first eleven (letters A – R) were consulted upon and brought before committee for adoption in June 2011 with Milton and Repton adopted in 2013.
- 4.2 For this second set of conservation area character statements the consultation ran from 1st February 2013 to 19th April 2013. There were four drop in events that were held in Melbourne, Swadlincote, Walton on Trent and Shardlow. The documents were also made available on the Council's website.

- 4.3 Comments were received on the following statements: Stanton by Bridge, Swarkestone, Trent & Mersey Canal, Trusley and also Ticknall (to be deferred). A summary of the comments received can be seen at Appendix 1 and the action proposed for each comment.
- 4.4 In regards to the Ticknall conservation area character statement, Janet Spavold and Sue Brown made detailed comments on the historical context included in the document. This needs to be considered in more detail as to whether changes are appropriate and sources of information may need to be checked hence the reason for deferring the recommendation to adopt this statement. However, the comments received and also those of Ticknall Parish Council can be seen at Appendix 1.
- 4.5 The second table of the Appendix 1 also lists some minor changes that have been identified by officers. The changes relate mainly to an update of details where buildings have been built or changed and the need to update the OS base map for each area as well.
- 4.6 These conservation area character statements have already succeeded in making people aware of the special qualities within each of the eleven areas (22 in total). They will also be a useful tool for the development management process and also in aiding the Local Plan Part 2 policies.

5.0 Financial Implications

- 5.1 There are no financial implications

6.0 Corporate Implications

- 6.1 The District's conservation areas are a key component of its vibrant communities which offer opportunities for the future, such as tourism and job creation.
- 6.2 If recommended then the status of these documents will change from draft to adopted on the Council's website. Those people that made comments on the documents will be informed if the documents are adopted.

7.0 Community Implications

- 7.1 Conservation Character Area appraisals help to sustain the District's built heritage, a valuable and non-renewable resource. Investment in built heritage promotes tourism and improves environmental quality for all.

8.0 Background Papers

- 8.1 Draft Conservation Area Character Statements can be viewed at: http://www.south-derbys.gov.uk/planning_and_building_control/conservation_and_heritage/character_statements/default.asp

Appendix 1

Conservation Area	Consultee	Response Number	Response	Proposed change to document
Shardlow			None	No change
Smisby			None	No change
Stanton by Bridge	Gary Hewitt	1	Support for the extension to the conservation area and also the document.	Noted
Stanton by Bridge	Stanton by Bridge Parish Meeting	2	Proposed an extension to the Conservation Area to include the Woodland adjacent to the Behind the Hills property that is currently just outside the existing Conservation Area.	Noted, no change.
Swadlincote			None	No change
Swarkestone	Barbara Foster	3	Comment that the 'the character statement is excellent in its scope and detail and doesn't appear to have missed anything out.'	Noted
		3a	Other comments relate to statements of fact and areas of concern: Back Lane – an existing Back Lane immediately behind the boundaries of the houses on Trentside and ending at the Church which would have serviced village before the Trent was dredged in 1936.	Noted, no change
		3b	Thythe Barn possibly a Malt House	Noted, no change
		3c	Old Hall Farm has now been dendro dated (1650s/1660s) and would appear to have originally been a very upmarket stable for carriage horses.	Noted, no change

		3d	Concerns regarding the three storey tin shed behind Hollies Farm affecting the Conservation Area, the wall on Woodshop Lane starting to collapse, the amount of time that Old Hall Farm is taking to initiate the Stewardship Scheme and also the infilling of spaces within the settlement and the flooding impacts this will have on the conservation area.	Not applicable
Ticknall – deferred	Ticknall Parish Council		The Parish Council requests that extra consideration is given when considering planning applications that about the conservation area and that building are in keeping with the conservation area.	All comments to be considered further
Ticknall – deferred	Janet Spavold and Sue BROWN		<p>Page 1. Paragraph 1, line 3. Change Smisby to Ticknall</p> <p>Paragraph 4, line 1. Change “1765 and the 1830s” to “1780 and the 1880s”.</p> <p>Paragraph 6, line 2. There were 3 manors in Ticknall not 2.</p> <p>Page 3. The area of Archaeological Potential needs to be extended.</p> <p>Page 3. Paragraph 3 – The Francis and Abel families were not medieval landowners in Ticknall, they were the major tenants of the three manors. They became landowners well after the Dissolution.</p> <p>Page 4. Paragraph 2. “were laid out as allotments” sounds as if this is gardening allotments, “were allotted to” might be better in the context of enclosure.</p> <p>Paragraph 5. Growing archaeological evidence suggests that the pot making in Ticknall started in the 13th century.</p> <p>Paragraph 7. The small cottages near to Top Farm were all pottery</p>	All comments to be considered further

		<p>production sites.</p> <p>Page 7. Paragraph 2. Springfield House Farm. The frame in the gable end is exposed because the adjacent part of the house has been demolished. They were originally internal timbers.</p> <p>Page 8. Paragraph 3. Line 3 “It appears to be an estate response to the desire to build economically”. The cottages were built economically but by private owners before the estate acquired them.</p> <p>Paragraph 5. “Small potteries became established as cottage industries within the village from the early 16th century”. For their date they were not small potteries.</p> <p>Page 9. Photograph of Pennfold Cottage. The parking area for this cottage was the village pinfold.</p> <p>Page 11. The church was in existence by 1200, not the early 14th century.</p> <p>Page 13. Paragraph 6. The name on the parapet of Sheffield House was put there by the Sheffield family to make the point that it was not owned by the Harpur Crewes, it was not intended as a commercial name.</p> <p>Page 14. Paragraph 4. The name of the pub is The Wheel, it has never been known as The Wheelhouse.</p> <p>Page 15. Paragraph 1. Slade House, formerly Slade Farm, was the manor house of the Abel family. Any proposed development on this site should be the subject of archaeological investigation.</p>	
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		<p>Paragraph 3, Chapel Street. "By 1844 the small cottages on the road frontage had been built". Some of these cottages were built in the 1790s; they have dates and initials incised into the brickwork.</p> <p>Paragraph 4, "Walker's Lane" not "Walker Lane". It is named after the family who lived there in one of the cottages (now demolished).</p> <p>Paragraph 5. The Royal Oak Service Station has now been demolished and replaced by housing.</p> <p>Page 16. Paragraph 3 point 1. The paddock had a substantial farmhouse on it belonging to a significant longstanding village family and it should be on the archaeological listing.</p> <p>Page 17. Paragraph 4. There is documentary evidence dated 1462 for the sale of a lime kiln in Ticknall.</p> <p>Page 18. Paragraph 1. There is evidence both on the ground and in documents for a watermill from 1297. The mill leat partly survives in the limeyards but the medieval mill pond has gone. The site of the mill itself can still be identified on the ground. This early evidence should be protected.</p> <p>Paragraph 3. Please note the Royal Oak Service Station has now gone.</p> <p>Page 19. Paragraph 1. The farmhouse for Honeysuckle Barn & Limeyards Stables is that mentioned on Page 16 paragraph 3 point 1.</p> <p>Paragraph 3, last sentence. The unusual splayed shapes of the</p>	
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		<p>Market Place and the entrance to Calke Park are the fossilised remains of two the medieval field entrances, one to Knowle Hill Field or Old Field on the north and the other to South or Little Field on the south.</p> <p>3. “The Green” never was a village green. It was another field entrance, this time to Park or Scaddows Field, which was blocked by the building of nos. 4 & 5 The Green across the end. The curve of this entrance explains the odd angle of adjoining cottages.</p> <p>Page 20. Paragraph 2. The present post-Enclosure Top Farm, built in the early 19th century, replaced a pre-Enclosure farm on the site. Evidence can be seen in the side of the barn facing the road.</p> <p>Paragraph 3. All the cottages in this area – from Pottery House south to Willowbrook on the west side of the road and the cottage opposite Pottery House and the cottage at the top of Staunton Lane have evidence for pottery production. There was also a pottery associated with Top Farm. All these sites should be included in the area of archaeological interest. A seventeenth century kiln and its working area at Mrs. Hammond’s (Jasmine Cottage?) has already been lost during recent development because it was not recorded as a pottery site.</p> <p>Page 23. We absolutely agree with how much archaeology has been lost and hope to see protection for these areas. The building of Grange Close has prevented important archaeological evidence being found, as this area was the power centre of the village. Harpur Avenue should similarly have been investigated before building as part of it was Potters Close and belonged to the pottery at Ivy Leigh.</p>	
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Trent & Mersey Canal	Willington Local History Group	4	Congratulations given on the “production of what appears to be a very well-conceived document.”	Noted
		4a	No mention is made of the fact that when the canal opened in 1766 until about 1800, it was regularly used for the transshipment of goods destined for the Potteries.	Noted, page 4 mentions transportation to the Potteries.
		4b	The Old School on Castleway should be included in the conservation area. It was built in 1836 and much of the original building is still in place.	Noted, no change
		4c	The HORSAs hut should also be protected by some means. It is one of the few remaining buildings of this type, possibly built to accommodate extra children when school leaving age changed in the 1950's.	Noted, no change
Trent & Mersey Canal	Repton History Group	5	Puzzled that Willington’s only conservation area is along the Trent and Mersey Canal as the area to south of railway to Repton/Willington bridge contains buildings of interests. Were there not wharfs and warehouses there?	Noted, no change
Trusley	Trusley Parish Meeting	6	The extension of the conservation area makes in view of the properties included and will help to preserve the remaining views from Ingleby Road and the landscape.	Noted
		6a	Can anything be done to stop vehicular encroachment on to the greens, particularly the one adjacent to the main Derby Road?	Noted, no change
Twyford			None	No change
Walton on Trent			None	No change
Woodhouses			None	No change

Amendments:

The following minor amendments are suggested following a review of the statements that have been made as a result of Officers reviewing consultation. Deleted text is struck through, and inserted text is italicised.

Conservation Area Character Statements – page and paragraph (if applicable)	Change	Response Number or SDDC
All	All Maps to have an updated OS base before being published as adopted as some new buildings have been built since the maps were originally published for consultation.	SDDC
Walton on Trent - Page 7, para. 2	“This would explain why the buildings on plots 110 and 113 (<i>formally the Shoulder of Mutton</i>) are set back from the road; they fall on an earlier building alignment.	SDDC
Walton on Trent - Page 11, para. 6	“At The Shoulder of Mutton <i>113 Main Street (formally The Shoulder of Mutton PH)</i> , the early 20 th century fashion...”	SDDC
Walton on Trent - Page 13, para. 3	“The following were originally built with machine-made red clay tiles; Hill Croft, the former school and schoolhouse on Coton Road, The Shoulder of Mutton <i>113 Main Street (formally The Shoulder of Mutton)</i> , 17-19 Main Street and 7-11 Bells End Road.”	SDDC
Walton on Trent - Page 16, para. 3	“There are three distinct groups of late 19th/early 20th century buildings on the south side of the	SDDC

	Main Street that give the street an estate character – The Shoulder of Mutton 113 Main Street (formally The Shoulder of Mutton) , The Former School and Schoolhouse, 17-19 Main Street and the heavily altered row Nos.”	
Walton on Trent - Page 22, para. 3	Both The White Swan and The Shoulder of Mutton had an open frontage at the turn of the century (1900 OS). In both cases † The setting of the building now has a forecourt of tarmac and The frontage to The White Swan has a row of cast-iron bollards in front, and a wide strip of tarmac pavement, which seems to encourage parking on the pavement, despite the large car park to the rear. At The Shoulder of Mutton, the impression of a large gap in the street is created by the large expanse of tarmac. In both cases, a A more sympathetic and softer surface finish to the tarmac and planting would be an improvement. The former Shoulder of Mutton no longer has a wide expanse of tarmac but instead an enclosed front garden to a residential dwelling.	SDDC
Walton on Trent – last page of appendix	Picture of Shoulder of Mutton to be updated.	SDDC
Swadlincote – page 6 pictures	Text underneath pictures need changing round	SDDC
Swadlincote – page 6, final bullet point	“South Derbyshire Leisure Centre on Darklands Road Civic Way (now known as Green Bank Leisure Centre) opened in March 1978	SDDC

Swadlincote – page 22, para. 7	“Nisa (formally The Co-op) The Co-op and Post Office (4-6 West Street) -...”	SDDC
Swadlincote – page 23, para. 1	Poundstretcher (47 High Street) and Somerfield B & M Bargains (43 High Street)	SDDC
Swadlincote – page 23, para. 3	“It is used as a car-park giving it a limited It has no-outlook (i.e. no active frontage) and no positive relationship with the street or other buildings.”	SDDC
Swadlincote – page 24, para. 4	“Any redevelopment of sites on the south side of Civic Way (e.g. Somerfield supermarket 43 High Street) needs to conform to a careful urban design framework, to create a better entrance to the town centre.”	SDDC

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICE COMMITTEE	AGENDA ITEM: 8
DATE OF MEETING:	2 ND OCTOBER 2014	CATEGORY: DELEGATED/ RECOMMENDED
REPORT FROM:	CHIEF EXECUTIVE	OPEN/EXEMPT PARAGRAPH NO:
MEMBERS' CONTACT POINT:	EMMA McHUGH 01283 595 716 emma.mchugh@south-derbys.gov.uk	DOC:
SUBJECT:	ADOPTION OF MODEL CONDITIONS FOR DOG BREEDING ESTABLISHMENTS	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: EDS 14

1. Recommendations

- 1.1 That the conditions and supporting guidance relating to dog breeding establishments contained in Appendices 1 and 2 of this report are approved.

2. Purpose of Report

- 2.1 To advise Members of the outcome of a consultation in relation to the conditions and supporting guidance for dog breeding establishments.
- 2.2 To provide Members with the necessary information to be able to give full consideration to the recommendation contained in paragraph 1.1 of this report.

3. Detail

- 3.1 The licensing of dog breeding establishments is a regulated activity by virtue of the Dog Breeding Act 1973 and 1999 (the 'Act'). The Council is responsible for issuing licences to any person that falls under the definition of a dog breeding establishment and ensuring compliance with the Act.
- 3.2 The Act permits the Council to adopt conditions it deems necessary, or expedient in the particular case, as specified in section (4)(a) to (i) of the Act, namely:

- (a) That the dogs will at all times be kept in accommodation suitable as respects construction, size of quarters, number of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness;

- (b) That the dogs will be adequately supplied with suitable food, drink and bedding material, adequately exercised and visited at suitable intervals;
- (c) That all reasonable precautions will be taken to prevent and control the spread among dogs of infectious or contagious diseases;
- (d) That appropriate steps will be taken for the protection of dogs in case of fire or other emergency;
- (e) That all appropriate steps will be taken to secure that the dogs will be provided with suitable food, drink and bedding material and adequately exercised when being transported to or from the breeding establishment;
- (f) That bitches are not mated if they are less than one year old;
- (g) That bitches do not give birth to more than six litters of puppies each;
- (h) That bitches do not give birth to puppies before the end of the period of twelve months beginning with the day on which they last gave birth to puppies; and
- (i) That accurate records in a form prescribed by regulations are kept at the premises and made available for inspection there by any officer of the local authority, or any veterinary surgeon or veterinary practitioner, authorised by the local authority to inspect the premises.

3.3 The Council currently licenses a total of 8 dog breeding establishment with 3 pending applications.

Proposed Conditions

3.4 The proposed conditions are the model conditions produced by the Chartered Institute of Environmental Health (CIEH) and are the basic minimum standards considered necessary to ensure animal health and welfare are maintained in breeding establishments.

3.5 The Guidance has been produced to provide more information for licence holders to ensure compliance with the model conditions. The Guidance is intended to be read in conjunction with the model conditions.

Consultation

3.6 Officers conducted a consultation exercise on these proposals with existing licence holders and on the Council's website for a period of 8 weeks. No responses were received in relation to the consultation.

4. Financial Implications

4.1 There are no financial implications to the Council.

4.2 Recommendation 1.1 will have no financial implications on existing licence holders.

6. Corporate Implications

6.1 These proposals will provide a clear framework for anyone wishing to start their own business which will contribute directly to the corporate vision to make South Derbyshire a better place to live, work, and visit, and to the theme of sustainable growth and opportunity.

6.2 These proposals will also demonstrate to members of the public that South Derbyshire District Council takes the safety and welfare of animals seriously, which contributes to the theme of safety and security.



SOUTH DERBYSHIRE DISTRICT COUNCIL

LICENCE CONDITIONS
FOR
DOG BREEDING ESTABLISHMENTS

BREEDING OF DOGS ACT 1973 AND 1991 AS
AMENDED BY THE BREEDING AND SALE OF DOGS
(WELFARE) ACT 1999

Adopted: #

Dog Breeding Establishment Conditions

1. ACCOMMODATION

The following definitions are provided for the purposes of inspection:

Kennel – this is the physical structure and area that consists of an indoor sleeping area and outdoor run.

Run – A run is defined as an area attached to and with direct and permanent access from a kennel.

Outdoor exercise area – a separate area from the kennel itself where dogs may, for example, exercise, play, interact with other dogs and people.

Crate – a safe, secure area that a dog can go into for short periods of time. Usually consists of a wire frame with a removable tray in the base for bedding, but can also be plastic, or fabric. Uses include security, transportation or following veterinary advice. NB: this should only be a temporary enclosure for a dog and only where the dog is habituated to it.

- 1.1 Dogs must at all times be kept in accommodation suitable as respects construction, size of quarters, numbers of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness.
- 1.2 Dogs kept in domestic premises must have free access to more than one room and every dog must be provided with continual access to a comfortable, dry, draught-free, clean and quiet place to rest.
- 1.3 Dog crates, where used (and whilst not acceptable as permanent housing) must be of sufficient size to allow each dog to be able to sit and stand at full height, step forward, turn around, stretch and lie down in a natural position and wag its tail without touching the sides of the crate and to lie down without touching another individual.

Kennel Construction

- 1.4 Where kennels are provided, within converted outbuildings, consideration must be given to cleaning, wildlife access, vermin control, natural lighting and ventilation.
- 1.5 All internal surfaces used in the construction of walls, floors, ceilings, partitions, doors and door frames must be durable, smooth and impervious, easily cleaned and disinfected. Kennels must be free from hazards and there must be no projections or rough edges liable to cause injury.
- 1.6 Sleeping areas of kennels must be insulated so as to prevent extremes of temperature.

Security

- 1.7 The construction must be such that the security of the dog is ensured. Fencing material must be safe and secure.

Walls and Partitions

- 1.8 Walls with which dogs may come into contact must be of smooth impervious materials, capable of being easily cleaned and disinfected.

Floors

- 1.9 Flooring must be of a non-slip, urine-resistant material. It must be laid in a way and at a fall that avoids the pooling of liquids. Slatted or wire mesh floors must not be used.
- 1.10 Floors of all buildings, individual exercise areas and kennels must be of smooth, impervious materials, capable of being easily cleaned and disinfected while providing sufficient grip for the animal to walk or run without sustaining injury.

Ceilings

- 1.11 Ceilings must be capable of being cleaned and disinfected.

Doors

- 1.12 Kennel doors must be strong enough to resist impact and scratching and must be capable of being effectively secured.

Windows

- 1.13 Windows must not pose a security risk and must be escape proof for the protection of the dog as well as the public.

Drainage

- 1.14 The establishment must be connected to mains drainage or an approved sewerage disposal system.

Lighting

- 1.15 During daylight hours light must be provided to exercise and sleeping areas so that all parts are clearly visible.
- 1.16 Lighting must be of sufficient standard to enable efficient working both during and after daylight hours. Supplementary lighting, adequate to allow inspection, must be provided throughout the establishment.

Ventilation

- 1.17 Ventilation must be provided to all interior areas without the creation of excessive, localised draughts in the sleeping area.

Kennel Design (Size, layout and exercise facilities)

- 1.18 Kennels must be divided into sleeping and activity areas. Kennels must be provided with an adequate size of sleeping area, such that dogs can stand, turn around, stretch and lie down flat in a natural position, with sufficient space for the door to open fully.
- 1.19 Adequate exercise areas must be provided for all kennels. How much space will depend upon the size of the dog as well as the circumstances of each breeding establishment. Dogs must be able to walk, turn around easily, wag their tails without touching the kennel sides, and lie down without touching another dog.
- 1.20 Kennels and runs must open onto secure corridors or other secure areas so that dogs are not able to escape from the premises.
- 1.21 Exercise areas must not be used as sleeping areas.

- 1.22 Outdoor areas where animals exercise and interact cannot have strict temperature regulation. Dogs must not be restricted to such areas when climatic conditions may cause them distress. They must have constant access to fresh clean water, shade and shelter so they can avoid rain, wind, snow, ice or direct sunlight, etc. In adverse weather conditions, the responsible person must decide whether or not dogs are given free access to their run. The run must be at least partially roofed to provide the dog with sufficient protection against all weathers.

Beds and Bedding

- 1.23 The bed must have clean bedding and be large enough for each dog to lie flat on their side. Beds must be suitable to allow dogs to be comfortable, i.e. of durable construction, be sited away from and offer protection from draughts and be of a suitable size for the size and type of dogs kept. Bedding must be capable of being easily cleaned and disinfected.

Number of Dogs Permitted

- 1.24 The maximum number of dogs to be kept at any one time is to be determined by the Local Authority.

Temperature in Accommodation

- 1.25 Heating facilities must be available in the kennel and used according to the requirements of the individual dog.
- 1.26 Devices used for heating and cooling must be safe and free from risk of burning or electrocution. Manufacturer's instructions must be followed. Open flame appliances must not be used.

Cleanliness

- 1.27 All kennels, corridors, common areas, kitchens and so on must be kept clean and free from accumulations of dirt and dust so that disease control is maintained. An agreed SOP must be followed. Each occupied kennel must be cleaned daily at a minimum.
- 1.28 All excreta and soiled material must be removed from all areas used by the dogs as necessary.
- 1.29 All sleeping areas and bedding must be kept clean and dry.
- 1.30 Facilities must be provided for the proper reception, storage and disposal of waste.
- 1.31 Measures must be taken to minimise the risks from rodents, insects and other pests within the breeding establishment.
- 1.32 Foul waste water must be disposed of by discharge to the appropriate or an approved drainage system. Those wishing to operate an incinerator must seek advice from the Environment Agency and/or the local authority.

Whelping Facilities

- 1.33 There must be a separate whelping pen or room for each whelping bitch in which to whelp. There must be direct access to the whelping area for kennel personnel without disturbing the general kennel population. Once separated there must be increased social contact with humans.

- 1.34 Each whelping pen must be constructed of easily cleanable impervious materials. The area must be cleaned regularly and a record kept of cleaning procedures. The whelping pen must have a divider to allow the bitch to access an area where she cannot be reached by the puppies. There must be natural daylight.
- 1.35 There must be a whelping bed raised off the floor and with sides high enough to prevent new born puppies from falling out. The bed must contain sufficient bedding to ensure a soft surface for the bitch and to enable the absorption of mess resulting from whelping. The bed must be constructed of easily cleanable impervious material and must be thoroughly cleaned and disinfected between litters.
- 1.36 The whelping area must be maintained at an appropriate temperature. The bitch must be able to move away from heat spots.
- 1.37 Bitches must be adequately supervised during whelping and records kept of:
 - time of birth of each puppy;
 - puppies' sex, colour and weight;
 - placentae passed;
 - any other significant events.
- 1.38 Bitches must be allowed a minimum of four periods a day for toileting and exercise away from their puppies.

2. MANAGEMENT

General

- 2.1 Dogs must be adequately supplied with suitable food, drink and bedding material, adequately exercised, and visited at suitable intervals.

Supervision

- 2.2 A fit and proper person must always be present to exercise supervision and deal with emergencies.

Numbers of staff

- 2.3 Numbers of staff must be appropriate for the breed/ type and number of dogs being bred. Numbers must be sufficient to provide the level of care set out in these model conditions.
- 2.4 Sufficient adequately trained staff must be available every day to carry out all the interactions and procedures with dogs specified in this document.
- 2.5 Dogs must not be left alone for long periods and must be checked at the start and end of every working day and regularly by a member of staff at least every four hours during the day.

Environmental Enrichment and Exercise

- 2.6 Dogs must be provided with environmental enrichment and the ability to have some control over their environment.
- 2.7 Arrangements must be made for the dogs to be exercised at least twice a day. Breeding establishments are the permanent home for some dogs and therefore provision of exercise facilities must be adequate for the long term. Dogs must not be kept permanently confined.

Handling and Habituation

- 2.8 Breeding dogs must be handled and examined regularly to identify changes in health, weight and behaviour, also to ensure dogs are habituated to handling by people. This is particularly important for bitches, as fear of people will influence development of puppy behaviour

Food and Water Supplies

- 2.9 All dogs must be adequately supplied with suitable food. Clean water must be available at all times and changed at least daily. Dogs must be fed a diet appropriate to their age, breed, activity level and stage in the breeding cycle. Dogs must be fed individually with separate bowls. Food must be stored in vermin-proof containers and fresh food must be refrigerated.
- 2.10 Eating and drinking vessels must be capable of being easily cleansed and disinfected to prevent cross contamination. They must be maintained in a clean condition and cleaned and disinfected or disposed of after each meal.
- 2.11 Dogs must be fed sufficiently well to maintain health.

Weaning Procedures

- 2.12 Puppies must start the weaning process as soon as they are capable of ingesting food on their own. The food offered must be appropriate for the stage of development of the puppies. Puppies at weaning must initially be offered food five times a day. It must be ensured that each puppy takes the correct share of the food offered.
- 2.13 During lactation, the bitch must have sufficient appropriate food to satisfy the demands being made upon her.

Kitchen Facilities

- 2.14 Facilities, hygienically constructed and maintained, must be provided for the storage and preparation of food for the dogs.
- 2.15 Where fresh and cooked meats are stored, refrigeration facilities must be provided. Food contamination must be avoided.
- 2.16 A sink with hot and cold running water must be available for washing kitchen utensils and eating and drinking vessels.
- 2.17 Containers for storing foods must be provided and must be constructed and maintained to guard against insects and other pests. Cross-contamination must be avoided.

First-Aid Kit for Dogs

- 2.18 A fully maintained first-aid kit suitable for use on dogs and puppies must be available and accessible on the premises.

Isolation Facilities

- 2.19 Veterinary advice must be sought for any animal with a potentially infectious disease.
- 2.20 Facilities for isolation must be available when required. Isolation facilities must be used where the presence of infectious disease is suspected or known.

- 2.21 Isolation facilities must be in compliance with the other licence conditions but must be physically separate from other dogs.
- 2.22 Hands must be washed after leaving the isolation facilities before handling other dogs. Protective clothing, footwear and equipment, for use only in the isolation facility, must be used to reduce the spread of infection and must not be worn outside the isolation facility.
- 2.23 Complete disinfection of the isolation facilities and equipment must be carried out once vacated.

3. DISEASE CONTROL, VACCINATION AND WORMING

- 3.1 All reasonable precautions must be taken to prevent and control the spread among dogs of infectious or contagious diseases. Licence holders must take all reasonable steps to protect the animal from pain, suffering, injury and disease. All breeding establishments must be registered with a Veterinary Practice and ensure full details are made available to the Licensing Authority.

4. EMERGENCIES/FIRE PREVENTION

- 4.1 There must be Emergency Evacuation and Contingency Plans (see Appendix J) in place which meets approval with the local authority, and in consultation with the local authority.

5. TRANSPORT

- 5.1 Dogs and puppies being transported to and from breeding establishments must be properly supervised to ensure compliance with the obligations under the 1973 Act.
- 5.2 All appropriate steps must be taken to ensure that the dogs will be provided with suitable food, drink and bedding material and adequately exercised when being transported to or from the breeding establishment.
- 5.3 Bitches must not be transported in the last stages of pregnancy, ideally not from 54 days after mating, unless to a veterinary surgeon for treatment.
- 5.4 Bitches must not be transported for 48 hours after whelping unless it is to see a veterinary surgeon for treatment.
- 5.5 Whenever dogs are transported they must be fit and healthy for the intended journey. Injured and/or diseased dogs must not be transported (except for minor illness or injury, as determined by trained and competent staff) unless they are being taken to a veterinary surgery.
- 5.6 Puppies must not be transported before eight weeks of age without their dam unless a veterinary surgeon agrees otherwise for health and/or welfare reasons, or in an emergency.

6. HEALTH AND WELFARE OF THE BREEDING STOCK AND LITTERS

Mating

- 6.1 Bitches must not be mated if they are less than one year old.

Maximum Number of Litters

- 6.2 Bitches must not give birth to more than six litters of puppies each in their lifetime.

Twelve Months Between Litters

- 6.3 Bitches must not give birth to puppies before the end of the period of twelve months beginning with the day on which they last gave birth to puppies.

Social Contact for Dogs and Socialisation of Puppies**Adult Dogs**

- 6.4 Social contact is very important, and all dogs used for breeding must be kept in an environment that allows adequate social contact with both other dogs and people.

Puppies

- 6.5 Puppies must be handled regularly from shortly after birth for short periods (e.g. gently picking up and examining) to habituate them to human contact and to examine them for any sign of disease and to ensure they are feeding properly.
- 6.6 From 3 weeks old puppies must be habituated to events likely to be encountered in a domestic environment.
- 6.7 To learn social skills with other dogs, puppies must be maintained as a litter or with puppies of a similar age and size.

Record Keeping

- 6.8 Accurate records in a form prescribed by regulations as shown below must be kept at the premises and made available for inspection there by any officer of the local authority or any veterinary surgeon, authorised by the local authority to inspect the premises.
- 6.9 A record must be kept by every licensed dog breeder for each breeding bitch providing the name of the bitch, date of birth, address where she is kept, breed, description, date of mating and details of sire. Licensed dog breeders must also keep a record of any litters, including the sex of the puppies, date of birth, weight, description and total number in the litter. The record must also show the details of sale, namely the date of sale, name and address of who was supplied and the status of the purchaser (i.e. private owner or pet shop).

Annex A

Minimum Kennel Sizes

The kennel area should be large enough to allow separate sleeping and activity areas.

The kennel must be sufficiently large to allow each dog to be able to walk, turn around and wag its tail without touching the sides of the kennel, to play, to stand on its hind limbs and to lie down without touching another individual.

The minimum kennel size should be at least 4m² for dogs under 20kg, and 8m² for dogs over 20kg. This should be increased in relation to size, and number of dogs, such that both the length and width are sufficient for all the dogs to lie outstretched at all angles with neither their tail nor snout touching the walls or another individual.

Bitches with litters should be provided with double this space allowance.

For post weaned stock, the following minimum enclosure dimensions and space allowances should apply:

Weight of Dog (kg)	Minimum of enclosure size (m²)	Minimum floor/area animal (m²)	Minimum height (m)
Up to 5	4	0.5	2
Over 5 to 10	4	1.0	2
Over 10 to 15	4	1.5	2
Over 15 to 20	4	2	2
Over 20	8	4	2

For dogs over 30kg these sizes should be scaled up accordingly and should be proportionate.

Annex B

Cleaning Standard Operating Procedure

Cleaning

In a domestic environment the hygiene measures that are normally used in a household will also protect the welfare and health of the dogs. Faeces should be removed from the exercise areas on a daily basis to reduce the likelihood of infection and to prevent any roundworm larvae from maturing.

When adult dogs are kennelled there is likely to be a greater level of contamination and therefore cleaning should be more structured.

Daily: remove all soiled material and wash contamination away using detergent if necessary. Dry after cleaning. Remove soiled bedding and replace with clean. Hose down and dry exercise areas where impervious material is used. Dispose of faeces according to waste regulations.

Weekly: remove all furniture from kennels, hose down using disinfectant and allow to dry before returning furniture. Replace all bedding.

Litters of puppies require a more intensive cleaning regime.

Daily: remove all soiled bedding as required to ensure the area is kept clean and dry, and dispose of appropriately. Wash soiled areas using detergent and dry while the litter is being exercised.

Recently whelped bitches require even more work.

Daily: remove all soiled bedding as required to ensure the area is kept clean and dry, and dispose of appropriately. Wash soiled areas using disinfectant twice daily and replace bedding while the bitch is being exercised.

Bleach – Sodium Hypochlorite

Bleach is commonly thought of a disinfectant and does have some disinfectant properties. However it is not as effective at killing bacteria, viruses and fungi as more commonly used commercial disinfectants and it may cause toxic effects to animals and staff as well as degrading the structure of the building. Bleach acts as an oxidiser and is therefore corrosive to both materials and animals. High concentrations can cause ulceration of the skin and mucous membranes (inside the mouth and conjunctiva). If mixed with some other disinfectants it can release toxic gases that are harmful to both humans and animals causing severe respiratory distress. Generally bleach is not a suitable disinfectant for use in animal premises.

Annex C

Socialisation Standard Operating Procedure

Socialisation of puppies to people

Principles

Puppies need to meet a range of different people during their 'socialisation period' (between about 3 and 12 weeks of age) to ensure that they accept contact with people as a normal and positive part of life. During this period, puppies learn what is 'normal' in their environment and what to expect in different circumstances. It is therefore important for all puppies to learn that contact with all sorts of different people is a normal part of life. They also need to learn about the various types of interaction that people have with dogs. For example, they need to accept being handled all over, picked up, their feet being handled and cleaned, ears examined, coat groomed, and nails cut. They also need to learn about the various things that people do, for example, coming in and out of the house/kennel area. They also need to learn that sometimes people interact and play, but at other times they may be present but not interacting with the puppies.

The aim of a structured socialisation programme is to give puppies the best chance of coping well with the various types of people, circumstances in which they appear, and ways in which they interact with dogs, before they are homed to a domestic environment. In order to ensure that they develop a positive perception of people, it is important for the introduction of new experiences to be gradual and controlled. It is also important that puppies are not already anxious or fearful when they interact with people, as this will increase the risk that they will associate contact with a negative experience.

Preparation

Plan in advance how you will ensure that puppies experience different types of people. All puppies should have contact with a minimum of four people. This should include at least one person of each gender. It should also include at least one person who is above retirement age. Puppies should also experience controlled contact with children. Ideally this should include at least one older child (> 8 years), and also a baby or toddler. For safety, children should only have contact with puppies under the supervision of their parents or responsible adult. Where access to young children is not feasible, puppies should be exposed to the noises of babies and young children using good quality recordings.

Prepare in advance any items which will help broaden puppies' experience of people. For example, having a brightly coloured and rustling jacket (as worn by postmen or delivery people), a motorcycle helmet, a cap, a back-pack, a pushchair, a zimmer frame and an umbrella available will mean that people engaged in socialising the puppies can introduce puppies to items that they will commonly see associated with people as adults.

Ensure that puppies are in an environment in which they are familiar before socialisation starts.

Make sure that you have toys and food treats available before starting the socialisation sessions.

Socialisers should be familiar with behavioural signs of anxiety in puppies to ensure appropriate intensity of interaction for individual puppies.

Socialisation to different types of people

Puppies should be familiar and confident with their main carer before the introduction of further people. This person should spend time playing and interacting with puppies until all of the puppies in the litter approach the carer voluntarily on entering the kennel/room. Where individual puppies show signs of fear or anxiety, such as cowering at the back of the pen, moving away, trembling, or pulling back on contact, they should be given additional attention. This should involve the carer being quiet and calm, crouching or sitting a short distance away from the puppy and encouraging the puppy to approach. Approach should be rewarded with food treats. Interaction with nervous puppies should develop with gentle stroking on the chest area: avoid putting the hand directly towards the puppy's head as this may be perceived as threatening. With increased confidence, the puppy can be gradually stroked on the shoulder, back, flanks and head.

Once all puppies in a litter confidently approach and interact with their main carer, a programme of introduction to other people can be started. Puppies' response to the introduction of one other person should be evaluated first. Signs of fear or anxiety in individual puppies should be addressed as by the main carer. Once puppies confidently interact with the second person, further new people can be introduced. These should include adults of both genders.

When puppies are confidently interacting with a number of adults in a familiar environment, they can be introduced to people in different circumstances. For example they should experience people coming and going through a threshold (e.g. door in a household), and meeting people when they are in an outside garden or run.

The socialisation programme can then be expanded to include contact with children where possible. Older children can interact with puppies, but should be instructed how to appropriately handle and play with puppies before the interaction begins. Contact with children should be supervised at all times to prevent the occurrence of negative experiences for either puppies or children. Where younger children or babies are introduced to puppies, they should be held by their parents. Should direct contact with children be impossible, puppies should experience the range of noises made by babies and children through use of a good quality sound recording (see SOP for introducing noises to puppies).

Puppies should be given additional experience about the variation in the ways people might appear to them through the use of 'props'. For example people can interact with the puppies wearing a fluorescent jacket, motorcycle helmet or backpack. They can also walk past the puppies using a 'zimmer frame' or pushing a push chair or trolley. These experiences will help puppies to learn that all these variations of how people appear are a normal part of life.

Ensuring puppies are familiar with different types of interaction

In the domestic environment, dogs need to accept that people come and go regularly from the house, and that this is not a cause for either anxiety or excitement. They also need to learn that periods of contact with family members sometimes involves interaction, but sometimes also periods when people are busy doing other things. In addition, puppies need to accept all the things that people regularly do with their dogs, such as examining their ears, smoothing them all over, reaching over them, stepping over them, drying their feet and grooming them.

To ensure that puppies accept as normal people coming and going into a household, ensure that they experience this during the socialisation period. Puppies need to accept that it is normal for people to come and go out of their environment, and that this is neither scary, nor necessarily predictive of positive interaction. This can be achieved by asking friends or neighbours to come in and out of the area in which puppies are housed. They can be asked to sometimes ignore puppies during short visits, and sometimes interact with puppies, but only doing so once they are calm and quiet.

To ensure that puppies have appropriate expectations of human contact they need to spend time with people when they experience play and interaction, but also periods where people are present but not interacting with puppies. This will better simulate their life with people after re-homing than always expecting people to engage in interaction with them. The latter expectation commonly develops where puppies are housed away from normal family activity and people only go in to see the puppies to play or interact with them. To make sure that puppies which are housed in kennels or quiet areas of the house develop appropriate expectations of interaction, ensure that family members spend time with the puppies when interaction does not occur, for example by sitting quietly and reading a book or watching TV.

Every puppy should be handled all over by at least four people. They should also be picked up and cuddled, have their feet and ears examined, and be turned over. Throughout all of these interactions puppies should be observed carefully for signs of fear or anxiety. Should such behaviours occur, interactions should stop, and be subsequently re-introduced in a manner that the puppy finds less threatening.

Annex D

Habituation of Puppies Standard Operating Procedure

Habituation of puppies to household and potentially aversive noises

Principles

The aim of giving puppies experience of noises before they are homed is to ensure that they perceive such noises are 'normal' and 'unimportant' to protect against the development of fear responses later in life. In order to achieve this, every puppy needs to be exposed to noises at such a volume that they never show signs of anxiety or fear. In this way, sounds become a normal part of each puppy's experience. Before starting this program, you should make sure that you are familiar with behavioural signs of anxiety and fear in dogs.

It is important that puppies are not already anxious or fearful when they first hear noises, as this will increase the risk that they will associate the noises with a negative experience. It is therefore important to ensure that puppies are relaxed, or engaged in positive behaviours such as play, before exposure to noises. Noises need to be first presented at a low volume to ensure that none of the puppies show signs of anxiety. It is better to start at a very low volume, where noises are barely audible to the human ear, to ensure that no puppies respond negatively. The puppies need to be observed to ensure that no signs of anxiety or fear occur. They should continue playing or interacting as if nothing different has happened. Where no signs of anxiety or fear are identified, the volume of the sound can be slightly increased in the subsequent session. This process is repeated, with the volume of noises increased gradually over sessions, ensuring that the puppies do not react in a negative manner. Should any puppy show signs of anxiety during a session, the sound should be stopped immediately. Once the puppy is relaxed again, the sound should be repeated but at a lower volume, such that the puppy no longer reacts. Subsequent increases in volume should be made in smaller increments.

Preparation

Plan in advance how you will ensure that puppies experience a range of household noises, such as washing machines, vacuum cleaners, doorbells, telephones, radio or TV, and food mixers. In a domestic environment, this may be through direct exposure as events occur in the household; in kennels good quality recordings of these noises may be required. These are available commercially (e.g. 'Sounds Sociable' is a CD with a range of noises for puppy habituation).

Consider how you will ensure that puppies will be exposed to sounds which do not occur in the household, such as fireworks, gunshots, traffic and thunder. These sounds are usually best introduced in a controlled manner using good quality recordings. Direct exposure of puppies to loud noises such as fireworks risks causing a fear response in some individuals.

Ensure that puppies are in an environment in which they are familiar before habituation starts.

Make sure that you have toys and food treats available before starting the habituation.

Ensure familiarity with behavioural signs of anxiety in puppies to ensure appropriate levels of noise exposure at each stage.

Habituation to household noises

In a domestic environment, habituation to most household noises may occur through everyday exposure. For this to occur, puppies need to spend some time in areas of the

house where normal household appliances and routines occur. Where puppies are housed in a quiet area of the house, moving them to busy parts of the house for periods of time is beneficial. Exposure to louder, potentially aversive sounds, such as vacuum cleaners should be gradual. For example, initially a switched off vacuum cleaner can be left in an area occupied by puppies. Subsequently, the appliance can be moved around, whilst switched off. The next stage may be to have the appliance turned on but immobile and in an adjacent room, then in the same room, and finally both turned on and moving. During all stages of habituation, puppies should be observed carefully for signs of anxiety and fear. Where these occur, the appliance should be turned off, and subsequent sessions start again at a lower level of exposure.

Where puppies are housed entirely in quiet areas of a house or in kennels, exposure to household noises is through playing recordings of noises. Noises should be played at times when puppies are engaged in positive activities, such as play. Recordings should be initially played at a low volume, such that they are just audible to people, and the volume increased over subsequent sessions provided that puppies do not show signs of fear. Recordings should include those noises to which dogs will commonly encounter in the domestic environment, such as telephones, doorbells, vacuum cleaners and washing machines.

Habituation to non-household noises

Prepare or acquire good quality recordings of relevant noises in advance. The noises which commonly cause fear and anxiety in dogs are: fireworks, traffic, trains, aeroplanes, gunshots, hot air balloons and thunder. Recordings should enable the presentation of these sounds as separate elements (e.g. the 'whizz' and 'bang' of fireworks presented separately as well as together), and include the variations in types of noise which dogs are likely to encounter later in life (e.g. shotgun and rifle sounds).

Ensure that puppies are in a familiar environment, associated with positive experiences (e.g. an area where the puppies are brought out to play). Have toys ready, and ensure there are enough people present to engage the puppies in play.

Set up the recording in advance, so you are sure that it will play at a very low volume initially. Also start by presenting the separate elements of complex sounds if possible.

Engage the puppies in play before starting the recording.

Observe the puppies, and make sure none show signs of fear or anxiety. If this occurs, then stop the sound immediately. Continue to play with puppies until all are relaxed and engaged positively in play. Subsequent exposure to the sound should be at a lower volume, such that signs of anxiety or fear are not induced.

Where puppies remain engaged in play during the recording, the volume can be slightly increased during the next session, provided puppies do not show signs of fear or anxiety.

The protocol should be repeated dependent on the puppy's reaction, with the volume of recordings increased on each occasion.

Homing puppies

When puppies are homed, ensure that their new owners are informed of the level of habituation achieved with them. Encourage new owners to continue with the programme of habituation once the puppy is settled in its new home, emphasising the importance of the programme in preventing a serious behaviour problem in their new pet. Advise the new owner how to continue with the programme, emphasising the importance of gradual exposure.

Annex E

Feeding Standard Operating Schedule

Feeding

Adults: adult dogs (over 6-8 months old depending on breed) should be fed twice daily to provide environmental enrichment as well as nutrition. The food should be appropriate for the dog's lifestyle and age, and consistent. Any significant changes should be made over a period of several days. Adults should also be given food in a variety of food toys that are changed on a daily basis. Care should be taken that competition for food is not going to result in aggression between dogs.

Pregnant and lactating bitches: The nutritional requirements for pregnant and lactating bitches are significantly greater than for other adult dogs. The food should be appropriately high quality and bitches should be fed more frequently according to the schedule below:

Pregnant 0 – 4 weeks: xx times daily *

Pregnant 4 – 6 weeks: xx times daily *

Pregnant > 6 weeks: xx times daily *

Lactating 0 – 2 weeks: xx times daily *

Lactating 2 – 4 weeks: xx times daily *

Lactating 4 – 7 weeks: xx times daily *

Puppies also require more frequent feeding with food appropriate for growth according to the table below:

Age	Food	Frequency
3-4 weeks	*	* times daily
4-6 weeks	*	* times daily
6-8 weeks	*	* times daily

* Insert details as appropriate

After the age of four weeks puppies should be fed in individual bowls and supervised to ensure that each puppy eats its fair share of food. When necessary, individual puppies may need to be removed during feeding if they are not eating all their own food.

Hygiene: All food and water bowls should be thoroughly washed at least once daily. Utensils used for distributing food should be washed between feeding sessions. All food should be kept in vermin proof containers. Food should be measured to ensure that every dog receives an appropriate amount of food.

In a domestic environment different utensils should be used to deal with dogs' food and feeding utensils should be washed separately from those used by the people.

In a kennel environment there should be a separate kitchen to prepare dogs' food and this should be cleaned with appropriate cleaning fluids after each feeding session.

Annex F

Health and Welfare Plan

Breeding establishment veterinary health plan

The veterinary health plan for a breeding establishment is a statement of requirements of routine veterinary treatment. It may not be necessary for all breeding establishments to cover all the issues suggested. A list of those issues that should be included for consideration, usually in consultation with the breeder's veterinary surgeon, in establishing a health plan is below:

Primary vaccination regime;
Booster vaccination regime;
External parasite treatment regime (breeding stock and puppies);
Internal parasite treatment regime (breeding stock and puppies);
Microchip implantation and registration regime;
Socialisation and habituation programme for puppies;
Pet insurance cover for puppies;
Routine health check arrangements;
Review of cleaning regime;
Review of quarantine/isolation arrangements.

The health plan should be produced in consultation with the establishment's veterinary practice and must be signed and stamped by the attending veterinary surgeon.

Medicines

All medicines should have a current Marketing Authorisation for sale in the UK, within its expiry date, and used as per instruction. They should be stored in a suitable secure cabinet. They should be protected from light and extremes of temperature.

Prescription Only Medicine – Veterinary (POM-V) medicines should only be used for the specific animals to which they are prescribed. The specific veterinary instruction should be followed.

Non Food Animal Medicine – Veterinary, Pharmacist and Suitably Qualified Person (NFA-VPS) and Authorised Veterinary medicine – General Sale List (AVM-GSL) medicines should be used in accordance with the manufacturer's guidelines.

Contagious/infectious diseases on the premises

All dogs subject to this licence should be vaccinated against Canine Distemper, Infectious Canine Hepatitis (Canine Adenovirus), Leptospirosis and Canine Parvovirus unless vaccination is contraindicated on the direction of the Veterinary Surgeon and recorded on individual dogs' records. It may be necessary to vaccinate against other diseases and veterinary advice should be sought.

Vaccination records should be kept for each dog and be up to date according to the vaccine manufacturer's datasheet unless certified by the veterinary surgeon.

Adequate precautions should be taken to prevent and control the spread of infectious and contagious diseases and parasites among dogs and zoonosis among dogs and visitors. Records should be kept of all vaccination and worming regimes. Infectious canine bronchitis ('Kennel Cough') can be problematic in kennels, and staff should be aware of the clinical signs. However, because vaccination will depend on the local level of infection, it is recommended that the advice of a veterinary surgeon is sought.

Parasitic control should be in the health plan and the log book and should also show treatments and prevention routines for external parasites including fleas, mites, lice and ticks. Appropriate treatment must be carried out if they are found on any of the dogs. When treating these infestations it is important to take account of the life cycle of the parasite in order to achieve maximum control or even eradication. For instance, simply killing the adult flea is unlikely to provide adequate control.

Several mange mites affect dogs, including *Demodex folliculorum*, *Sarcoptes scabiei* and *Cheyletiella*, species, all of which attack the skin, and *Otodectes cynotis*, which is most commonly seen in the ears. Any of these infestations can cause illness in puppies and older dogs.

Some of these parasites can cause disease in humans. Ringworm (a fungal infection) can also be passed to humans. Early diagnosis and thorough treatment of both dogs and environment is essential if the disease is to be controlled. The veterinary surgeon should be consulted if any of these conditions is suspected or known. Particular care is required with pregnant bitches and suckling puppies when using treatments for these infestations.

For the control of roundworms, pregnant and nursing bitches should be given additional worming treatment. Breeding bitches require particular attention and veterinary advice should always be sought. As a rule of thumb, it is suggested that bitches are wormed before mating and then again after the 41st day of pregnancy with an appropriate anthelmintic. The bitch should be wormed at the same time as the puppies, every two weeks from two to twelve weeks of age. Thereafter it is recommended that puppies should be wormed at regular intervals, according to manufacturer's instructions (often monthly until 6 months of age). From 26 weeks of age into adulthood, worming should be carried out routinely – at least 4 times per year.

Advice concerning dogs with tapeworms should be sought from the veterinary surgeon.

Health status of dogs

There should be a daily physical inspection of every animal to check for any signs of illness or distress.

Advice from a Veterinary Surgeon should be sought where a dog shows signs of disease, injury, or illness or behavioural disorder.

If dogs are imported from abroad, appropriate health testing should be carried out.

Annex G

Emergency Evacuation/Contingency Standard Operating Procedure

Introduction

All appropriate steps will be taken for the protection of the dogs in case of fire or other emergency.

There should be an Emergency Evacuation Plan (EEP) and fire warning procedure in place. This should be posted where staff may become familiar with it. This procedure should include instructions dealing where dogs are to be evacuated to and contingency for their accommodation/care if the premises are rendered unsafe or unsuitable.

Prior to formulating an Emergency and Evacuation Plan carry out a Fire Risk Assessment (FRA) to identify any potential fire risk hazards within your establishment.

Emergency situations and the requirement to evacuate from the establishment can arise from a number of situations like; Fire, Flooding, Damage to building, Power failure and disease. Being prepared and planning a simple but well understood procedure to be carried out in the event of an emergency is essential to offer maximum protection for you, your staff and the animals in your care. This need not be a lengthy document but should include a plan of the site giving exit points, location of telephone, emergency equipment (fire extinguishers and storage of leads/baskets/cages) rendezvous point and designated holding area for animals. The emergency contact details of a supervisor or the proprietor and the establishments Veterinary Surgeon should also be displayed.

Firefighting equipment and detectors must be properly maintained. All electrical installations and appliances must be maintained in a safe condition. There should be a residual current circuit breaker system on each kennel block /for the premises. Heating appliances should not be sited in a location or manner where they may present a risk of fire / risk to dogs. Precaution should be taken to prevent any accumulation of material which may present a risk of fire.

Fire Risk Assessment

1. Identify potential fire risk hazards in the workplace.
2. Decide who might be in danger (staff, Visitor, animal) in each area.
3. Evaluate the risks arising from hazards and what can be done.
4. Record your findings.
5. Keep assessment under review.

There should be adequate means of raising an alarm in the event of a fire or other emergency. In the event of a fire breaking out within your establishment, remember that your safety and those of your staff is of prime importance and no risks should be taken which may compromise any person's safety. No task in tackling the fire or evacuating animals should be undertaken unless it is safe to do so.

Upon Discovery of Fire

- Leave fire area immediately.
- Close all doors behind you.

- Alert occupants of building by sounding alarm (if present) or yell “Fire”.
- Telephone Fire and Rescue Services dialling 999 from a safe location.
- Evacuate animals when it is safe to do so to the designated holding area.
- Use exit to leave building.

Upon Hearing of a Fire Condition

- If safe, staff can assist with evacuating animals / occupants.
- Leave building via nearest safe exit.
- Close doors behind you.
- Remain Calm.
- Proceed to the designated RV area.

Fire and Evacuation Action Plan

<p>Planning your Escape</p>	<p>You only have a short time to get out so prepare a plan of escape in advance rather than waiting until there is a fire or evacuation of the establishment. Think of another way out in case the normal route is blocked. Know where door and window keys are kept. Know where spare leads/baskets/cages are stored. Know where the RVP/Holding areas are.</p>	
<p>If you discover a fire</p>	<p style="text-align: center;">Page 42 of 205</p>	<p>Leave fire area immediately. Close all doors behind you. Sound the alarm and call 999 from any phone. Stay calm, speak clearly and listen to the operator. Where safe to do so, assist others to evacuate and remove animals to the safe holding area. If there is a fire elsewhere in the establishment, stay where you are and await instructions or if you have to move remember to check doors with the back of your hand before opening. If it feels warm, do not open</p>

		it and go another way. If there is a lot of smoke, crawl along floor where the air will be cleaner. If in doubt – Get out, Stay out and get the Fire & Rescue Services Out.
Contacts in an emergency	(enter details here) • Proprietors name and Telephone Number(s) • Supervisors Name and Telephone Number(s) • Establishments Veterinary Surgeons Name(s) and Telephone Number(s)	(enter details here) • Telephone at (enter location) • Emergency equipment at (enter location) • RVP at (enter location) • Animal Holding area at (enter location) • Fire Extinguishers located at (enter location) • Keys kept at (enter location)

The onus is upon the breeding establishment to ensure adequate fire prevention precautions are in place.

It is recommended that plans and details for large breeding establishments are lodged with the police and fire authorities. Fire prevention advice may be sought from the Fire Prevention Officer based at your local fire station. This officer can give advice on fire drills, fire escapes, equipment and should be consulted when new buildings are constructed or existing buildings modified.

Smoke detectors are recommended and you must make sure that Fire Detection and fighting equipment are easily accessible and regularly tested. Exit routes should be kept clear. Staff should be familiar with the fire evacuation procedure by use of fire drills and how to use the fire extinguishers. The Fire Precautions (Workplace) Regulations 1997 place a duty on employers to carry out a risk assessment for the premises not covered by a fire certificate.

Annex H

Daily Routine Standard Operating Procedure

Daily routine

Daily routine should be set out in detail so that dogs can be cared for in an emergency or when owners are away by a person with minimal knowledge of them. The following should be set out:

- **Dogs' (pet) names, ages and general character traits** (likes & dislikes) – who mixes best, exercises, plays or sleeps with whom and general care and management of groups of dogs, where applicable.
- **General Timetable** for (daily duties) waking, feeding, cleaning, exercising, grooming and sleeping arrangements. This may also provide specific or non-specific designated periods during the day when carers may leave the dogs unattended, provided the dogs are left in a secure and safe environment (indoor/outdoor kennel, fenced enclosure or kitchen/utility room) – a maximum of 3/4 hours per day being a suggested time.
- **Feeding schedules** (for each dog) containing explicit details as to the times, place, quantities, type of food required. This may be the same or several times each day or vary according to the needs of the dog(s).
- **Cleaning schedules** – what is required and when, what cleaning materials are to be used and means of disposal. This will include washing, drying and (frequency of) replacement of dogs' bedding and places (dog beds, utility room/kitchen, outdoor or indoor kennel) where the dog(s) rest/sleep and exercise (outdoor enclosures, exercise pens, gardens, paddocks etc.).
- **Exercise/play** – (for each dog), or groups of dogs with explicit direction as to whether dogs are to be exercised/walked separately, or in groups and when, where, how frequently, for what length of time. Exercise may be taken in a fenced enclosure, paddock, garden, on and off the lead (private/public road, parks, woodland, fields etc.). No dog(s) to be removed from the premises (other than for exercise) without (verbal/written) explicit permission from the owner.
- **Grooming** – (for each dog). Including daily brushing/combing of coat, general care (teeth, ear cleaning, bathing etc.). Bathing or washing may be required, dependent on how dirty the dog becomes during the course of the day/night, or in the event that it becomes unwell (sickness, diarrhoea etc.). Unless fully qualified or approved (by qualification and/ or prior agreement between owner and carer), trimming of coat, or nails, with either scissors or clippers will generally not be required. Should this be necessary, ability (qualification) or willingness to carry out such a task should be discussed prior to the owner leaving the premises.
- **Medication** (prescriptive and/or holistic) (for each dog) – oral (by mouth), or topical (applied externally), or by injection, if and when required – a time and check list before, with or after mealtimes or specific time of the day) for administration should also be provided. If use of daily injections is required, for example for diabetic dogs, special instruction should be provided to the satisfaction of both the owner and carer, or arrangements made for a veterinary visit, if preferred.
- **Contact information Sheet** providing contact details for absent owner, Veterinary Surgeon, Dentist, Doctor, Plumber, Electrician (for household/carers requirements),

etc. and other family or friends who might be needed to be contacted for assistance in an emergency.

- **Special paperwork** to be signed by both owner and carer as to both daily responsibility and in the event of urgent veterinary attention, especially, if or when, euthanasia becomes a clinical necessity. This may be more applicable in the event that any, or some, of the dogs are elderly or clinically infirm or in case of accident. The Veterinary Surgeon, looking after said dog(s), should be advised prior to the owner's absence, especially for long periods of time (holiday/business) that a carer is in sole charge. In any event, all effort must first be made to contact the owner prior to a decision by the Vet that euthanasia is the only option

FORM OF RECORD TO BE KEPT BY LICENCED DOG BREEDER FOR EACH BREEDING BITCH

Name	Date of birth	Address where kept	Breed	Description *	Date of mating	Details of sire **	Details of litter								Total number in litter
							Male				Female				
							Date of birth	Weight	Description *	Sale Details ***	Date of birth	Weight	Description *	Sale details ***	

*Enter name in the case of puppies), colour, identifying features (if any) and registration number (if any).

**Enter name, address where kept, breed, colour and registration number (if any).

*** Enter date of sale, and name, address and status (for example, private/pet shop) of purchaser.



SOUTH DERBYSHIRE DISTRICT COUNCIL

GUIDANCE

FOR

DOG BREEDING ESTABLISHMENTS LICENCE
CONDITIONS

BREEDING OF DOGS ACT 1973 AND 1991 AS
AMENDED BY THE BREEDING AND SALE OF DOGS
(WELFARE) ACT 1999

Version 1: #

It is suggested that partition walls between kennels and individual exercise areas should be of solid construction and of sufficient height to prevent direct nose-to-nose contact between dogs. Partition construction may be solid from floor to ceiling, but this should not be to the detriment of other welfare considerations such as the dog's outlook, lighting, ventilation. Suitable materials for the construction of partition walls include properly surfaced impervious brick/block constructions, moulded plastic, glass reinforced plastic (GRP) and pre-formed plastic surfaced board.

Constructing a solid partition provides a physical barrier to infection.

Condition 1.9

It is recommended that new kennels should incorporate a damp proof membrane. All floors of kennels and individual exercise areas should be constructed and maintained in such a condition as to prevent pooling of liquids.

Condition 1.10

In new constructions, it is recommended that floors should be laid to a minimum fall of 1 in 80 leading to a shallow drainage channel or effectively covered deep drainage channel.

Communal exercise areas should also be suitably drained to prevent pooling of liquids.

Condition 1.12

Where metal bars and frames are used, they should be of suitable gauge with spacing adequate to prevent dogs and puppies escaping or becoming entrapped. Where metal edging is used, this should not present a risk of injury to the dog.

Door openings should be constructed such that the passage of water/waste is not impeded, or allowed to accumulate due to inaccessibility.

When designing kennel doors, regard should be had to the health and safety of the person working in the kennel, for example, large dogs may push against the door which may give rise to difficulties in securing the door and even to accidents to the person on the opposite side of the door when it opens outwards. A door which opens inwards may also reduce the possibility of escape.

Condition 1.13

When windows are so situated that they could pose a security risk, it is recommended that welded mesh or reinforced glass, polycarbonate or other impact resistant material is used.

- Condition 1.14 Drainage channels should be provided near to the kennel edge so that urine cannot pass over walk areas in corridors and communal access areas. A separate drainage channel may be needed in the exercise area. Advice concerning waste water outlets should be sought from the Environment Agency and/or, the local authority.
- Condition 1.15 Where practicable, this should be natural light.
- Condition 1.16 It is recommended that breeding establishments should have a low level night light for use after daylight hours.
- Condition 1.17 A balance should be struck between providing adequate ventilation while avoiding unnecessary loss of heat. Checks need to be made during the day and night to allow for temperature fluctuations. Ventilation is important in disease control. It provides protection against accumulation of odour and prevents excessive humidity. High humidity increases the risk of infectious bronchitis ('Kennel Cough').
- Condition 1.18 Special consideration should be given to whelping bitches and bitches in season. Kennels should cater for the maximum number of puppies having regard to the size of the breed and litter size.
- When constructing kennels, an appropriate design and correct materials should be used to overcome problems of noise emission and to ensure energy conservation. This is in order to minimise discomfort to the dog and risk of nuisance to persons in the vicinity of the site.
- All parts of the kennel should be easily accessible to undertake thorough cleaning by staff.
- Condition 1.22 Depending upon the breed, consideration should be given to covering the whole of the runs.
- Condition 1.23 All bedding material in use should be clean, non-irritant, parasite free and dry. Chewing or destruction of bedding should not result in restricted access, rather alternative materials should be tried.
- Condition 1.24 The number of dogs permitted must relate to the number and size of the kennels or space available and should be stipulated clearly on the front sheet of the licence. The decision regarding the number of dogs permitted to be kept must take into account the maximum likely litter size as well as the effectiveness of site management.
- This figure should include any dogs kept on the breeders' premises which are not being used for breeding and must not be exceeded.

- Condition 1.25
- There should be some part of the sleeping area where the dog is able to enjoy a temperature of between 10°C -26°C. Temperature should be relevant to the type and breed of dog. If necessary, heating and/or automatic cooling/ventilation should be used to achieve this.
- The materials used on the kennel exterior should offer adequate protection against temperature variations throughout the year. The difficulty of maintaining the ideal temperature is acknowledged; however, these are realistic temperatures and should not be exceeded in normal circumstances.
- Condition 1.26
- There should be the ability to record temperatures at dog level.
- There will be periods in the year where ambient external temperatures will cause temperatures to fluctuate above or below the recommended levels. If the higher temperature level is exceeded due to structural shortcomings rather than normal ambient temperature, then artificial means of counteracting this high temperature should be introduced.
- Where temperatures fall below the recommended level, the use of individual heating lamps for dogs may prove adequate. In some circumstances additional background heating will also be required.
- Failure to give adequate attention to construction and insulation may cause dogs to suffer and increase running costs. Geographical orientation will affect temperature, e.g. north facing openings make it difficult to maintain adequate heating levels. Correct orientation of the kennel will allow maximum use of natural light.
- Condition 1.27
- Regular disinfection should be demonstrated by keeping records of disinfecting regimes
- Condition 1.28
- Advice should be sought from the Environment Agency or local authority concerning removal of waste such as dog faeces, soiled material and infectious material.
- Condition 1.31
- Such pests should be adequately dealt with without delay to eradicate the infestation.
- Conditions 1.27-1.32
- There is a range of cleaning regimes. The regime, for which all establishments should have an SOP, should include:
1. Removal of solids
 2. Washing
 3. Disinfection
 4. Drying

The physical collection of faeces is usual ('poop scoop' or shovel and bucket). The use of detergent and water will 'wash down'. Pressure hoses or steam cleaning will wash down more effectively. Bacteria, viruses, fungi need to be controlled by the sanitising process. Because disinfectant is washed away after a short period of time, the long term activity of chemicals used to control viruses, bacteria and fungi should be considered.

Great care should be taken when using any chemicals. Chemicals and materials should be used and stored correctly. Combinations of bactericides, fungicides and virucides may prove expensive to use and may not necessarily provide the best system. Professional advice should be sought for the most effective method.

DEFRA's website includes their approved disinfectant list for statutory use on disease control.

Staff working from kennel to kennel further increase the risk of spreading disease. Staff should be trained in good kennel hygiene. Complete disinfection of kennel and equipment should be carried out between occupancies.

Condition 1.33

Bitches should be moved to their whelping accommodation 60 days after mating or sooner if signs of imminent whelping are shown.

Condition 1.34

Where a bitch is whelped in a domestic environment it is acceptable for a temporary disposable covering to be used.

Varnishing wood will make it impervious.

Condition 1.36

There should be an area maintained between 26-28 degrees Celsius. This can be achieved with a local heat source such as a heat lamp.

Puppies under four weeks of age should be kept at a temperature between 26°C (79°F) to 28°C (82°F) with provision for the bitch to move to a cooler area.

Condition 1.37

Consideration should be given to separating bitches in season and they should not be kept with entire male dogs.

Management

Condition 2.2

Any person with responsibility for supervision should be over the age of 16.

Where staff are employed, ideally a written training policy should be provided. Training of staff, whether permanent or temporary, should be demonstrated (via appropriate training records) to have been carried out in all aspects of the care of all ages of dogs and updated regularly. Staff should be adequately trained in the work they are expected to carry out. For example, in handling dogs safely and in procedures to be followed in the event of an emergency.

The following are regarded as essential topics to be covered in the training programme relating to the care of dogs: Animal Health and Welfare; Cleanliness and Hygiene; Feeding and Food Preparation; Disease Prevention and Control; Recognition of Sick Animals; Dog Handling; Health and Safety; Emergency Procedures, Normal Whelping and Responsible Breeding.

There are a variety of animal care courses available and staff should be encouraged to attend Relevant NVQs attained at Level 2 or the equivalent should enable staff to gain a minimum level of competency.

Condition 2.3

Staff numbers should be of concern when there is evidence that the standards maintained or the condition and behaviour of the animals is being compromised, or where an unrealistic routine is in place.

Condition 2.4

Establishing the number of staff required will require an assessment of the conditions at the establishment. As a guideline, it may be considered that a full time attendant may care for up to 20 dogs. In domestic environments, it is advisable for other members of the household, or dog sitters to be provided with guidance notes in regard to general day to day care – feeding, grooming, cleaning, exercise and compatibility issues – especially where several dogs, or breeds of dogs, are involved.

Condition 2.5

These checks should be more frequent when bitches are imminently due to whelp, whelping and puppies that are not yet weaned.

Condition 2.6

Toy and activity feeders that are changed regularly are ideal enrichment. There should be more toys or feeders than there are dogs in the kennel. The use of raised beds and the ability to move out of other dogs' sight should be provided.

Condition 2.7

Exercise may also be provided by walking. Where dogs are exercised off the premises, reference should be made to the Clean Neighbourhoods Environment Act (2005) and the Control of Dogs Order 1992. The name, address and telephone number (including the

emergency number) of the establishment's veterinary practice should be displayed prominently preferably by the telephone.

- Condition 2.8 An SOP for the socialisation and habituation of puppies from birth to the point of sale should be used. (see Annex C and D of the conditions for further details).
- Condition 2.9 The dog's weight should be monitored and recorded quarterly and diets adjusted where necessary, unless otherwise advised by a veterinary surgeon or a significant change in the dog's weight/body condition is noticed.
- Condition 2.10 If necessary, the veterinary surgeon should be consulted to advise. Special dietary considerations should be given to young and old dogs and to whelping and nursing bitches. Nutrition is particularly important during pregnancy and lactation and consideration should be given to the varying nutritional requirements of individual dogs. Body condition score should be monitored and feeding adjusted appropriately. (See Annex E of the conditions for further details).
- Condition 2.12 Weaning should normally commence at 3-4 weeks old. The initial diet may be liquid progressing to solid food over the ensuing period.
- Conditions 2.12-2.13 Lactation will last until the puppies are weaned.
- Consideration should also be given to how many puppies the bitch is nursing. During lactation the bitch should be closely monitored for signs of complications (eg eclampsia). The feeding level required for the bitch after weaning will depend upon her body condition.
- Where a proprietary food source is used the manufacturer's guide should be followed. Veterinary advice should be sought if in doubt. Food provision can be used to enhance enrichment, for example through the use of devices increasing the time and effort taken to access food (e.g. puzzle feeders, activity balls, stuffed rubber toys). Where these are used they should be cleaned and disinfected thoroughly between each use. Where dogs are kept in pairs or larger groups, more devices should be available than the number of dogs, use should be monitored carefully to identify where aggression occurs. Dogs which show aggression associated with feeding, or when provided with food based enrichment, should be separated from other dogs prior to feeding.
- Condition 2.16 A separate hand basin with hot and cold running water should be provided for staff.

- Condition 2.17 Dishes and bedding should be washed separately from domestic items.
- Condition 2.18 A veterinary surgeon should be consulted concerning its contents and a competent member of staff should be in charge of its maintenance.
- Condition 2.19 Where advised, the dog should be isolated immediately and the procedure documented.
- Condition 2.20 Procedures should be in place, and understood by all staff, to prevent the spread of infectious disease between isolated animals and the other dogs.
- Condition 2.21 Intervening buildings and construction detail (ie window and door positions) should be taken into account because individual circumstances may significantly affect the recommended distance.
- For airborne diseases, ideally a distance of at least 5 m (15 ft). The requirement for 5 m distance between isolation facilities and the other dogs is based upon consideration of the distance that airborne infection can carry.
- Condition 2.22 The use of disposable clothing is recommended. A management regime should be followed where an isolation case is being handled. For example, isolation cases must be cared for after all other dogs have been attended to. Records of the isolation cases and the management regime to be followed should be kept.

Disease Control, Vaccination and Worming

- Condition 3.1 Registered breeders should produce a health and welfare plan (see Annex F of the conditions for further details) approved by a veterinary surgeon. This should be updated on an annual basis and needs to take into account the health, preventive treatment, socialisation, and welfare of the animals.
- Condition 4.1 Contingency plans should also include consideration for alternative housing for a large number of dogs. For the occasions where it is not possible to evacuate the dogs to alternative locations other contingency measures should be in place, this may include long term provision of feed/water or euthanasia.

Transport

- Conditions 5.1-5.6 It is recommended that records are kept of the vehicles used when dogs are transported, as well as details of journeys undertaken. All vehicles are considered commercial and subject to EU Transport Regulation 1/2005.

The transporting of distressed dogs should be avoided whenever possible.

When transporting animals, there is a general duty of care to protect them from injury or unnecessary suffering and to also ensure they are transported in suitable containers. If the transportation is carried out in connection with an 'economic activity', as defined by the Regulations, then there are further legal requirements to comply with under this legislation. Furthermore, there is a requirement under the Highway Code that animals should be "suitably restrained" when transported (Rule 57, Highway Code). Any vehicle used for transporting dogs should be suitable and have the correct ventilation and temperature control so that the dog remains comfortable during the journey, whatever the outside temperature. Dogs should not be left unattended in a vehicle for any length of time.

Dogs should not be fed within two hours of a journey and should be exercised immediately before they are loaded to give them the opportunity to go to the toilet.

During a journey dogs should be securely and comfortably confined. If a dog is transported alone in a container, he or she should have enough space to stand, sit erect, lie in a natural position and turn around normally while standing up for long journeys. If transported with other dogs, there should be sufficient space for all the dogs to carry out all these behaviours without touching other dogs.

If transporting adult dogs by road, sufficient breaks should be offered for water and the chance to go to the toilet.

Where possible, puppies should be trained to stay calmly in a crate by using reward-based training prior to transportation.

Health and Welfare of the Breeding Stock and Litters

Condition 6.1

It is the responsibility of the licensee to make every reasonable effort to ensure that both sires and bitches are in good health prior to mating. This includes checking for the presence of both infectious and genetically inherited diseases which may affect the health of either parent or resulting puppies. Where necessary, veterinary advice should be sought.

Breeding stock should be selected on their temperament and genetic health. Dogs that have required surgery to rectify an exaggerated conformation that has caused adverse welfare (e.g. an excessively

flat face or short nose or eyelid abnormalities etc.) should not be bred from.

Dogs with exaggerated conformations that may be associated with adverse welfare should not be bred from.

Condition 6.4

Social contact with other dogs may be achieved through pair or group housing, although the behaviour of individuals within each group should be monitored carefully for signs of aggression or fear. The compatibility of the dogs may vary depending on the stage of the breeding cycle (seasons and lactation) and this should be monitored carefully. Dogs which show behavioural signs of fear or anxiety associated with contact with other dogs may be better housed and exercised singly, as long as they are provided with sufficient human contact. They should not be used for breeding. A policy should be in place for monitoring the introduction of new dogs to existing groups in either domestic or kennel environments, to avoid stress to either new or resident animals.

Bitches close to whelping and when lactating should not generally be mixed with other adult dogs. On these occasions where dogs have to be kennelled on their own, the level of social contact with humans should be increased to compensate.

When the social contact is provided by humans, the contact should be for the majority of the day. When dogs are kept in a kennel environment this should be the working day and in a domestic environment the normal waking hours of the household.

Condition 6.5

The early experience of puppies has a profound effect on their adult behaviour, and it is important that the facility has in place an adequate programme to socialise puppies and prepare them for life in a domestic environment. SOPs should be available so that all staff know how to appropriately socialise puppies.

Where bitches are anxious or aggressive when puppies are approached, this process should be gradual to acclimatise the bitch to the presence of people around the litter.

Condition 6.6

This should include the sights and sounds in households, such as appliances, as well as differing surfaces on which to walk. Introduction to novel sights and sounds should be gradual so that puppies do not show a fearful response such as startling or withdrawal. Puppies should also be introduced to a variety of

people including adults of both sexes, children of different ages, and wearing a variety of clothing styles.

Condition 6.7

They should also ideally be introduced to nonaggressive and healthy, vaccinated adult dogs in addition to the bitch. However, it is also important for puppies to start to learn to be separated from others, so should be separated from litter mates and the bitch for short periods from the age of six weeks. During periods of separation there should be human social contact.

Household sounds may occur naturally in domestic environments but could be achieved through the playback of recordings for dogs housed in kennels.

Condition 6.7

Although the sub-section does not provide any scope for flexibility, the Home Office guidelines to local authorities expect local authorities to take into account any difficulties in relation to factors beyond the breeder's control, such as when a bitch whelps prematurely. Accurate records showing matings and whelpings will be essential.

Additional records will provide useful information to the local authority inspectors should problems arise. It is suggested that this information should include:

- The details and number of all dogs kept on the premises, including movement on and off the premises;
- oestrus dates of breeding bitches;
- microchip or tattoo numbers or other suitable form of permanent identification. If the dogs are Kennel Club or breed association registered, these numbers should also be recorded;
- where dogs are under a breeding arrangement, the details of such dogs, together with their whereabouts;
- vaccination and worming records and details of other veterinary treatment given;
- cleaning and disinfecting regimes (see Annex B of the conditions);
- feeding and exercise routines;
- accommodation temperatures;
- details of any isolation cases and the management regime in place;
- details of vehicles used for transporting dogs, as well as time and length of journeys taken. Records should also show which dogs are transported and their destination;
- date and cause of death if known;
- Number of dogs required to be euthanised, reason for euthanasia, date of euthanasia and the name of the veterinary surgeon in attendance;
- Number of breeding bitches retired, details of each individual breeding bitch's microchip (or other

- permanent identification) number, outcome for the bitch e.g. rehomed and to where;
- If dogs have come from abroad, specific additional information should be recorded;
 - Health Plan (see Annex F of the conditions for more details);
 - health screening test results;
 - puppy contract.

This list is by no means exhaustive.

Documentation should also be routinely provided to purchasers of puppies, for example as a 'puppy pack', including information on the puppy's diet, worming history, five generation pedigree where relevant, any parental or puppy health check results, any veterinary treatment or ongoing medication, health insurance, socialisation history, and advice on ongoing care. Purchasers of puppies should also receive a puppy contract, and full contact details of the breeder.

Additional Guidance

The latest version of the Puppy Plan, supported by Dogs Trust and the Kennel Club, can be downloaded at www.thepuppyplan.com

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICE COMMITTEE	AGENDA ITEM: 9
DATE OF MEETING:	2 ND OCTOBER 2014	CATEGORY: DELEGATED/ RECOMMENDED
REPORT FROM:	CHIEF EXECUTIVE	OPEN/EXEMPT PARAGRAPH NO:
MEMBERS' CONTACT POINT:	EMMA McHUGH 01283 595 716 emma.mchugh@south-derbys.gov.uk	DOC:
SUBJECT:	ADOPTION OF MODEL CONDITIONS UNDER THE PET ANIMALS ACT 1951	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: EDS 14

1. Recommendations

- 1.1 That the conditions and supporting guidance relating to pet shop licences contained in Appendices 1 and 2 of this report are approved.

2. Purpose of Report

- 2.1 To advise Members of the outcome of a consultation in relation to the conditions and supporting evidence for pet shop licences.
- 2.2 To provide Members with the necessary information to be able to give full consideration to the recommendation contained in paragraph 1.1 of this report.

3. Detail

- 3.1 The licensing of pet shops is a regulated activity by virtue of the Pet Animals Act 1951 (the 'Act'). The Council is responsible for issuing licences to any person keeping a pet shop and ensuring compliance with the Act.
- 3.2 The Act permits the Council to adopt conditions it deems necessary, or expedient in the particular case, as specified in section (3)(a) to (e) of the Act, namely:
- (a) that animals will at all times be kept in accommodation suitable as respects size, temperature, lighting, ventilation and cleanliness;
 - (b) that animals will be adequately supplied with suitable food, drink and (so far as necessary) visited at suitable intervals;

- (c) that animals, being mammals, will not be sold at too early an age;
- (d) that all reasonable precautions will be taken to prevent the spread among animals of infectious diseases;
- (e) that appropriate steps will be taken in the case of fire or other emergency.

3.3 The Council currently licenses a total of 7 pet shops.

Proposed Conditions

- 3.4 The proposed conditions are the model conditions produced by the Chartered Institute of Environmental Health (CIEH) and are the basic minimum standards considered necessary to ensure the health, safety and welfare of animals in pet shops.
- 3.5 The Guidance has been produced to provide more information for licence holders to ensure compliance with the model conditions. The Guidance is intended to be read in conjunction with the model conditions.

Consultation

- 3.6 Officers conducted a consultation exercise on these proposals with existing licence holders and on the Council's website for a period of 8 weeks. No responses were received in relation to the consultation.

4. Financial Implications

- 4.1 There are no financial implications to the Council.
- 4.2 Recommendation 1.1 will have no financial implications on existing licence holders.

6. Corporate Implications

- 6.1 These proposals will provide a clear framework for anyone wishing to start their own business which will contribute directly to the corporate vision to make South Derbyshire a better place to live, work, and visit, and to the theme of sustainable growth and opportunity.
- 6.2 These proposals will also demonstrate to members of the public that South Derbyshire District Council takes the safety and welfare of animals seriously, which contributes to the theme of safety and security.



SOUTH DERBYSHIRE DISTRICT COUNCIL

LICENCE CONDITIONS

FOR

PET SHOPS

PET ANIMALS ACT 1951

Adopted: #

Pet Shop Licence Conditions

General Conditions

1. Licence Display

- 1.1 The licence or a copy of the licence must be suitably displayed to the public in a prominent position.

2. Accommodation

- 2.1 Animals must at all times be kept in accommodation designed to prevent escape and an environment suitable to their species and condition with respect to behavioural needs, situation, size, temperature, ventilation, and cleanliness. All accommodation must avoid drafts and overexposure to direct sunlight and must be kept in good repair.
- 2.2 Ventilation must be provided to all interior areas without the creation of excessive, localised draughts. Ventilation is important as an aid to disease control and aims to decrease smell accumulation and prevent excessive humidity of the atmosphere.
- 2.3 If animals are displayed outdoors, they must have protection appropriate to their species.
- 2.4 In order to control the spread of disease, and to prevent injury, housing must be constructed of non-porous materials or be appropriately treated. Junctions between all sections need to be fully cleanable.
- 2.5 Animals must be kept in housing which minimises stress from other animals or the public. Signage must be in place to deter public interference.
- 2.6 All animals for sale must be readily accessible and easy to inspect by staff.
- 2.7 Accommodation must be cleaned as often as necessary to maintain good hygiene standards.
- 2.8 Where accommodation is on a tiered system, water, food or droppings must not be allowed to enter the lower housing.
- 2.9 All accessories provided for environmental enrichment in the accommodation must be appropriate for the species.

3. Exercise Facilities

- 3.1 Suitable and sufficient facilities must be available where appropriate.

4. Register of Animals

- 4.1 A purchase register must be maintained for all animals detailing their source and identification where appropriate.
- 4.2 A sales register must be maintained for:

Dogs;

Cats;
Psittacines;
Species contained in the Schedule to the Dangerous Wild Animals Act 1976.

4.3 Animals under veterinary treatment must be identifiable.

5. Stocking Numbers and Densities

5.1 No animals other than those specified in the licence, may be stocked. The licence conditions should clearly state the numbers for each species or species group that may be kept on the premises, except fish. Please refer to Schedules for individual species for more details. Animals are defined as any vertebrate animals; invertebrates are exempted from the regulations.

5.2 Where appropriate, all animals must be housed in social groups of suitable size.

6. Health Disease and Acclimatisation

6.1 All animals for sale must be in good health.

6.2 Any sick or injured animal must receive appropriate care and treatment without delay. These must only be treated by appropriately competent staff or veterinary surgeons.

6.3 Provision must be made for the isolation of sick/injured/infectious animals and those that might reasonably be expected to be carrying serious infectious diseases.

6.4 Any animal with an abnormality which would materially affect its quality of life, must not be offered for sale. When in doubt, veterinary advice should be sought.

6.5 All reasonable precautions must be taken to prevent the outbreak and spread of disease. No animal which is suffering from, or could reasonably be suspected of having come into contact with any other animal suffering from any infectious or contagious disease or which is infested with parasites, shall be brought into or kept on the premises unless effectively isolated.

6.6 All necessary precautions must be taken to prevent harbourage, or the introduction to the premises, of rodents, insects and other pests.

7. Food and Drink

7.1 Animals must be supplied with adequate amounts of food and drink, appropriate to their needs at suitable intervals. All food must be suitable for the species concerned.

7.2 Food and drink receptacles must be appropriate to the species, constructed and positioned to minimise faecal and urine contamination and spillage. Receptacles must be cleaned out at regular intervals.

8. Food Storage

8.1 All food, excluding live foods intended for feeding to animals on the premises, must be stored in impervious closed containers.

8.2 The containers and equipment used for feeding must be kept in a clean and sound condition.

9. Observation

- 9.1 All animals must be attended to at regular intervals, except where defined in the schedule, at least once daily, and appropriate to the individual animal.

10. Disposal of Waste

- 10.1 All excreta and soiled bedding for disposal must be kept in a hygienic manner and stored in impervious containers with close fitting lids away from direct sunlight.

11. Transportation to the Premises

- 11.1 When receiving animals, the licensee must make reasonable effort to ensure that they are transported in a suitable manner.
- 11.2 Any animals received or consigned shall be transported according to the regulations laid down in current legislation.
- 11.3 Animals must be transported or handed to purchasers in suitable containers.

12. Sale of Animals

- 12.1 No mammal shall be sold un-weaned or, if weaned, at an age at which it should not have been weaned.
- 12.2 In the case of non-mammals, they must be capable of feeding themselves.

13. Dangerous Wild Animals as defined by the Dangerous Wild Animals Act 1976

- 13.1 When dangerous wild animals are kept, the cages must be of a secure construction appropriate to the species and kept locked.
- 13.2 The local authority must be notified in the event that the pet shop wishes to offer for sale any animal on the Schedule to the Dangerous Wild Animals Act.

14. Pet care advice, staff training and knowledge

- 14.1 New applicants must have a qualification or be registered with a recognised body such as City & Guilds. They must have suitably progressed in 12 months and have completed the qualification within 2 years.
- 14.2 The licensee must ensure that the purchaser is informed of the correct care of the animal covering feeding, housing, handling, husbandry, accessories and veterinary care.
- 14.3 Appropriate reference materials on the care of each species must always be available for use by staff.
- 14.4 Staff members must be able to provide suitable advice to purchasers and answer questions as required by them.
- 14.5 No animal should be stocked or sold unless the staff or at least one member of staff on call is familiar with the care and welfare of the animals stocked and has a recognised qualification and/or suitable experience/training.

14.6 The licensee must be able to demonstrate appropriate staff training is carried out and that that staff are competent in pet shop management and animal handling.

15. Fire and other emergency precautions

15.1 Suitable emergency precautions and written procedures must exist and be made known to all staff, including arrangements for evacuation of animals.

15.2 Entrances and exits must be clear of obstructions at all times.

15.3 Suitable fire fighting, prevention and detection equipment must be provided, maintained, regularly serviced and sited as advised by the local fire protection/prevention officer and approved by the local authority.

15.4 The licensee, or a designated key holder, must at all times be within reasonable travelling distance of the premises and available to attend in case of emergency.

15.5 A list of key holders must be logged with the local police and local authority.

15.6 In the interests of animal welfare, the following notice must be displayed prominently at the front of the premises: "In case of an emergency, dial 999".

15.7 When pet shops are sited within other premises, the licensee or key holders must have access at all times to the premises containing the animals.

15.8 All electrical installations and appliances must be maintained in a safe condition.

15.9 There must be an effective contingency plan for essential heating, ventilation and aeration/filtration systems, as appropriate.

Additional Conditions – Dogs

1. Puppies must be weaned before leaving the mother.
2. The minimum kennel size must be:
 - For a batch of small breed puppies – max 6 pups – 1.5m² for sleeping, plus 2m² for exercise;
 - For a batch of medium breed puppies – max 4 pups – 2m² for sleeping, plus 2m² for exercise;
 - For a batch of large breed puppies – max 2 pups – 2m² for sleeping, plus 2m² for exercise.

These are minimum requirements, for larger batches the size of the pens should be adjusted pro-rata accordingly. Ideally, the puppies should have free access to the exercise area at all times. Any covered pens should have a minimum height of 1.8m or removable covers to allow adequate access by staff for cleaning. These are minimum standards and meeting the correct size of pens alone are not a defence if the welfare of the animals are in question.

3. Suitable and sufficient exercise facilities must be available and accessible where appropriate.
4. Extreme temperatures must be avoided.
5. General bedding must include an adequate amount of absorbent material.
6. Any soiled material must be removed at least four times a day or as required to ensure the puppy does not have to lie in a soiled area.
7. A specific lying place must be provided lined with soft material.
8. Puppies must be fed at least four times daily, at appropriate intervals.
9. Puppies must have frequent, quality contact time with staff.
10. Batches of puppies must not be mixed until they have been on the premises for seven days or have shown no sign of infectious disease for seven days.
11. Ideally, single puppies must not be left alone in a kennel, but where they are, special attention should be paid to specific human interaction. When they are mixed they should be of similar size, age and temperament and there should be good supervision of mixing.
12. There must be environmental enrichment in all kennels.

Additional Conditions – Cats

1. Kittens must be weaned before leaving the mother.
2. The minimum pen floor area for a batch of up to 4 kittens, up to 12 weeks of age, must be 1m², with a minimum height of 0.6m (for example, 0.6m x 1 x 1) No dimension must be less than 0.6m. Any shelving or platforms must be in addition to the minimum floor area. Each additional kitten must have 0.25m² additional floor space.
3. Extreme temperatures must be avoided.
4. Disposable or washable bedding must be provided and kept clean.
5. A litter tray and appropriate litter must be available at all times and cleaned and disinfected at least once daily with an appropriate disinfectant which is safe for use with cats and cleaned as appropriate. The disinfectant should be anti-viral and used in accordance with manufacturers' instructions, as some disinfectants are toxic to cats.
6. Kittens must be fed at least four times daily, at appropriate intervals.
7. Batches must not be mixed and if several batches are kept in one area then the pen must have solid sides.
8. Kittens must have frequent, quality contact time with staff.
9. There must be environmental enrichment in all cages such as toys, climbing frames and platforms.

Additional Conditions – Rabbits

1. Rabbits must be correctly sexed and housed in same sex groups.
2. The minimum enclosure size must be:
 - 0.4m² for up to 4 standard juvenile rabbits and a height of 0.4m:
 - 0.5m² for up to 2 giant breed juvenile rabbits and a height of 0.5m.

These are minimum requirements, for larger batches, larger breeds or adult rabbits the size of the pens should be adjusted pro-rata accordingly.
3. There must be environmental enrichment in all enclosures. A hiding place must be provided.
4. Extreme temperatures must be avoided.
5. Rabbits must be provided with a suitable substrate and bedding material in sufficient amounts.
6. Visibly soiled substrate and bedding must be removed daily. The pen should be thoroughly cleaned and disinfected before introducing a new animal.
7. If batches are mixed you must ensure all animals are free from obvious parasitic infection.
8. Rabbits must have a constant supply of fresh hay and water, and be offered an appropriate amount of dry food for the breed and age. Feed dishes should be suitable to ensure feed does not get contaminated by urine or faeces.
9. Animals must be provided with an appropriate diet and any new feeds must be introduced slowly.

Additional Conditions - Other Small Mammals

1. All small mammals must be correctly sexed and housed in single sex groups unless a solitary species (or sold as a breeding pair).
2. Animals must at all times be kept in suitably sized accommodation.

Area in square metres

No of animals	1-4	5	6	7	8	9	10	Minimum cage height (m)	Minimum cage depth (m)
Mice, hamsters, gerbils	0.068	0.079	0.09	0.100	0.113	0.124	0.135	0.30	0.25
Rats	0.135	0.157	0.18	0.202	0.225	0.247	0.27	0.30	0.28
Guinea Pigs, Degus	0.225	0.263	0.3	0.338	0.375	0.413	0.45	0.30	0.30
Chinchillas	0.25	0.375	0.5	0.625	0.75	0.875	1.0	0.45	0.45
Chipmunk	0.25	0.375	0.5	0.625	0.75	0.875	1.0	0.90	0.45

3. Animals must be provided with a suitable substrate in sufficient amounts.
4. Animals must be provided with a suitable bedding material in sufficient amounts.
5. Animals must be provided with places to hide. Accessories and enrichment should be provided, suitable to the species.
6. Suitable food and drink receptacles must be provided and positioned to avoid faecal contamination.
7. All rodents must be fed a suitable diet, ad lib and have free access to hay where required.
8. All rodents must be fully weaned on admission.

Additional Conditions - Ferrets

1. Ferrets must be at least eight weeks old
2. Ferrets must be housed with batch companions.
3. Ferrets must be housed in groups or pairs of either sex. Adult hobs (males) require individual accommodation.
4. Batches of ferrets must not be mixed.
5. The minimum pen floor area for a litter of up to 4 ferrets, up to 12 weeks of age, must be 1m² with a minimum height of 0.6m. No dimension must be less than 0.6m. Any shelving or platforms must be in addition to the minimum floor area. Each additional ferret must have 0.25m² additional floor space.
6. Sleeping quarters must be draught free and dark.
7. Ferrets must have suitable bedding.
8. Extreme temperatures must be avoided.
9. Ferret kibble must be provided at appropriate intervals.
10. Water must be supplied in both a heavy based bowl and a water bottle attached to the side of the enclosure.

Additional Conditions – Birds

1. There must be adequate perching space for all birds at the same time. Outdoor aviaries must include sufficient sheltered and non-sheltered space. Cage size must be adequate to allow birds to open their wings fully in all directions. Cages must include appropriate environmental enrichment.
2. Perches must be positioned so that birds do not defecate on each other and must be of appropriate size and shape for each species.
3. Ambient temperature must be appropriate for the species. Extremes of temperatures must be avoided.
4. There must be adequate drinkers/feeders commensurate with the number of birds and these must be cleaned regularly. Bowls etc. must be positioned so that birds do not defecate in food/water.
5. Cages must be constructed from materials suitable to the type and size of birds. Materials must be safe to birds and in good repair.
6. Windproof nest boxes must be provided in all outside housing and inside where appropriate.
7. Flooring must be drop-through or easily washed/hosed.

Stocking Densities for Birds in Cages

Type	Length of Bird (cm)	Floor Area (m ²) housing up to 4 birds	Linear cms per additional bird on either cage length or depth
Budgerigar		0.15	5
Canary		0.15	5
Cockatiel		0.48	7.5
Finches	Less than 12.5	0.113	5
	12.5 – 17.5	0.15	5
	More than 17.5	0.225	7.5
Parakeets and Lovebirds	Less than 25	0.42	7.5
	25-30	0.48	7.5
	More than 30	0.675	7.5
Parrots	Less than 30	0.225	10
	30-35	0.4050	15
	More than 35	0.4725	20
Chickens		1.6	
Bantams		1.6	
Quail		1.6	

Stocking Densities for Birds in Aviaries and Flights

Type	Length of Bird (cm)	Number of Birds per 'Standard' Aviary (1.8 x 0.9 x 1.8)
Budgerigar		18
Canary		18

Additional Conditions - Reptiles and Amphibians

1. Stocking and density must be appropriate to the species.
2. The enclosure size must be appropriate to the species and adjusted according to its size.
3. Temperature, humidity, lighting and ventilation must be appropriate to the species.
4. Lighting must be appropriate to the species.
5. Substrate appropriate to the species must be present.
6. Enrichment must be provided appropriate to the species.
7. Food and water must be provided in the appropriate manner for the species.
8. Hygiene: enclosures must be cleaned appropriately.
9. Handling must be kept to a minimum at all times.

Additional Conditions – Fish

1. Water quality is a key determinant of fish welfare. To assess it, levels of ammonia and nitrite must be checked first. Only if such measurements exceed the recommended standards below, or there is an unexplained problem, is there any need to proceed further. Minimum water standards must be:

Cold Water Species

Free Ammonia max 0.02mg/l
Nitrite max 0.2mg/l
Dissolved Oxygen min 6mg/l
Nitrate max 50mg/l above ambient tap water

Tropical Freshwater Species

Free Ammonia max 0.02mg/l
Nitrite max 0.2mg/l
Dissolved Oxygen min 6mg/l
Nitrate max 50mg/l above ambient tap water

Tropical Marine Species

Free Ammonia max 0.01mg/l
Nitrite max 0.125mg/l
Nitrate max 100mg/l
pH min 8.1
Dissolved Oxygen min 4.0 mg/l

2. Water quality must be checked regularly and records kept of all tests. Centralised systems must be tested weekly. 10% of individually filtered tanks or vat must be tested weekly. On aquaria or vats in which visual inspection indicates unusual behaviour or deaths, water quality inspections should be undertaken.
3. Holding systems must be cleaned and checked regularly.
4. No aquatic organisms should be exposed to excessive light or heat, or lack of adequate warmth.



SOUTH DERBYSHIRE DISTRICT COUNCIL

**GUIDANCE FOR PET SHOP LICENCE
CONDITIONS**

PET ANIMALS ACT 1951

Version 1: #

Guidance for Pet Shop Licence Conditions

This Guidance should be read in conjunction with South Derbyshire’s pet shop licence general and additional conditions. The Guidance is intended to provide more information and best practice advice to ensure compliance with the conditions attached to the pet shop licence.

General Conditions

- | | |
|---------------|--|
| Condition 2.1 | Animals should be able to move around freely, climb, fly, swim and jump where appropriate, and be comfortable in their environment. Definitions of appropriate sizes and materials are in the appropriate schedules to this document. Regular maintenance and repair will prevent injury from damaged housing. Temperature monitoring devices should be provided. It is important to avoid draughts. |
| Condition 2.4 | Appropriate housing will prevent direct transmission of disease and injuries. This will maintain structural integrity and ensure dry, easily cleansed surfaces. In general, untreated wood is not an appropriate material as it cannot be thoroughly cleaned. |
| Condition 2.5 | An area to hide away, if needed, will help to reduce stress levels for the animals. In addition to signs, other measures maybe required, such as limiting access to some sides of animal enclosures. Care should be taken to avoid sensory contact between prey and predator species. |
| Condition 2.7 | To maintain a clean environment, a cleaning Standard Operating Procedure (SOP) should be provided and should detail the routine daily cleaning regime and the procedure for cleaning between periods of occupation. Soiled bedding should be removed frequently to ensure animals do not have to lie in it. |
| Condition 2.8 | This will prevent contamination of the lower cages. This does not apply to centrifuged fish systems or aviaries where perching and ground birds are housed together. |
| Condition 3.1 | Animals must be able to exhibit normal behaviour patterns and this may require the provision of suitable space for exercise. |
| Condition 4.1 | This can be by cross referenced to an invoice file. The purpose of the register is to ascertain the source of the animals. |
| Condition 4.2 | The purpose of the register is for emergency contact of purchasers. The name, address and telephone number of the purchaser should be obtained. This is not required for other species. |

- Condition 6.1 Vendors and staff are responsible for providing the animals' needs including good health care. Illness and obvious parasitic infection should be addressed before the animal is sold. Veterinary advice should be sought in any case of doubt. Transport and the introduction to a novel environment are stressful and animals should be allowed to acclimatise before being further stressed by being offered for sale. Where animals are obtained for sale to a specific client it may be acceptable for the animal to be sold immediately.
- All animals should receive appropriate vaccination where required for the species, as advised by the retailer's veterinary surgeon. Veterinary advice must be sought whenever necessary.
- A Record of Treatment should be provided to the purchaser. Vaccination courses should begin at the appropriate age for each species.
- Condition 6.2 "Care and treatment" may include euthanasia but under no circumstances may an animal be euthanised other than in a humane and effective manner. In case of doubt, veterinary advice must be sought.
- Condition 6.3 Isolated animals should be kept in a secure, comfortable location where their condition and needs can be kept, also detailing treatment. For ornamental fish, in-line UV treatment or other sterilising devices effectively provide a means of isolating individual tanks in multiple tank systems. They must be of a proper size and maintained in accordance with manufacturers' recommendations.
- Condition 6.4 Information on any known conditions should be provided to the new owner.
- Condition 6.5 Precautions should include regular cleaning (see condition 2.6) and good personal hygiene of staff in addition to effective quarantine of incoming groups of animals except for fish. Staff handling animals should wash or disinfect, and rinse if appropriate, their hands between groups. The shop should be registered with a veterinary practice and there should be veterinary input to SOPs where appropriate. It is important that the supplying breeders should have a policy for inherited and infectious disease control agreed. Staff should be aware of zoonotic transmission.
- Condition 6.6 "Rodent" and "Insect" excludes animals for sale or feeding.
- Condition 7.1 Water should be available at all times except for those species where it may be harmful. An SOP should be

produced for basic nutritional needs for each species or species group and age group if appropriate. The owner should be advised to continue feeding consistent with the diet given by the pet shop.

Condition 7.2

Faecal and urine contamination is a risk to health. Maintaining a clean environment may require regular cleaning of receptacles. Receptacles should be thoroughly cleaned before being moved between batches/groups.

Condition 8.2

There must be suitable facilities for cleaning of receptacles and equipment which should be separate from staff facilities.

Condition 9.1

Regular checks and observation records aid in early detection of illness, injury or behavioural problems and should be considered very important for all animals.

A system of recording observation should be maintained.

Condition 10.1

This is important for biosecurity and odour reduction.

Excreta and soiled bedding should be removed from the premises on a regular basis, at least weekly, disposed of to the satisfaction of the appropriate local authority, and in accordance with current regulations and good waste management practice. Premises should maintain a contract for removal with an appropriate company and adhere to local authority regulations.

There should be appropriate arrangements in place for removal of dead animals.

Condition 11.3

Buyers should be advised how to transport animals home so as to minimise stress.

Condition 13.1

Safety of staff and the general public should be of utmost importance and safety barriers may aid in this, as well as prevention of escape.

Condition 13.2

The primary requirements of the Act are to protect the public but there are also welfare implications. Although it is acknowledged that there is an exemption contained within the Act in relation to pet shops, it is recommended that consideration should be given to complying with any special requirement(s) specified in the Act for the safe accommodation and care of the animal.

Licensees selling animals on the Schedule to the Dangerous Wild Animals Act should inspect the purchaser's licence to keep such an animal, and inform

the issuing authority of the details of the purchase. Licensees should take note of the latest guidance from Defra/Scottish Government.

- Condition 14.2 Pet care leaflets or other similar written instructions suitable for the species (or group of species) in question should be made available to customers free of charge at the time of purchase, in addition to any offer to purchase pet care books or leaflets. Information can be in the form of Codes of Practice issued by governments. In addition, information may also be made available electronically.
- Condition 14.4 No animal should be stocked or sold unless the staff or at least one member of staff on call is familiar with the care and welfare of the animals stocked and has a recognised qualification and/or suitable experience/training.
- Condition 15.1 Staff should be aware of these procedures and a copy should be displayed for staff to refer to as and when needed. Evacuation should be regularly practised and practices recorded. All staff should undergo regular training and records should be kept of such training.
- Condition 15.2 To facilitate risk free evacuation if needed, when designing accommodation, consideration should be given to using systems which would allow timely removal of the animals in the case of emergency. This provision would not usually apply to aquaria and ponds.
- Condition 15.3 This will ensure that, if needed, the equipment will function correctly. Staff should be properly trained on the use of equipment provided.
- Condition 15.4 A reasonable distance would, in normal conditions, be interpreted as no more than 20 minutes travelling time.

Additional Conditions - Dogs

- Condition 1 To ensure puppies can eat the food provided. Puppies must be 8 weeks old or over. Council Regulation (EC) No. 1/2005 on the protection of animals during transport and related operations prohibits the transport of puppies without their mother before this age.
- Condition 2 The kennel area should be large enough to allow separate sleeping and activity areas. The kennel should allow each puppy to be able to walk, turn around and wag its tail without touching the sides of the kennel. The puppies should have sufficient room to play, stand on their hind limbs and to lie down without touching another individual. The kennel size required will increase in relation to the size and number of puppies housed at any one time. The length and the

width should be sufficient to allow all the puppies to lie outstretched without their noses or tails touching the walls or other individuals. In certain circumstances it is permissible to have separate exercise areas to sleeping areas but in such cases puppies must be given access to the exercise area at least four times a day. Any separate exercise area should be fully cleaned and disinfected between its use by different batches of puppies.

- Condition 4 Puppies are relatively sensitive to high/low temperatures. Temperatures should not normally go below 12°C or exceed 26°C.
- Condition 6 Puppies do not discriminate in where they toilet and this maintains a clean environment. A cleaning schedule or SOP should be provided.
- Condition 9 “Suitable intervals” for puppies to be visited are frequent, as they require to be socialised. It is recommended that this should be a minimum of 4 times per day with 20 minutes of interaction per batch. There should be an SOP.
- Condition 10 Puppies are particularly susceptible to disease as they have immature immune systems. The new owner should be advised to register the puppy with a vet.
- Condition 12 To allow puppies to exhibit normal behaviour patterns. Toys should only be given under supervision and should be easily cleaned or replaced between batches.

Additional Conditions - Cats

- Condition 1 To ensure kittens can eat the food provided. Kittens must be 8 weeks old or over. Council Regulation (EC) No. 1/2005 on the protection of animals during transport and related legislation prohibits the transport of kittens without their mother before this age.
- Condition 2 Kittens require adequate space to play together and to have space for a litter tray and bed. Varying heights to enable climbing should each also be provided. There should be adequate space for feeding, drinking, sleeping and litter tray to be kept separate.
- Condition 3 Kittens are relatively sensitive to low temperatures owing to their small body weight. Temperatures should not normally go below 15°C or exceed 26°C.
- Condition 4 Kittens need a warm sleeping, soft area, away from the litter tray and food.
- Condition 6 The diet should be appropriate for kittens.

- Condition 7 Diseases spread very easily between litters, both by direct contact or by sneezing. Kittens are particularly susceptible to disease as they have immature immune systems. The new owner should be advised to register the kitten with a vet.
- Condition 8 It is recommended that this should be a minimum of 4 times per day with 20 minutes of specific interaction per batch. Kittens should be protected from over-handling by staff or the public as they require time to rest.
- Condition 9 To allow kittens to exhibit normal behaviours, particularly climbing. Toys should be easily cleaned or replaced between batches.

Additional Conditions – Rabbits

- Condition 2 Dwarf Lops/Dutch rabbits are the most commonly available in pet shops and weigh up to 4kgs. The height should allow the rabbit to rear up to perform natural behaviour. Rabbits should be kept in store in groups. Rabbits need to be able to move freely and to be able to perform vital behaviours such as caecotrophy and rearing.
- Condition 3 To allow rabbits to exhibit normal behaviours, indestructible toys; cardboard boxes; chewing substrates should be provided. Toys should be easily cleaned or replaced between batches. Rabbits are prey animals and should have the opportunity to hide if scared or stressed.
- Condition 4 Ambient temperature should not normally go lower than 12°C or exceed 26°C. Providing cool water, cool packs in their bedding, air movement and air conditioning may each help to avoid the stress caused to rabbits by high environmental temperatures.
- Condition 5 Rabbits need a warm, softly-bedded sleeping area away from the litter and food/water.
- Condition 6 The disinfectant should be effective against both viral, bacterial and parasitic infection and safe for use on rabbits. Check with a vet or manufacturer if unsure. Diseases such as E-cuniculi can be spread via urine, so thorough cleaning is required between new occupants. Rabbits often choose to toilet in the sleeping area of a hutch and a litter tray could be placed here.
- Condition 7 Diseases spread very easily between litters. Rabbits should be housed with batch mates where possible. Rabbits teeth are open rooted and therefore constant access to good quality hay is essential, for dental

health, gastrointestinal health (without a constant supply of fibrous food, rabbit GI tracts slow down) and behavioural reasons (to relieve boredom). It is vital that hay is available throughout the day and sufficient provided for them at closing time to last them until the next business day. Dry food should be provided for youngsters to assist growth, see manufacturers instructions, but should not be fed ad-lib.

Condition 9 Due to the delicate digestive system, particularly under stress, if diets are to be changed then a slow transition between diets is advisable.

Additional Conditions – Other Small Mammals

Condition 1 To help avoid unwanted litters, all animals should be sexed immediately on arrival to the premises and housed in single sex groups. Animals from different sources should not be mixed.

Condition 2 Animals should be able to freely move around the accommodation and be able to perform natural behaviours. See attached table for species relevant sizing.

Condition 3 Providing sufficient and appropriate substrate keeps the accommodation clean and dry and allows digging where appropriate. There are a number of substrates available and the type used will depend on the animal kept.

Condition 4 Bedding provides a place to sleep and rest, the type used will depend on the animal kept. It should be provided in sufficient quantities to enable the animal to feel secure and warm.

Condition 5 Animals must be given the opportunity to hide as a natural instinct and be given suitable accessories to allow for stimulation and to reduce stress. Chinchillas and Degus should be given the opportunity to use a sand bath by offering one on a regular basis, e.g. 10 minutes daily. Rodents need to express natural behaviour such as running and chewing/gnawing. Toys such as hides, tunnels, paper bags filled with hay and fruit twigs are ideal for expressing natural foraging behaviour. Animals should be able to move away from direct lighting. Cool hides should be provided to prevent overheating.

Condition 6 Water for small animals is usually provided in clean gravity fill drinking bottles, (which should be of a suitable size for the species) or automatic or semi – automatic drinking systems. Fresh water should be available at all times, or as appropriate to the species; some desert-dwelling species such as jerboas [family

Dipodidae] should not be given water ad- lib. Bottles should be kept clean and free from algae.

Condition 7

The diet should be appropriate for the breed, life stage and species. Food should be refreshed regularly. Guinea pigs should have sufficient vitamin C in their diet. Guinea pigs are unable to synthesise Vitamin C.

Additional Conditions – Ferrets

Condition 3

Ferret kits can be easily be sexed at 8 weeks of age. Adult, un-neutered hobs (males) may exhibit dominant behaviour and fight, so requiring individual accommodation. House the Jill (female) kits at a reasonable distance to prevent aggression between the hobs as they mature at around 20 weeks. Adult jills (females) should be prevented from having repeated seasons. Jills (females) left in season are prone to estrogen induced anaemia, a factor in shortening their normal lifespan. Veterinary advice should be sought.

Condition 5

Enclosures should be placed on a hard surface and anchored to the ground. Ferrets require space for their toilet area removed from their sleeping or eating areas. Ferrets require space to exhibit their normal active behaviour – running backwards, forwards and sideways and to climb, explore and play. Ferrets are naturally clean and will usually select one corner as their toilet.

Condition 6

Ideally sleeping quarters should be raised. Ferrets seek dark areas for sleeping and sleep for long hours, up to twenty a day in the winter. Their natural instinct is to hide whilst sleeping.

Condition 7

Suggested bedding includes fabric items that can be laundered, straw and dust extracted wood shavings.

Condition 8

Temperatures should not normally go below 12°C or exceed 26°C. Ferrets tolerate cold better than heat. Provide plenty of warm bedding for when it is cold. Be aware heat prostration is likely at 32°C.

Condition 9

Feed a recognised and branded ferret kibble/biscuit. Small, frequent meals or ad lib feeding are recommended as ferrets have a rapid rate of digestion.

Additional Conditions – Birds

Condition 1

Stocking densities will depend on the type of bird as well as cage dimensions and number of perches. Access to rain can be beneficial for plumage. Some species will need adequate space to fly. Chickens require an appropriate area and substrate to perch.

Condition 4	Birds should not have to compete for drinkers/feeders and risk exclusion. Passerines should have food available at all times. Enrichment and feeding devices need to be provided for larger psittacids. For parrots, it is preferable to use swinging systems such that the keeper does not need to enter the cage in order to change food/ water. Bowls should not be able to be removed from holders by the parrot.
Condition 5	Enclosures should be placed on a hard surface. Some species require more robust materials. Materials such as loose zinc coating can be toxic to birds.
Condition 6	Many birds find sleeping or sheltering in nest boxes an essential form of security or for sheltering from inclement weather. If ground living birds are kept with perching birds then attention should be paid to flooring such that bumblefoot issues are addressed - i.e. no concrete/rough stone. Where natural turf flooring is used, parasite status of the birds should be checked on a regular basis every few weeks.
Stocking densities table	<p>It is recommended that, wherever possible, parakeets and lovebirds are displayed for sale in aviaries or flights rather than cages per se.</p> <p>It is recommended that, wherever possible, parrots are displayed for sale in aviaries or flights if more than two birds are housed together.</p> <p>The extra-linear centimetre per additional bird, is intended to refer to an increase in either width or length or a combination of the two i.e., a 20cm increase could refer to 20cm width, 20cm length or say 10cm width combined with 10cm length.</p>

Additional Conditions – Reptiles and Amphibians

Condition 1	<p>Most reptiles and amphibians are not social and may, therefore, be kept individually. Communal enclosures should not be stocked as to appear overcrowded, common sense should be observed. Mixing of species, although possible, should be undertaken with caution. Some species may require or seek seclusion or privacy either sporadically or permanently and provision for this should be made</p> <p>Snakes: may be housed individually or in small groups, of the same species. Snakes known to be cannibalistic, e.g. king snakes (<i>Lampropeltis</i> sp), should be housed individually.</p> <p>Lizards: only species of similar size and from similar habitat and geographical areas should be kept communally. Lizards known to be cannibalistic, e.g.</p>
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Gambelia sp, should be housed individually. Generally adult male lizards in breeding condition should not be housed together and groups of lizards housed communally should be regularly observed for signs of aggression.

Tortoises and Terrapins: only terrapins of similar size and habit and from the similar geographical area should be kept communally. Tortoises of different species should be housed individually. Also, adult males in breeding condition should be housed individually.

Frogs and Toads: only species of similar size, and from similar habitats and geographical areas, should be kept communally. Mixing of taxa (e.g. frog & toad) is not generally recommended. Cannibalistic species, such as horned frogs (*Ceratophrys* sp.) and African bull frogs (*Pyxicephalus* sp.) should be housed individually.

Newts and Salamanders: only species of similar size and from similar geographical areas should be kept together. Generally mixed taxa [e.g. lizards and tortoises] are not recommended, although paludaria which combine fish with small reptiles and/or amphibians of appropriate species are acceptable.

Condition 2

Snakes: the length of the enclosure should be no less than two-thirds the overall length of the snake.

Lizards: the length of the enclosure should be three times the full length of the lizard, or larger.

Tortoises and Terrapins: the length of the enclosure should be a minimum of 90cms, or four times the length of the animal, or larger. For aquatic species [turtles, terrapins] the enclosure should allow the animal to swim adequately, i.e. have water depth at least 4 times that of the animal, although some terrapins (e.g. *Cuora* sp., *Terrapene* sp. and *Glyptemys* sp.) do not require such deep water. Terrapins must also have an adequate land basking area.

Frogs and Toads: the length of the enclosure should be minimum 30cm x 30 cm x 30cm, or at least three times the length of the animal, or larger. For sedentary species, such as horned frogs (*Ceratophrys* sp.) and African bull frogs (*Pyxicephalus* sp.) the enclosure can be smaller. Fully aquatic species should be able to swim adequately, i.e. water depth should be at least 4 times the depth of the animal.

Newts and Salamanders: the length of the enclosure should be minimum 30cm x 30 cm x 30cm, or at least

three times the full length of the amphibian, or larger. Aquatic species should be able to swim adequately, i.e. water depth should be at least 4 times the depth of the animal.

Height and Width: of the enclosure should be appropriate to the species, with arboreal species requiring more height than terrestrial species.

Condition 3

Ambient and basking temperatures should be appropriate to the species concerned, with the following guidance for commonly kept species. These are guidelines only and individual species should be researched as requirements for some species will fall outside of these recommendations. Vendors and staff must have access to relevant reference material (books, internet etc.). Basking spots may be provided by convection or radiant heat sources (e.g. light bulb, or heat mat), as appropriate to the species. Ventilation should be appropriate to the species and should allow sufficient change of air without jeopardising the temperature or humidity in the enclosure.

Condition 4

An appropriate light period should be observed. Species requiring UVB lighting, e.g. diurnal lizards and tortoises, should have appropriate UVB emitting lamps. These should be replaced according to manufacturer's recommendations. Mercury Vapour or Metal Halide UVB emitting lamps may also be used to provide a daytime heat source. UV light sources must not be screened by non UV transmitting glass or plastic. Animals should have areas of shade so that they can escape from the light if desired.

Condition 5

Substrate should be appropriate to the species concerned and may include, but not be limited to: newspaper, paper towel, bark chip, wood chip, terrarium humus, moss, gravel, calcium carbonate, terrarium sand etc. Measures should be taken to ensure that substrate is not ingested.

Condition 6

Décor should be appropriate to the species and should not be harmful, e.g. sharp rocks, toxic or injurious plants. Décor should be secure and not able to fall and cause injury. Enclosure should be furnished in such a fashion as to allow inhabitants to exhibit natural behaviour, e.g. climb or hide where appropriate.

Condition 7

Feeding habits vary between species and between individuals. Staff should have knowledge of the requirements for all the species held. Food should be presented in a form or pattern that is acceptable to the species concerned. Food supplements [vitamin and minerals] should be provided as appropriate to the species concerned. Live food intended for use should

be housed in suitable escape proof containers, and fed appropriately. Fresh foods [salads] should be kept refrigerated where appropriate. Frozen foods intended for use must be stored in an appropriate deep freeze and defrosted thoroughly before use. Feeding records for hatchling snakes should be kept and made available to purchasers. Fresh water should be available at all times, with the exception of certain desert species, such as *Uromastyx* sp. which should be offered water periodically. Certain species, such as chameleons, do not drink from standing water and should be offered water appropriately, e.g. by a dripper system or sprayer.

Condition 8

Spoiled food stuffs should be removed at appropriate time periods, at least daily. Substrates should be replaced as appropriate, and spot cleaned daily. Décor should be sanitised as appropriate. Enclosures should be disinfected with appropriate disinfectant as necessary and always between different batches of animals. Disinfectant should be appropriate for the contaminants likely to be encountered. Disinfectant hand gels should be available for staff to use between animals, to prevent the external environment being contaminated. Water bowls should be cleaned as appropriate and disinfected at least weekly. Slough [shed skins] should be removed daily.

Condition 9

Handling must be kept to a minimum at all times. Staff should receive training on how to handle animals and animals which may be aggressive should only be handled by competent staff. Staff and customers should wash hands after handling specimens, and any equipment used should also be disinfected. Customers handling animals prior to purchase should be supervised and offered facilities to wash their hands afterwards.

Additional Conditions - Fish

Condition 1

It is virtually impossible to determine the quantity of aquatic organisms to be kept in a system purely on a weight or number of aquatic organisms per unit, volume, or water surface area. The variation in holding system used, the quality of husbandry and the types of aquatic organisms stocked vary so greatly that it would render any such system too complicated to be practical or too simple to be useful. The maintenance of water quality standards can be used to determine working stocking densities. The water quality standards should not be met at the expense of a correct feeding regime. Exceptions to these standards might occur e.g. when aquatic organisms are diseased, after transport or other stress. However in these cases appropriate remedial actions e.g. treatment, acclimatisation or isolation

should be undertaken. Sea water holds less oxygen than fresh water. The recommended level is 5.5 mg/l so extra care is needed to ensure that levels do not routinely fall below this.

- Condition 2 One test is representative of all the water in the system of centralised systems. Standalone systems must each be tested. Poor water quality is often the underlying cause of problems presenting as disease or mortalities.
- Condition 3 Aquaria must be checked daily and cleaned as often as is necessary to maintain good hygiene standards, consistent with the rate of stock turnover and consequent stocking densities.
- Condition 4 No fish or other aquatic organism should be subject to rapid fluctuation in light (lights should be on dimmers if automated), temperature and chemical composition of their water, other than for the controlled treatment of disease or as part of a controlled breeding programme. There are in excess of 4000 fish species in trade and thus the acceptable conditions may vary substantially and often counter intuitively. In case of doubt expert advice should always be sought.

Register of Wild Animals and Endangered Species

Some species are listed on the Annexes of EU Wildlife Trade Regulations which implement CITES [Convention on International Trade in Endangered Species]. Species listed on Annex A of EU Wildlife Trade Regulations [Council Regulation (EC) No. 338/97] must have a valid Article 10 Certificate and may require microchipping or closed ring. Species listed on Annex B do not require Certificates but the vendor should be able to provide proof the animal was acquired legally.

Breeding and Sale of Dogs Act

Puppies/dogs should be identifiable whilst at the shop. Under this legislation, the record should show:

- The identification of the animal;
- The date of birth, breed, sex and any distinguishing features;
- Details of any veterinary care provided while under care of the shop. In addition, it is also good practice to record:
 - Details of any feedback provided to the breeder on health issues such as disease or inherited defects;
 - Details of any health screening tests performed on the parents.

Microchip is the preferred method of identification.

REPORT TO:	Environmental and Development Service Committee	AGENDA ITEM: 10
DATE OF MEETING:	2 nd October 2014	CATEGORY: DELEGATED/ RECOMMENDED
REPORT FROM:	Chief Executive	OPEN/EXEMPT PARAGRAPH NO:
MEMBERS' CONTACT POINT:	Emma McHugh 01283 595 716 emma.mchugh@south-derbys.gov.uk	DOC:
SUBJECT:	Approval of the Private Hire Licensing Policy and the Private Hire Operator, Driver and Vehicle Licence Conditions	REF:
WARD(S) AFFECTED:	All	TERMS OF REFERENCE: EDS 14

1. Recommendations

1.1 That the Private Hire Licensing Policy, Private Hire Operator Licence conditions, Private Hire Vehicle Licence Conditions and Private Hire Driver's Licence Conditions contained in Appendices 1 to 4 of this report are approved to be effective from 10th November 2014.

2. Purpose of Report

2.1 To provide Members with the outcome of a consultation with interested parties.

2.2 To provide Members with the necessary information to be able to give full consideration to the recommendation contained in paragraph 1.1 of this report in particular to consider the following:

- Amend the Policy to read 'on the initial grant of a private hire vehicle, all licences must be less than 8 years old from the date of registration.'
- Amend the Policy to make it a requirement for medicals to be carried out every 5 years in line with the DVLA Group 2 medical standards and eye tests to be carried out every 2 years until the age of 65 and every 12 months thereafter. Both medical and eye tests may be required for a shorter periods if the driver is restricted for medical reasons.

3. Detail

- 3.1 The Local Government (Miscellaneous Provisions) Act 1976 (the 'Act') governs the licensing of private hire operators, vehicles and drivers. The Council has a duty under the Act to licence private hire operators, vehicles and drivers.
- 3.2 In order to assist in the determination of applications, the Licensing Authority has a basic licensing policy which details how to determine applications from applicants with a criminal history and licence holders who obtain convictions whilst licensed. In addition, there are conditions that licence holders must comply with.

Proposed Policy and Conditions

- 3.4 The proposed Policy and conditions have been compiled to reflect national guidance where appropriate and with a view to promoting the four main objectives:
- The protection of the health and safety of the public;
 - The maintenance of a professional and respected private hire trade;
 - Access to an efficient and effective local transport service;
 - The protection of our local environment.
- 3.5 The proposed Policy and conditions provide clear transparent guidance to applicants, licences holders, members of the public and the Licensing Authority.

Consultation

- 3.6 Officers conducted a consultation exercise on these proposals with all existing licence holders, members of the public via the Council's website and local disability groups for a period of 8 weeks. A summary of the responses received are attached as Appendix 5.
- 3.7 In addition, a Driver's Forum was held for licensed drivers and operators to discuss the proposals with Officers of the Licensing Authority. A summary of the points discussed are attached as Appendix 6.

4. Financial Implications

- 4.1 There are no financial implications to the Council.
- 4.2 Recommendation 1.1 will not place an excessive additional burden on the trade or those who wish to enter the trade.

6. Corporate Implications

- 6.1 These proposals will provide a clear framework for existing businesses and for anyone wishing to start their own business which will contribute directly to the corporate vision to make South Derbyshire a better place to live, work, and visit, and to the theme of sustainable growth and opportunity.
- 6.2 These proposals will also demonstrate to members of the public that South Derbyshire District Council takes the public safety seriously, which contributes to the theme of safety and security.



SOUTH DERBYSHIRE DISTRICT COUNCIL

PRIVATE HIRE LICENSING POLICY

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

Issue 3:

1 INTRODUCTION

Powers and Duties

- 1.1 This Statement of Licensing Policy (“the Policy”) is written pursuant to the powers conferred by the Local Government (Miscellaneous Provisions) Act 1976 (“the Act”), as amended, which places on South Derbyshire District Council (“the Council”) the duty to carry out its licensing functions in respect of private hire vehicles, drivers, and operators.

Objectives

- 1.2 The private hire trade has a specific role to play in an integrated transport system. The trade are able to provide services in situations where public transport is either not available (for example in rural areas, or outside “normal” hours of operation such as in the evenings or on Sundays), or for those with mobility difficulties.
- 1.3 In setting out this Policy, the Council seeks to promote the following objectives:
- the protection of the health and safety of the public;
 - the maintenance of a professional and respected private hire trade;
 - access to an efficient and effective local transport service;
 - the protection of our local environment.
- 1.4 It is the aim of the Council in this context, to use the licensing powers available to ensure that licensed vehicles in the district are safe, comfortable, properly insured and available where and when required, and that the drivers of these vehicles have been sufficiently vetted so as to be considered “fit and proper”.
- 1.5 The Council in composing this Policy has been mindful of the need to justify each requirement against the risk it seeks to address, or objective it seeks to promote. Where the cost of implementing a proposed requirement was not commensurate with the perceived benefit in either of these areas, the introduction of the requirement was not pursued.
- 1.6 In carrying out their regulatory functions, the Council will have regard to this Policy and in particular, the objectives set out above. Notwithstanding the existence of this Policy, each application or enforcement measure will be considered on its own merits. Where it is necessary for the Council to depart substantially from this Policy, clear and compelling reasons will be given for doing so.
- 1.7 The Policy refers to guidance that is available to applicants, drivers and operators to assist them with the application processes and the running of the service. This Policy, relevant application forms and the current fees are available on the Council’s website.

Background to Policy

- 1.8 The Council gave a commitment to subject the Policy to regular review. Best Practice Guidance (“the Guidance”) has been re-issued by the Department for Transport and internal procedures have been further revised.
- 1.9 There is recognition within the Guidance that unduly stringent licensing requirements are likely to unreasonably restrict the supply of private hire vehicles by increasing the

cost of their operation, or by restricting access to the trade. The Council is aware, therefore, that a too restrictive approach may be detrimental to the public interest and could have adverse safety implications.

- 1.10 In light of this and in order for the Council to maintain a modern, forward thinking licensing function, a full review of the Policy has been undertaken. This new Policy is intended to ensure that both the trade, public and Officers have a document that fully explains the licensing procedures in a clear and transparent manner.

Policy Duration

- 1.11 This Policy will take effect from 10th November 2014 for a period of three years.
- 1.12 Prior to the end of the three year period, a full consultation will be undertaken with a view to publishing a new Policy to take effect no later than the date of expiry of the existing Policy.
- 1.13 The Policy will be kept under constant review and amended as and when necessary to reflect changes in legislation and case law.

2 VEHICLES

Specifications and Conditions

- 2.1 The Council has a wide range of discretion over the types of vehicle that they can license as private hire vehicles.
- 2.2 The Council is empowered to impose such conditions, as it considers reasonably necessary, in relation to the grant of a private hire vehicle licence. Private hire vehicles provide a necessary service to the public, however, it is appropriate to set standards for the external and internal condition of the vehicle and the mechanical fitness of the vehicle.
- 2.3 All private hire vehicles must meet the standards as laid down by the Council with regard to standard of appearance. Vehicles shall be right hand drive, be able to carry no more than 8 passengers, have a minimum of 4 doors and shall not have an engine capacity of less than 1250cc. Vehicles with any unrepaired accident damage, panels of a different colour to the rest of the vehicle, missing trims, dirty or damaged upholstery or generally shabby appearance will not be licensed.

Appearance of the Vehicles

- 2.4 The exterior of all licensed vehicles shall be maintained in a clean, safe and proper manner at all times. In particular, the exterior of the vehicle shall:
- (i) be free of dents;
 - (ii) be free of visible rust;
 - (iii) be free of any scratches over 10cm in length;
 - (iv) be free of unrepaired accident damage;
 - (v) have uniform paintwork equivalent to that applied by the manufacturer;
 - (vi) not be missing any exterior trim;
 - (vii) have all 4 hub caps (if part of the original specification) present, matching and scuff free; and
 - (viii) be maintained in an acceptable state of cleanliness.

- 2.5 The interior of all licensed vehicles shall be maintained in a clean, safe and proper manner at all times. In particular, the interior of the vehicle shall:
- (i) be free of stains to the upholstery including carpets, and door trim;
 - (ii) be free of splits and tears to the passenger seats;
 - (iii) be maintained in an acceptable state of cleanliness;
 - (iv) have no edges or damaged items likely to cause injury to a passenger;
 - (v) be free from damp and odour that may cause passenger discomfort; and
 - (vi) provide seats functioning in accordance with the manufacturers' specification.

Liquid Petroleum Gas (LPG)

- 2.6 An applicant for a licence involving a vehicle that has been converted to run on LPG is required to produce, prior to a licence being issued, a certificate issued by a member of the LPG Association confirming satisfactory installation, examination and testing of the vehicle in accordance with the LPG Association's Code of Practice. This certification is required to ensure that the vehicle is considered safe by an approved inspector.
- 2.7 Any licence holder wishing to convert their licensed vehicle to run on LPG must notify the Council prior to any conversion taking place. Once the conversion has taken place, the licence holder must provide the Council with a certificate issued by a member of the LPG Association confirming satisfactory installation, examination and testing of the vehicle in accordance with LPG Association Code of Practice. This certification is required to ensure that the vehicle is considered safe by an approved inspector. The licence will be suspended until the changes have been made. The licence plate must be returned to the Council.
- 2.8 If an LPG conversion involves installation of an LPG fuel tank in a vehicle's boot space (and possible relocation of the spare wheel) it shall be a requirement that an amount of space shall remain free for the stowage of a reasonable amount of luggage and any spare wheel displaced as a result must be stowed in a location that does not impinge on the passenger carrying area of a vehicle.

Wheelchair Accessible

- 2.9 The Council is committed to social inclusion and ensuring a wide variety of opportunities is available to those with mobility difficulties in order to enjoy a high quality of life. It fully supports the view of the Equality and Human Rights Commission that:
- "Making successful journeys is critical to the social inclusion of disabled people. Without the ability to travel, disabled people are denied access to life opportunities. Their access to education, shopping, employment, healthcare, as well as social and family life is significantly improved when journeys become accessible."*
- 2.10 The private hire trade should be aware of a good practice guide produced by the Equality and Human Rights Commission, as private hire operators also have a duty under the Equality Act 2010 to ensure disabled people are not discriminated against or treated less favourably.
- 2.11 The licence holder and all other drivers of wheelchair accessible vehicles must be suitably trained on how to use the equipment in the licensed vehicle and how to handle a person in a wheelchair. The DVSA Wheelchair Test Assessment pass

certificate will be required for all drivers of the wheelchair accessible vehicle. The pass certificates must be provided to the Council on application.

- 2.12 Any equipment fitted to the vehicle for the purpose of lifting a wheelchair into the vehicle must be tested every 6 months in accordance with the requirements of the relevant legislation. Any such equipment must be maintained in good working order and be available for use at all times. The certificate must be provided to the Council. Failure to provide an updated certificate before the expiry of the current document will result in the licence being suspended until such a time as a new satisfactory document has been received.

Age of Vehicles

- 2.13 On the initial grant of a private hire vehicle licence, all vehicles must be less than six years old from the date of first registration. The date will be taken from the V5C logbook.
- 2.14 A licensed vehicle may continue to be licensed until it reaches ten years of age from the date of first registration provided that it:
- (i) is mechanically tested by the Council Depot every 6 months,
 - (ii) obtains an MOT pass certificate; and
 - (iii) is compliant with the standards of appearance for a private hire vehicle (detailed at 2.3, 2.4 and 2.5 above).
- 2.15 Once a licensed vehicle reaches ten years old, the licence will not be renewed.

Vehicle Testing

- 2.16 All vehicles over 3 years of age must have a valid MOT pass certificate upon first application and annually thereafter.
- 2.17 In addition to the MOT testing, the vehicle must also be mechanically tested and inspected by the Council's depot every 6 months.
- 2.18 A valid MOT certificate and compliance test pass sheet must continuously be in place throughout the course of the licence. Failure to provide an updated MOT certificate or compliance test pass sheet before the expiry of the current documents will result in the licence being suspended until such a time as new satisfactory documents have been received.
- 2.19 The licence of any vehicle which fails its inspection requirements will be immediately suspended on public safety grounds until such time as the vehicle has been re-examined and the necessary pass certificates obtained. The licence plate must be returned to the Authorised Officer within 7 days of receipt of the suspension notice. The licence holder must not use the vehicle after they have been served this suspension notice until such time as the inspection requirements are met and the suspension is lifted by an Authorised Officer.
- 2.20 In addition to the above testing requirements, all licensed vehicles shall be liable to be randomly inspected and tested by an Authorised Officer. These tests will be undertaken at the Council Offices, or any other location. The tests may be conducted in conjunction with the Police and/or VOSA inspectors. If it is discovered during an inspection that a vehicle is not being properly maintained, a suspension notice may be served under section 68 of the Act on public safety grounds. This notice will

specify the defects and the action required to remedy the problem. The vehicle may not be used for private hire work until an Authorised Officer lifts the suspension. The licence plate must be returned to the Authorised Officer within 7 days of receipt of the suspension notice.

- 2.21 Failure to comply with the requirements of a section 68 notice will be considered a serious breach of licensing requirements and dealt with accordingly. If the requirements of a section 68 notice are not rectified within two months, the vehicle licence will be revoked in accordance with the Act.
- 2.22 A re-test fee is payable if the vehicle fails the compliance test at the Depot. A test fee is payable if any test is carried out at the Depot in addition to the two tests included in the vehicle licence fee.

Alteration of Vehicle

- 2.23 If a licence holder wishes to make any material alteration or change in the specification, design, condition or appearance of the vehicle then they must notify the Council in writing before any changes are made.
- 2.24 If the vehicle is already licensed, the licence will be suspended while the changes to the vehicle are being made. The licence plate must be returned to the Council.
- 2.25 Once any changes have been made, the licence holder will need to provide the Council with a Confirmation of Compliance notification from the Driver and Vehicle Standards Agency (DVSA).

Insurance

- 2.26 A valid insurance certificate must continuously be in place throughout the course of the licence. The insurance policy must cover the licence holder for hire and reward purposes and all drivers of the vehicle for that purpose. Failure to provide an updated insurance certificate before the expiry of the current documents will result in the licence being suspended until such a time as new satisfactory documents have been received.
- 2.27 Any person named on an insurance certificate should be a licensed private hire driver with this Council. The Council will not accept any insurance certificates that name any person other than a licensed private hire driver.

Taximeters

- 2.28 It is not compulsory to have a taximeter installed in a private hire vehicle. Where a taximeter is fitted, the licence holder must provide the Council with:
 - (i) a calibration certificate;
 - (ii) details of the fare that the meter is set to.
- 2.29 A tariff card must be displayed in the vehicle showing the current fares payable.
- 2.30 The Council will require a new calibration certificate and new fare details each time a licence holder changes the private hire operator that they work for or the fare table changes.

Accidents

- 2.31 With the safety of the public being a predominate factor of this Policy, all vehicles involved in an accident, however minor, will be required to complete the Council's accident report form and submit to the Council within 72 hours of the accident. On receipt of an accident report form, the Authorised Officer will carry out an inspection of the damaged vehicle and decide the course of action to be taken in respect of the vehicle.

Signage and Advertising

- 2.32 No licensed vehicle will be permitted to have a roof sign or any other kind of fixing on the roof.
- 2.33 All licensed vehicles must display signs stating the name of the private hire operator, their telephone number, and the statement, "Advanced Bookings Only" on both sides of the vehicle. The signs should be legible for members of the public to read easily. The signs must be displayed on the licensed vehicle at all times during the period of the licence.
- 2.34 For any signage in addition to the above, approval must first be obtained from the Council in writing.
- 2.35 Where a licensed vehicle is used by more than one operator the licence holder must ensure that the correct identifying signs are attached to the vehicle when fulfilling any booking.
- 2.36 No signage shall include the word "TAXI", "CAB" or the words "FOR HIRE" or combinations of the above, or any other words that are likely to cause a person to believe that the vehicle is a hackney carriage and available for instant hire.
- 2.37 Written permission must be obtained from the Council prior to any commercial advertising being placed on or in the vehicle.
- 2.38 No signage must be placed in or on the rear window of the licensed vehicle so as to avoid the driver's view from being obscured.

Plate exemption

- 2.39 Licensed vehicles are required to display licence plates externally on the rear of the vehicle and a dual sided plate in the front windscreen. Exemptions may be given for certain types of private hire vehicle not to display the rear plate, however, a letter of exemption from the Council and the licence plate must be carried in the boot of the vehicle at all times.
- 2.40 Exemption requests must be submitted in writing. Exemptions will only be granted to licensed vehicles used for executive hire, corporate contracts, or work of a similar nature. Evidence will be required before any exemption is granted by the Council. Vehicles that are used for a combination of 'exempt' work and normal private hire work will be required to display the licence plate at all times when the exemption does not apply.

Application Procedures

- 2.41 The application procedures for a private hire vehicle licence are prescribed by the Council. Applications must be made on the specified application form in accordance with the application procedure set out in Appendix 1.
- 2.42 The Council will consider all applications on their own merits once it is satisfied that the appropriate criteria have been met and the application form and supporting documents are complete.
- 2.43 Private hire vehicle licences will be issued for a maximum one year period from the date of grant, subject to the power to grant a licence for a shorter period, should this be appropriate in the circumstances.
- 2.44 A private hire vehicle licence is issued to a specific vehicle, and proprietor, therefore, any change of vehicle or proprietor during the period of the licence would require the relevant application process to be completed.
- 2.45 The Council will undertake to send a renewal reminder to a licence holder's registered address 1 month prior to the expiry date. However, licence holders are reminded that the responsibility to renew a licence in accordance with this Policy remains their responsibility.
- 2.46 An application will not be validated until all of the relevant documentation and the fee have been received. Once a valid application has been received, the Council will determine the application within **five** working days.
- 2.47 If the renewal application has not been determined when the existing licence expires, the licence holder must not use the vehicle for private hire purposes until the new licence has been received.
- 2.48 Once the date of expiry of an existing licence has passed and a valid renewal application has not been received, the licence automatically expires. Expired licences cannot be re-instated. A new licence application will be required.

Conditions of Licence

- 2.49 The Council is empowered to attach such conditions to a private hire vehicle licence as are considered reasonably necessary. All private hire vehicle licences will be issued with the private hire vehicle licence conditions attached.

Non-Standard Private Hire Vehicles (Limousines, Novelty Vehicles and Vintage and Classic Cars)

- 2.50 Stretched limousines are elongated saloon cars that have been increasingly used for mainstream private hire work. The number of stretched limousines being imported, particularly from the United States, has been increasing. Their use generally includes all private hire work plus special occasions such as days at the races, stag/hen parties and children's birthday parties.
- 2.51 A novelty vehicle is a vehicle that has been specially adapted, or converted by a low volume specialist vehicle manufacturer or modifier, and has been specially modified from its original design or specification. For the avoidance of doubt, any vehicle capable of being licensed as a standard private hire vehicle would not be considered a novelty vehicle.

- 2.52 Due to the nature of the work undertaken by limousines and novelty vehicles, both can be licensed for private hire work providing they carry no more than eight passengers and meet the requirements of the Act. This Council requires that all limousines and novelty cars are licensed if they undertake private hire work. In addition to the requirements for a standard private hire vehicle, the Council will require the following:
- (i) there are no more than 8 seats provided for customers and there is no facility for seats to be added after the licence has been granted;
 - (ii) proof of an Individual Vehicle Type Approval (IVA) test;
 - (iii) MOT certificate every 6 months.
- 2.53 All applications to license stretched limousines, or novelty vehicles as private hire vehicles will be treated on their own merits. It is, however, proposed that imported stretched limousines, and novelty type vehicles be granted an exemption from the requirement to be right hand drive and from the age restrictions relating to standard private hire vehicles.
- 2.54 Classic and vintage cars will be exempt from the age restrictions relating to standard private hire vehicles so long as they meet the relevant criteria to be licensed as a private hire vehicle.
- 2.55 Once granted, limousines, novelty vehicles, classic and vintage cars will automatically receive an exemption from displaying the external plate. The letter of exemption and plate should be carried in the vehicle at all times. The internal badge should be displayed in the interior of the vehicle at all times.
- 2.56 It would be an offence under the Licensing Act 2003 to provide facilities for the sale of alcohol within a limousine, or novelty vehicle. If a limousine is to be provided whereby part of the booking includes “free alcohol”, the premises which accepts the booking and supplies the alcohol within the vehicle would need an appropriate licence under the Licensing Act 2003, otherwise a criminal offence would be committed. Further information on this matter can be obtained from the Licensing Department.

Dual Plating

- 2.57 The Council will not grant a private hire vehicle licence for any vehicle already licensed by another licensing authority.

3 DRIVERS

Licences

- 3.1 Under the Act, the Council must be satisfied that an applicant is a fit and proper person to hold a private hire driver’s licence.
- 3.2 All private hire driver licences will be issued for a period of one year.

Age and Experience

- 3.3 A licence will not be granted to anyone who has not held a full DVLA driving licence for a period of at least twelve months immediately prior to the application.
- 3.4 Driving licences issued by another Member State of the European Community (EC) or one of the countries in the European Economic Area (EEA) are acceptable providing the applicant has held the licence for at least 12 months. An applicant who meets the licensing requirements by virtue of an acceptable non-UK driving licence must obtain a counterpart from the DVLA prior to the issue of the private hire driver's licence, which can be attached to the non-UK driving licence and used by the DVLA to monitor penalty points obtained whilst driving in the UK.

Driver Knowledge Tests

- 3.5 The Council recognises that private hire drivers require a working knowledge of the District as a whole, and an understanding of the laws and conditions they are required to comply with. To this extent, the Council requires all applicants to undertake a knowledge test.
- 3.6 The knowledge test will consist of:
- (i) Writing a receipt;
 - (ii) Questions on the Council's private hire conditions;
 - (iii) Questions on the highway code;
 - (iv) Questions on the legislation relating to private hire;
 - (v) Shortest route questions;
 - (vi) Identifying the location of places of interest.
- 3.7 A fee will be payable for each test taken. The test fee will be non-refundable and subject to regular review.
- 3.8 An applicant must achieve an 80% pass rate. An applicant will have 3 attempts to pass the knowledge test. Failure to pass the test on the 3rd attempt will result in the application for a private hire driver's licence being rejected and the applicant will not be permitted to sit the knowledge test for one year from the date of the 3rd failure.
- 3.9 The Senior Licensing Officer, in consultation with the Legal and Democratic Services Manager, shall be authorised to amend the administration of the knowledge test and to add/delete questions to reflect any changes in legislation or local issues. The administration of the knowledge test will be transparent and all applicants will be made aware of the current criteria and applicable fees on application.

Driving Practical Test

- 3.10 All applicants must complete and pass a DVSA taxi/private hire assessment course prior to application to ensure they are aware of the hazards of driving. The requirement to take a driving course helps raise the standard of driving and ensure persons are aware of other road users. The applicant must provide a signed copy of the assessment pass certificate before their application can be considered. The DVSA certificate must be less than 12 months old when submitted to the Council.
- 3.11 With regards to existing licensed drivers, there is no requirement to pass the DVSA test. However, where a driver obtains 6 points or more in a two year period on their DVLA driving licence, there will be the requirement to pass the DVSA test. A maximum time limit of 6 months is allowed to pass the test. A copy of the DVSA pass certificate must be provided to the Council. Failure to pass the DVSA test

within the 6 month period will result in the immediate suspension of the private hire driver's licence until a DVSA certificate has been submitted.

Disability Awareness Training

- 3.12 To ensure compliance with the Equality Act 2010, the Council requires all drivers to undertake disability awareness training. The training will be provided by an external provider and will be arranged by the Council. A fee will be payable by the licensed driver. If a driver has undertaken an equivalent training course, they will not need to complete the training as long as a certificate has been provided to the Council.
- 3.13 Existing drivers will have until 1st November 2016 to complete the disability awareness training. If a driver has not completed the training by this date, the application for a renewal of the driver's licence will not be determined until the training has been completed.
- 3.14 For all new applicants, the training must be completed within the first year of being licensed as a private hire driver. If a driver has not completed the training within the first year, the application for a renewal of the driver's licence will not be determined until the training has been completed.

Medical and Eyesight Examination

- 3.15 All drivers are required to provide a prescribed certificate signed by a registered medical practitioner, and a registered ophthalmic practitioner to the effect that they are physically fit to be the driver of a private hire vehicle:
 - (i) on initial application; and
 - (ii) every 3 years* until the age of 70, and every 12 months thereafter.
- * unless the driver is restricted to a shorter period for medical reasons.
- 3.16 The applicant is responsible for the payment of all fees required for any medical or eye examination.
 - 3.17 The Council will follow the Guidance when considering the medical fitness of new applicants with insulin dependent diabetes or existing licence holders diagnosed with insulin dependent diabetes during the period of their licence.
 - 3.18 A medical and eye test document required under section 3.15 above must be no older than 3 months at the time a valid new driver or renewal application is submitted.
 - 3.19 Where there is reasonable doubt over a driver's fitness, the Council may direct the driver for a medical examination by a specified registered medical practitioner at any time. The licence holder will be responsible for the payment of all fees required for any medical examination.
 - 3.20 The Council requires all licence holders, who have an illness or injury that affects their fitness to drive, to notify the Council of this fact in writing within 72 hours.

Medical Exemption Certificates

- 3.21 Private hire drivers must allow assistance dogs to be carried in their vehicles. However, it is possible to apply for an exemption from carrying assistance dogs on

medical grounds. Any request for an exemption must be submitted in writing to the Council. Medical evidence will be required to support the exemption request.

- 3.22 Once an exemption has been granted, the driver will be issued with a medical exemption certificate. The driver must display a notice of exemption, which will include a photograph of the driver, on the windscreen of their private hire vehicle facing outwards.
- 3.23 In the absence of a medical exemption certificate from the Council, it would be a criminal offence for a private hire driver to refuse to carry an assistance dog, to refuse to allow the assistance dog to remain with the passenger throughout the journey, or to make any additional charge for the carriage of the assistance dog.

Disclosure and Barring Service (DBS) Disclosures

- 3.24 Under the Rehabilitation of Offenders Act 1974, private hire drivers are an exempt occupation therefore all convictions even if they are considered spent can be taken into consideration when determining an applicant's fitness and propriety. All convictions must be declared on the application form and failure to do so will be treated as a dishonest act.
- 3.25 All applicants are required to obtain a Disclosure and Barring Service (DBS) Enhanced Disclosure upon first application and every three years throughout the period of their licence. The applicant or licence holder will be responsible for any associated fees. Please note that the Council will not receive a copy of the DBS certificate therefore the applicant must submit their copy to the Council. No application will be granted until a DBS reply has been received.
- 3.26 Any applicant who has not been registered in the UK for at least 5 years at the point of application will be required to submit a certificate of good conduct or similar document from the relevant embassy before an application will be considered valid. This certificate must be in English and the applicant will be responsible for any fees incurred in obtaining the certificate.
- 3.27 If a driver has paid a yearly fee to the DBS for the facility of online checking the Council will still require the following:
- (i) confirmation of ID in line with a DBS check;
 - (ii) original DBS certificate to an enhanced level and checked to the required workforce;
 - (iii) consent form signed by the driver permitting the Council to carry out an online check.
- 3.28 A new DBS certificate will be required every 3 years in line with the renewal of the private hire driver's licence. Notification of the expiry of the DBS certificate will be sent to licence holders 3 months prior to the expiry date along with the renewal paperwork. It is advised that the DBS application form is submitted at least 8 weeks prior to the expiry of the licence. If the new DBS certificate is not received back prior to the expiry of the licence then the renewal application will not be determined until the DBS certificate is received and the licence holder will not be permitted to work as a private hire driver until their application has been determined.

Relevance of Convictions and Cautions upon initial application

- 3.29 Any application containing convictions, cautions, or information considered relevant to the application by the Police will be considered at the time of application in accordance with the Relevance of Convictions section of this Policy in Appendix 2.
- 3.30 In assessing whether the applicant is a 'fit and proper person' to hold a licence, the Council will consider each case on its own merits.
- 3.31 All applications will be referred to the Licensing and Appeals Sub-Committee for determination if an applicant has any convictions.

Convictions during any period of licence

- 3.32 The Council requires all licence holders who are arrested to report this fact to the Council within 72 hours. A representative may fulfil this requirement if the licence holder is unable to.
- 3.33 The Council requires all licence holders who are subsequently convicted or cautioned for any criminal or motoring offence during the period covered by their existing licence to report this information to the Council within 7 days of being convicted, or cautioned, or receiving a fixed penalty notice.
- 3.34 In the case of a deferred sentence, the penalty must be disclosed to the Council within seven days of sentencing. Any fixed penalty notice should be reported to the Council upon acceptance of the notice as opposed to when the driving licence has been updated.

DVLA Licence Checking

- 3.35 It will be necessary for a DVLA mandate to be signed which enables the Council to obtain a driver's complete driving history from the DVLA upon initial and each renewal application. The cost of this check is included in the application fee.

Application Procedure

- 3.36 The application procedures for a private hire driver's licence are prescribed by the Council. Applications must be made on the specified application form in accordance with the application procedure set out in Appendix 1.
- 3.37 The Council will undertake to send a renewal reminder to a licence holder's registered address 3 months prior to the expiry date. However, licence holders are reminded that the responsibility to renew a licence in accordance with this Policy remains their responsibility.
- 3.38 An application will not be validated until all of the relevant documentation and the fee have been received. Once a valid application has been received, the Council will determine the application within **ten** working days.
- 3.39 If the renewal application has not been determined when the existing licence expires, the licence holder must not work as a private hire driver until the new licence has been received.

- 3.40 Once the date of expiry of an existing licence has passed and a valid renewal application has not been received, the licence automatically expires. Expired licences cannot be re-instated. A new licence application will be required.

Conditions of Licence

- 3.41 The Council is empowered to attach such conditions to a private hire driver's licence as are considered reasonably necessary. All private hire driver's licences will be issued with the private hire driver's licence conditions attached.

4 PRIVATE HIRE OPERATORS

Requirements and Obligations

- 4.1 Any person who operates a private hire service utilising one or more private hire vehicles must apply to the Council for a private hire operator's licence.
- 4.2 A private hire vehicle may only be dispatched to a customer by a private hire operator who holds a private hire operator's licence. Such a licence permits the operator to make provision for the invitation or acceptance of bookings for a private hire vehicle.
- 4.3 A private hire operator must ensure that every private hire vehicle has a current private hire vehicle licence and is driven by a person who holds a current private hire driver's licence, and that the vehicle is fit for purpose before being used to fulfil a booking.
- 4.4 All three licences; private hire operator's licence, private hire driver's licence and private hire vehicle licence must be issued by the same Council.
- 4.5 Sub-contracting to other operators licensed by this Council is permitted under the Act however sub-contracting to and from other operators that are licensed with a different Council is illegal. Any operator found sub-contracting illegally will have the relevant enforcement action taken against them.
- 4.6 Applications for a private hire operator's licence must be made on the prescribed form, together with the appropriate fee. The Council will decide whether the applicant is a fit and proper person to hold an operator's licence.
- 4.7 Applicants for an operator licence must provide proof that planning permission has been obtained, or that it is not required for the location they wish to license before an application will be considered.
- 4.8 All private hire operator's licences will be issued for a period of one year.

Criminal Record Checks

- 4.9 Private hire operators, that are not licensed drivers, cannot be required to produce an enhanced DBS disclosure. In order to satisfy the public safety objective, the Council will require a basic disclosure certificate from Disclosure Scotland and a certificate of good conduct from the relevant embassy where the applicant has lived in the UK for less than 5 years. The certificate must be less than one month old and be submitted with the application form. References may be requested depending upon the applicant's specific circumstances. Applicants that hold a current private hire driver's licence with the Council will be exempt from this requirement.

Insurance

- 4.10 Where an applicant has indicated that members of the public will be allowed to enter the bookings office/waiting area, the applicant must produce evidence that they have taken out appropriate public liability insurance for the premises to be licensed before a private hire operator's licence can be granted.
- 4.11 Adequate employee liability insurance must be taken out for any operator who will employ any licensed driver or any other member of staff prior to any application being determined.

Address from which an operator may operate

- 4.12 Upon the grant of a private hire operator's licence, the Council will specify on the licence the address from which the operator may operate. This address will be the address stated on the application form.
- 4.13 The operator must notify the Council in writing of any change of trading or home address during the period of the licence by submitting the necessary form within 7 days of such a change taking place. The operator must also provide proof of public liability insurance for the new premises, if members of the public will be allowed to enter, as well as proof of planning permission status within 7 days of such a change taking place. A fee will be payable for the change of address.

Note: Operators are reminded that it is their responsibility to obtain appropriate planning, building control or any other relevant permissions in respect of the premises.

Bases outside the South Derbyshire District Council Area

- 4.14 The Council will not grant a private hire operator's licence for an operator with an operating base that is outside the South Derbyshire District. This is to ensure that proper regulation and enforcement measures may be taken by the Council.

Renewal of Operator's Licence

- 4.15 The Council will undertake to send a renewal reminder to an operators' registered address 2 months prior to the expiry date. However, operators are reminded that the responsibility to renew a licence in accordance with this Policy remains their responsibility.
- 4.16 An application will not be validated until all of the relevant documentation and the fee have been received. Once a valid application has been received, the Council will determine the application within **five** working days.
- 4.17 If the renewal application has not been determined when the existing licence expires, the licence holder must not work as a private hire driver until the new licence has been received.
- 4.18 Once the date of expiry of an existing licence has passed and a valid renewal application has not been received, the licence automatically expires. Expired licences cannot be re-instated. A new licence application will be required.

Conditions

- 4.19 The Council has power to impose such conditions on a private hire operator's licence as is reasonably necessary. All private hire operators' licences will be issued with the private hire operator's licence conditions attached.

5 ENFORCEMENT

- 5.1 It is recognised that well-directed enforcement activity by the Council benefits not only the public but also the responsible members of the private hire trade.
- 5.2 The Council will adhere to the Licensing Enforcement Policy and Associated Guidance to ensure that its enforcement is reasonable, transparent and proportionate.

6 FEES

Fee Structure

- 6.1 The legislation provides that the fees charged should only cover the cost of administering the private hire licence scheme. This will include the cost of determining and issuing the licences and ensuring compliance with the relevant legislation and conditions attached to the relevant licences.
- 6.2 The fees currently payable for the grant and renewal of private hire licences are set out on the Council's website. The fee structure is reviewed annually as part of the Council's budgetary process.
- 6.3 The setting of fees is the responsibility of the Finance and Management Committee or its equivalent Committee.

Refunds and Duplicate Copies

- 6.4 In the case of any licence where the licence holder voluntarily surrenders their licence prior to the expiry date, the Council may make a refund in respect of the whole months of the unexpired portion of the licence fee less an appropriate administrative charge.
- 6.5 Any request for a refund must be made in writing and the licence, plate and badge returned to the Council.
- 6.6 In the case of a licence that has been suspended, refused or revoked, no refund will be made by the Council.
- 6.7 Where the Council receives a request for a duplicate copy of any previously issued licence, an appropriate fee will be paid to cover the associated administrative costs.

7 AMENDMENTS TO THE POLICY

- 7.1 Any substantial amendment to this Policy will only be implemented after further consultation with the trade and the public. All substantial amendments must be authorised by the Elected Members of the Environmental and Developmental Services Committee, or its equivalent Policy Committee.

For the purpose of this section, any substantial amendment is defined as one that:

- will have a significant financial impact on licence holders or the public, or
- will have a significant procedural impact on licence holders or the public, or
- may not be perceived by the trade or the public to be consistent with the published objectives detailed in this Policy.

7.2 Any minor amendment to this Policy may be authorised by the Legal and Democratic Services Manager and approved by the Chairman of the Environmental and Developmental Services Committee or its equivalent Policy Committee and the Chairman of the Licensing Committee. For the purpose of this section, any minor amendment is an amendment not defined as substantial in section 7.1 of this Policy.

8 RIGHTS OF APPEAL

8.1 The Local Government (Miscellaneous Provisions) Act 1976 details an applicant's right of appeal.

8.2 In general terms, where an applicant is aggrieved by the Council's decision to refuse to grant, or refuse to renew a licence, or the Council's decision to suspend or revoke a licence, the applicant has a right of appeal to the local Magistrates' Court.

8.3 Any appeal must be lodged at the Magistrates Court within twenty-one days of the applicant receiving written notification of the Council's decision. The appeal must state the grounds upon which the appeal is based.

9 CONTACT DETAILS

The Licensing Department can be contacted on the following details:

In writing: South Derbyshire District Council
Council Offices
Civic Way
Swadlincote
Derbyshire
DE11 0AH

Telephone: 01283 595 716 / 890 / 724

Email: licensing@south-derbys.gov.uk

DOCUMENT HISTORY

Issue No	Issue Date	Approved by
1	January 2009	Council
2	April 2012	Council
3		

APPLICATION PROCEDURES

PRIVATE HIRE DRIVERS

1 New Drivers

- 1.1 An application for a private hire driver's licence may be made at any time of the year.
- 1.2 Applications must be made on the form called New Drivers Licence Application Form.
- 1.3 In support of a completed application form, the applicant must provide the following original documentation:
- (i) a current full UK or EU driving licence (including paper counterpart if a photocard licence);
 - (ii) an enhanced DBS disclosure application form, obtained via the Council;
 - (iii) identification for the completion of the DBS form (3 required);
 - (iv) the specified fee;
 - (v) a medical certificate (no older than 3 months);
 - (vi) an eye examination certificate (no older than 3 months);
 - (vii) a completed DVLA mandate form;
 - (viii) a passport style colour photo which must reflect your current image;
 - (ix) a DVSA driving assessment certificate;
 - (x) a local knowledge test pass, arranged through the Council.
- 1.4 In order to apply for a private hire driver's licence, an appointment must be made with the Licensing Department to submit the DBS application form. The application form will be provided by the Licensing Department at the appointment. The applicant must provide three pieces of identification and the fee for the DBS. At the appointment, the applicant will be provided with details of the next available knowledge test date.
- 1.5 Once the DBS has been returned to the applicant and the knowledge test has been passed, the application form with all the remaining documentation and fee can be submitted to the Licensing Authority.
- 1.6 An application will not be validated until all of the above documents have been received. Once a valid application has been received, the Licensing Department will determine the application within 10 working days.

2 Renewals

- 2.1 Applicants are advised to submit their renewal no less than 28 days before the expiry date to ensure continuity. Any applicant with new adverse information on their application form may have their renewal application referred to the Licensing and Appeals Sub-Committee for determination, therefore, the applicant is advised to apply for their renewal at least two months prior to their expiry date.
- 2.2 Applications must be made on the form called Renewal of a Driver's Licence Application Form.
- 2.3 In support of a completed renewal application form, the applicant must provide the following original documentation:

- (i) a current full UK or EU driving licence (including paper counterpart if a photocard licence);
 - (ii) the specified fee;
 - (iii) a completed DVLA mandate form;
 - (iv) a Passport style colour photo which must reflect your current image.
- 2.4 Every three years, the following must be submitted with the renewal application in addition to the above:
- (i) an enhanced DBS disclosure application form, obtained via the Council;
 - (ii) a medical certificate (no older than 3 months);
 - (iii) an eye examination certificate (no older than 3 months).
- 2.5 It is advised to submit the DBS application form at least 8 weeks before the expiry of the licence. If the DBS certificate is not received back prior to the expiry of the licence then the renewal application will not be determined and the driver will not be permitted to work for private hire purposes.
- 2.6 An application will not be validated until all of the above documents have been received. Once a valid application has been received, the Licensing Department will determine the application within 10 working days.
- 2.7 A private hire driver will still be able to act as a private hire driver whilst their application is being determined as long as their current licence is in force. If the private hire driver's licence has expired and the renewal application has not been determined, the applicant is not permitted to act as a private hire driver until he is in possession of the new licence and badge.

PRIVATE HIRE VEHICLES

3 New Vehicles

- 3.1 An application for a private hire vehicle licence may be made at any time of the year.
- 3.2 Applications must be made on the relevant form called New Private Hire Vehicle Licence Application Form.
- 3.3 In support of a completed application form, the applicant must provide the following **original** documentation:
- (i) the full V5C registration document. (If the vehicle is not registered in the applicant's name, proof of proprietorship for the proposed vehicle will be required);
 - (ii) insurance certificate for hire and reward purposes for all proposed drivers;
 - (iii) depot pass certificate;
 - (iv) the specified fee;
 - (v) SVA or IVA certificate (limousines and novelty vehicles only);
 - (vi) MOT certificate (if more than 3 years old);
 - (vii) Meter certificate (if applicable);
 - (viii) LPG certificate (if applicable);
 - (ix) Tailgate certificate (if applicable);
 - (x) Wheelchair Test Assessment pass certificate for all drivers (if applicable).

3.4 An application will not be validated until all of the above documents have been received. Once a valid application has been received, the Licensing Department will determine the application within 5 working days.

4 Renewals

4.1 Applicants are advised to submit their renewal application at least 28 days before the expiry date to ensure the new licence will be ready before your old licence expires, in order to ensure continuity.

4.2 Applications must be made on the form called Renewal Private Hire Vehicle Licence Application Form.

4.3 In support of a completed renewal application form, the applicant must provide the following **original** documentation:

- (i) the specified fee;
- (ii) depot pass certificate;
- (iii) insurance certificate for hire and reward purposes for all proposed drivers;
- (iv) MOT certificate (if more than 3 years old).

4.4 No faxes or emails from the applicant will be accepted in place of original documents. Faxes and emails will be accepted for insurance if sent direct from the insurance company.

4.5 An application will not be validated until all of the above documents have been received. Once a valid application has been received, the Licensing Department will determine the application within 5 working days.

4.6 With regards to the expiry of any documents during the term of the licence, the Council will notify the licence holder 5 days before the date of expiry via text message. The licence holder must then submit up to date documents to the Council within 5 days of this notification. Failure to submit the documents within this period will result in the vehicle licence being suspended until the documents are received.

4.7 A vehicle will still be able to be used as a private hire vehicle whilst the renewal application is being determined as long as their current licence is in force. If the private hire vehicle licence has expired and the renewal application has not been determined, the applicant is not permitted to use the vehicle as a private hire vehicle until he is in possession of the new licence and plate.

5 Transfer of Vehicle Ownership

5.1 Applications must be made on the form called Transfer of Vehicle Ownership Application Form.

5.2 In support of a completed transfer application form, the applicant must provide the same documentation as per a new vehicle application.

5.3 The full V5 will need to be submitted with the transfer application.

5.4 A fee is payable.

5.5 An application will not be validated until all of the above documents have been received. Once a valid application has been received, the Licensing Department will determine the application within 5 working days.

6 Replacing a vehicle

6.1 If you wish to replace the existing vehicle with a new vehicle, you must surrender the old vehicle licence. This must be in writing and the old plate returned to the Council.

6.2 A refund will be issued for the remaining full months remaining on the licence minus administration costs incurred in granting the licence.

6.3 A new vehicle application will be required with all the supporting documentation and relevant fee.

PRIVATE HIRE OPERATORS

7 New Operators

7.1 An application for a private hire operator's licence may be made at any time of the year.

7.2 Applications must be made on the form called New Private Hire Operator Licence.

7.3 In support of a completed application form, the applicant must provide the following original documentation:

- (i) Basic disclosure certificate from Disclosure Scotland (if not a private hire driver. The certificate must be less than one month old);
- (ii) the specified fee;
- (iii) a passport style colour photo for each person named on the application;
- (iv) proof of planning permission for the proposed operator base;
- (v) public liability insurance (if applicable);
- (vi) employees liability insurance (if applicable).

7.4 An application will not be validated until all of the above documents have been received. Once a valid application has been received, the Licensing Department will determine the application within 5 working days.

8 Renewals

8.1 Applicants are advised to submit their renewal no less than 28 days before the expiry date to ensure continuity. Any applicant with new adverse information on their application form may have their renewal application referred to the Licensing and Appeals Sub-Committee for determination, therefore, the applicant is advised to apply for their renewal at least two months prior to their expiry date.

8.2 Applications must be made on the form called Renewal of a Private Hire Operator Licence.

8.3 In support of a completed renewal application form, the applicant must provide the following original documentation:

- (i) Basic disclosure certificate from Disclosure Scotland (if not a private hire driver. The certificate must be less than one month old);
- (ii) the specified fee;

- (iii) a passport style colour photo which must reflect your current image;
- (iv) public liability insurance (if applicable);
- (v) employees liability insurance (if applicable).

8.4 An operator will still be able to take private hire bookings whilst the renewal application is being determined, as long as their current licence is in force. If the private hire operator licence has expired and the renewal application has not been determined, the applicant is not permitted to act as a private hire operator until he is in possession of the new licence.

9 GENERAL PROCEDURES

9.1 All required paperwork with the exception of DBS application forms must be provided to the Council either by post or by hand at the Council Offices.

9.2 An appointment must be made with the Licensing Department to submit all DBS application forms as the original documentation must be checked and copies taken.

9.3 If a driver has paid a yearly fee to the DBS for the facility of online checking, the Council will still require the following:

- (i) confirmation of ID in line with a DBS check;
- (ii) original DBS certificate to an enhanced level and checked to the required workforce;
- (iii) consent form signed by the driver permitting the Council to carry out an online check.

9.4 Local knowledge tests are run on a monthly basis and all new applicants must contact the Licensing Department to book a place. A fee is payable.

9.5 Depot tests are completed on an appointment basis. Prior to submitting vehicles for testing at the depot, applicants must obtain an appointment and ensure that the vehicle is clean enough to be inspected and is mechanically sound. The initial test and the six monthly inspection is included in the application fee but any further re-inspections i.e. re-test following failure or test after an accident will be charged at the specified fee. Appointments are booked directly with the depot on 01283 595991. The bookings line will only be open Monday to Friday between 09:00 and 11:00. Please note it will not be possible to book a test outside of these times. A fee may be chargeable if the appointment is cancelled with less than 24 hours' notice or if the appointment is missed.

9.6 Plates, badges and licences may be collected from the Council Offices during office hours. All licence holders will be notified by phone or text once their documents are ready to collect. Existing licence holders must return their old plates and/or badges to collect their new ones.

10 CONSIDERING APPLICATIONS

10.1 The Council will only consider complete applications with all the necessary documentation and fee.

10.2 When submitting applications, applicants should be aware that it may take up to **ten** working days to process and issue a licence.

- 10.3 Renewal applications must be submitted before the existing licence expires. Failure to do so will result in the old licence expiring and the applicant will need to comply with the entry requirements for a new application.

GUIDANCE ON THE RELEVANCE OF CONVICTIONS AND CAUTIONS FOR NEW APPLICANTS AND EXISTING LICENCE HOLDERS

1 General

1.1 For the purposes of this Policy, a conviction is defined as:

- A sentence imposed by a Court;
- A formal caution;
- A fixed Penalty Notice.

1.2 Each case will be considered on its own merits.

1.3 Where it is necessary for the Council to depart substantially from this Guidance, clear and compelling reasons will be given for doing so. The purpose of this Guidance is to formulate guidelines, consistent with national guidance, which detail the Council's position on the relevance of convictions and cautions in respect of applications for the grant of new licences, and the renewal of existing licences, for private hire driver and operator licences.

1.4 The legislation states that the Council may grant a licence only if it is satisfied that the applicant is a 'fit and proper' person.

2 Minor motoring offences

2.1 Convictions for minor traffic offences should not prevent a person from applying to be a driver. If sufficient points have been accrued to require a period of disqualification of the applicant's driving licence then a driver's licence may be granted 12 months after its restoration but a warning should be issued as to future conduct.

3 Major traffic offences

3.1 An isolated conviction for driving without due care and attention or dangerous driving etc. (depending on the circumstances of the individual case) should normally merit a warning as to future driving and advice on the standard expected of private hire drivers. More than one conviction for this type of offence within the last two years should merit refusal and no further application should be considered until a period of 1 to 3 years free from conviction has elapsed.

3.2 An applicant with a conviction for any of the following motoring offences should be refused and no further application should be considered until a period of 3 to 5 years free from conviction has elapsed. A period of 12 months must also have elapsed since the end of any disqualification period:

- Using a vehicle uninsured against third party risks,
- Reckless driving;
- Causing death by dangerous driving;
- Driving whilst disqualified;
- Driving or attempting to drive whilst under the influence of drugs or drink.

4 Drug offences

- 4.1 A serious view is taken of any drug related offence.
- 4.2 A licence will not normally be granted where the applicant has a conviction for an offence related to the supply of drugs and has not been free of conviction for 5 years. A licence will not normally be granted where the applicant has more than one conviction for offences related to the possession of drugs and has not been free of conviction for 5 years.
- 4.3 An application from an applicant who has an isolated conviction for an offence related to the possession of drugs within the last 3-5 years may be considered for a licence.

5 Sexual / Indecency offences

- 5.1 Applicants with one or more convictions at any time for indecent exposure, indecent assault, or any sexual offence, will generally not be granted a private hire driver's licence.

6 Violence Offences

- 6.1 A licence will generally not be granted to any applicant convicted of an offence involving violence, for a period of five years from date of conviction or, if a term of imprisonment was imposed, ten years free of convictions from the end of the term of imprisonment (meaning the date when the offender would have been released from custody had he/she served the full term of imprisonment imposed by the Court) whichever is the latter.

7 Dishonesty

- 7.1 A licence will generally not be granted to any applicant convicted of an offence involving dishonesty for a period of five years from date of conviction or, if a term of imprisonment was imposed, five years free of convictions from the end of the term of imprisonment (meaning the date when the offender would have been released from custody had he/she served the full term of imprisonment imposed by the Court) whichever is the latter.

PRIVATE HIRE OPERATOR'S LICENCE CONDITIONS

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 ("the Act")

The following conditions are made by South Derbyshire District Council in pursuance of the powers conferred by Part II of the Act to ensure efficient and effective regulation of private hire vehicle use and to ensure that proper vehicular and driver standards are maintained in the interests of public safety.

1 CONDITION OF VEHICLE

- 1.1 The operator shall ensure that any private hire vehicle operated by him (regardless of who owns the vehicle) is maintained in the condition required by the private hire vehicle licence requirements.

2 STANDARD OF SERVICE

- 2.1 The operator shall provide a prompt, efficient and reliable service to members of the public at all times, and for this purpose shall:
- (i) Ensure that when a private hire vehicle has been hired to be in attendance at an appointed time and place, the vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at that appointed time and place.
 - (ii) Keep clean, adequately heated, ventilated and lit any premises which the operator provides and to which the public have access, whether for the purpose of booking or waiting.
 - (iii) Ensure that any waiting area provided by the operator has adequate seating facilities.
 - (iv) Ensure all employees act in a civil and courteous manner.
 - (v) Ensure that any telephone facilities and radio equipment provided are maintained in a safe working condition and that any defects are repaired promptly.
 - (vi) Not tout or solicit any person to hire or be carried in any vehicle and not cause or permit any other person to tout or solicit any person to hire or be carried for hire in any vehicle.

3 COMPLAINTS

- 3.1 In any part of the premises to which the public have access, the operator shall prominently display a notice stating that "All complaints, compliments and comments are welcomed and should be directed in the first instance to: (Name of the Nominated Person)".

3.2 On receipt of a complaint, the operator shall document in a suitably bound book or on any other approved system, the following information:

- (i) date and time of complaint;
- (ii) contact details of the complainant;
- (iii) name of driver(s) against whom the complaint has been made;
- (iv) badge number of driver;
- (v) vehicle registration number;
- (vi) details of the complaint;
- (vii) date investigation was completed;
- (viii) action taken.

3.3 The complaint records referred to above shall be held and secured at the operator's business address and shall be immediately available at the request of an Authorised Officer or Police Officer at all reasonable times. Records shall be kept for a period of three years.

3.4 The operator shall, within 7 days from the date of receipt of any complaint, notify the Council in writing of any unresolved complaint received by the operator.

4 NOMINATED PERSON

4.1 If the operator is a limited company then a person(s) should be nominated who is in charge of the day to day running of the operator's business. This nomination should be notified to the Council.

4.2 Any changes to the nominated person(s) should be notified in writing to the Council within 7 days.

5 CONVICTIONS AND CAUTIONS

5.1 The operator shall immediately, and in any event not later than 72 hours, disclose to the Authorised Officer in writing if they are arrested during the term of their licence. The operator's representative may fulfil this requirement if the operator is detained.

5.2 The operator shall, within 7 days, notify the Authorised Officer in writing of any caution or conviction (including motoring offences) received during the term of their licence.

5.3 Fixed Penalty Notices (FPN) shall be reported to the Authorised Officer in writing upon acceptance from the Police Officer, as opposed to when the driving licence has been updated.

5.4 If the operator is a company or partnership, this requirement shall equally apply if any of the directors or partners are arrested, cautioned, or convicted of an offence.

6 RECORD OF BOOKINGS

6.1 The record required to be kept by the operator under section 56(2) of the Act shall be kept on a prescribed booking pad, spreadsheet, or on a trade specific computer system. This software must be capable of providing the information listed below. The entries must be numbered consecutively and no pages should be removed. The operator shall enter the required information for each booking invited or accepted by him before the commencement of each journey.

- (i) The time and date of the booking;
- (ii) The name and address of the hirer;
- (iii) How the booking was made (i.e. by telephone, personal call etc.);
- (iv) The time of pick-up;
- (v) The point of pick-up;
- (vi) The destination;
- (vii) The time at which a driver was allocated to the booking;
- (viii) The driver and the registration number of the vehicle allocated to the booking;
- (ix) Fare (if agreed at the time of booking) or indication that the meter was used;
- (x) Remarks (including details of any sub-contract).

6.2 All records kept by the operator shall be preserved for a period of not less than 18 months, following the date of the last entry. In the case of computer records the entries must be capable of being printed on demand at the request of an Authorised Officer or Police Officer.

6.3 All records must be available for inspection and copying if required by an Authorised Officer or Police officer.

7 RECORD OF VEHICLES

7.1 In accordance with the provisions of section 56(3) of the Act, the operator shall keep a record of all private hire vehicles operated by him or her and such record shall include the following particulars:

- (i) The registration mark of each vehicle;
- (ii) The make, model, colour of the vehicle;
- (iii) The name and address of the vehicle proprietor;
- (iv) The name, address and licence number of the driver driving the vehicles;
- (v) Details of any radio call sign used;
- (vi) Expiry date of the vehicle plate, MOT and certificate of insurance.

7.2 Such records shall be retained at all times the vehicle is used to fulfill bookings for the operator.

7.3 All vehicles used by the operator to fulfill any bookings shall be licensed with South Derbyshire District Council only.

8 RECORD OF DRIVERS

8.1 In accordance with the provisions of section 56(3) of the Act, the operator shall keep an up to date record of all drivers of private hire vehicles operated by him or her and such record shall include the following particulars:

- (i) The drivers of the vehicles, and their call signs;
- (ii) When any new driver begins service;
- (iii) When any drivers service ceases;
- (iv) Any change of address of any driver in service;
- (v) The details of the vehicle driven by each driver;
- (vi) Any illness, disability or condition which may affect the driver's ability to safely carry out his duties (if the operator becomes aware of any such condition);
- (vii) Expiry dates of the driver's badge.

8.2 Such records shall be retained at all times the driver is used to fulfill bookings for the operator.

- 8.3 All drivers used by the operator to fulfill any bookings shall be licensed with South Derbyshire District Council only.

9 LOST PROPERTY

- 9.1 The operator shall deliver any property left in the vehicle and handed to him by the driver to the local police station as soon as possible and, in any event, within 48 hours if not sooner claimed by or on behalf of the owner and shall, so far as is reasonably possible, supply the Police with all relevant particulars concerning such property.
- 9.2 Should the Police not accept any article of lost property, that article must be retained by the operator for a period of not less than three months, unless sooner claimed by or on behalf of its owner, and during that period the operator shall take all reasonable steps to return the item to its owner.
- 9.3 The operator shall keep a record of all lost property retained by him at 9.2 above.

10 RADIO EQUIPMENT

- 10.1 The operator shall ensure that any radio equipment at his premises used in connection with his business shall be kept in a safe condition, in proper working order and not interfere with any radio or telecommunication equipment.

11 FARES AND FARE TABLE

- 11.1 The operator upon request shall agree the fare for a journey booked, or explain that the journey will be metered. When a meter is to be used, an estimate of the fare should be given.
- 11.2 Should the operator dispatch a vehicle with a taximeter, they shall ensure that the vehicle is displaying the correct tariff, and the meter is calibrated to this tariff.
- 11.3 Where a meter is used, the operator shall ensure that the fare for such bookings does not exceed the rate on the meter.
- 11.4 The operator must provide a copy of their fare table to the Council. A new copy must be provided to the Council within 7 days if any changes are made to the fare table.

12 SMOKING

- 12.1 The operator shall ensure that:
- (i) all vehicles used to fulfill bookings display 'No Smoking' signs;
 - (ii) no person smokes in any building or any private hire vehicle; and
 - (iii) all buildings display 'No Smoking' signs.

13 INSURANCE AND MOT

- 13.1 The operator shall retain a copy of the insurance and MOT certificate for any vehicle they use to fulfill private hire bookings.

13.2 Where the operator maintains a bookings office open to members of the public, they shall ensure that the premises is covered by a suitable level of public liability insurance of at least £1million during the term of the licence.

13.3 Insurance cover for employee's liability shall be in force for the full term of the licence.

14 COPY OF LICENCES

14.1 Before the operator permits or employs any person, he or she shall have retained a copy of their private hire driver's licence and private hire vehicle licence. This shall be retained until such time as the driver ceases to be employed by the operator. On cessation of service or employment, the operator shall return the copy of the licence to the driver.

14.2 The operator shall notify the Authorised Authority within 7 days of the details of any new driver commencing work with them, and any drivers who no longer work for them.

15 CHANGE OF PERSONAL DETAILS

15.1 Should any person named on the licence change their personal details they shall within 7 days notify the Authorised Officer in writing. Changes shall include change of address (personal and trading), name (personal and trading), phone number, mobile number and e-mail address.

16 COPY OF LICENCE AND CONDITIONS

16.1 A copy of the operator's licence and these conditions must be kept at the premises to which they relate, and shall be made available to any person upon request.

16.2 A replacement copy may be obtained from the Council by requesting one in writing. A fee will be payable.

17 WHEELCHAIR ACCESSIBLE VEHICLES

17.1 The operator shall ensure that no wheelchair accessible vehicle is used to fulfil bookings unless the driver, or a driver's assistant is trained, and fully conversant with the correct method of operation of all ramps, lifts and wheelchair restraints fitted to the vehicle.

18 SIGNS AND ADVERTISING

18.1 The operator shall not use the word, "Taxi", "Cab", or any combination of these words on any sign, notice, website, e-mail, flyer, or advertisement displayed on or outside his/her premises, or on any stationary or business cards.

18.2 The operator shall ensure that all vehicles used to fulfill any bookings have the required signs on the vehicles with the correct wording.

19 BOOKING OFFICE ADDRESS

19.1 All bookings must be accepted at the address detailed on the licence.

19.2 The operator must maintain an office within the Council's area with a land line phone number at all times during the term of the licence.

20 ACCESS

20.1 Access to the premises must be given to an Authorised Officer for the purpose of checking and obtaining copies of records that an operator is required to keep. The Council will endeavour to make all inspection visits at a reasonable time.

21 SPECIFIC CONDITIONS FOR OPERATORS BASED IN DOMESTIC HOMES

21.1 No vehicles other than those directly owned by the registered occupier(s) of the property may be dispatched directly from the premises to fulfill a booking.

21.2 No restroom, or refreshment facilities shall be provided at the property for any drivers employed by the operator.

21.3 No employed or self-employed drivers shall visit the premises during their hours of work other than to drop off takings, or pick up wages.

21.4 No radio mast must be used, unless relevant planning permission has been obtained.

22 VARIATION OF CONDITIONS

22.1 The Council reserves the right to vary, delete or waive any of these conditions.

DOCUMENT HISTORY

Issue No	Issue Date	Approved by
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1	January 2009	Council
2	April 2012	Council
3		

PRIVATE HIRE VEHICLE LICENCE CONDITIONS

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 (“the Act”)

The following conditions are made by South Derbyshire District Council in pursuance of the powers conferred by Part II of the Act to ensure efficient and effective regulation of private hire vehicle use and to ensure that proper vehicular and driver standards are maintained in the interests of public safety.

1 General

- 1.1 The licence holder shall ensure that they comply in all respects with the requirements of any Act and Regulations affecting the operation of private hire vehicles and motor vehicles, these conditions and any Code of Practice implemented by the Council.

2 Appearance of the Vehicle

- 2.1 Vehicles shall be right hand drive, be able to carry no more than 8 passengers, have a minimum of 4 doors and shall not have an engine capacity of less than 1250cc.
- 2.2 The exterior of all licensed vehicles shall be maintained in a clean, safe and proper manner at all times. In particular, the exterior of the vehicle shall:
- (i) be free of dents;
 - (ii) be free of visible rust;
 - (iii) be free of any scratches over 10cm in length;
 - (iv) be free of unrepaired accident damage;
 - (v) have uniform paintwork equivalent to that applied by the manufacturer;
 - (vi) not be missing any exterior trim;
 - (vii) have all 4 hub caps (if part of the original specification) present, matching and scuff free; and
 - (viii) be maintained in an acceptable state of cleanliness.
- 2.3 The interior of all licensed vehicles shall be maintained in a clean, safe and proper manner at all times. In particular, the interior of the vehicle shall:
- (i) be free of stains to the upholstery, including carpets and door trim;
 - (ii) be free of splits and tears to the passenger seats;
 - (iii) be maintained in an acceptable state of cleanliness;
 - (iv) have no edges or damaged items likely to cause injury to a passenger;
 - (v) be free from damp and odour that may cause passenger discomfort; and
 - (vi) provide seats functioning in accordance with the manufacturers’ specification.
- 2.4 All licensed vehicles must be tested at the Council’s depot every 6 months. Any vehicle not passing this depot check will be suspended until such time as a pass certificate is provided to the Licensing Department.

3 Maintenance of the Vehicle

- 3.1 The licence holder shall:
- ensure that the vehicle is in a roadworthy condition, thoroughly cleansed, all equipment fittings and fixtures are present and serviceable and complies with the conditions attached to the licence relating to the vehicle before the commencement of any journey;

- record details of checks and inspections in the record book;
- repair any reported defect before the commencement of any journey.

4 Alteration of Vehicle

- 4.1 No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without written approval of the Council prior to any changes to be made.
- 4.2 If the vehicle is already licensed, the licence will be suspended while the changes to the vehicle are being made. The licence plate must be returned to the Council.
- 4.3 Once any changes have been made, the licence holder must provide the Council with a Confirmation of Compliance notification from the Driver and Vehicle Standards Agency (DVSA).

5 Seat Belts

- 5.1 All vehicles must be fitted with fully operational seat belts, one for each passenger to be carried, fully compliant with the relevant British Standard, except where legislation specifically provides an exemption.
- 5.2 In relation to the carriage of all passengers, including children, the requirements of all relevant legislation must be complied with.

6 Passenger Capacity

- 6.1 The licence holder shall not convey or permit to be conveyed in the licensed vehicle a greater number of persons (regardless of the age or size of the passengers) than the number of persons prescribed in the licence for the vehicle and specified on the vehicle identification plate affixed to the rear of the vehicle.
- 6.2 The number of passengers must not exceed the number of restraints available in the vehicle.

7 Fire Extinguishers

- 7.1 The vehicle shall contain a fire extinguisher which shall meet the requirements of the relevant legislation and be in the licensed vehicle at all times.
- 7.2 The fire extinguisher shall be indelibly marked with the licensed vehicle's plate number.
- 7.3 The fire extinguisher must be maintained in good working order, the operating instructions must be legible and the driver of the vehicle must be familiar with its use.

8 First Aid Kit

- 8.1 All licensed vehicles must carry a first aid kit suitable for treating minor injuries that complies with the advice of the Health and Safety Executive as a minimum. There is no requirement for a driver to administer first aid treatment. However, the first aid kit should be made available to passengers or any person(s) where appropriate.
- 8.2 The first aid kit should be stored in such a position so as to be readily available to the driver at all times.

- 8.3 The first aid kit should be marked with the licensed vehicle's plate number and replenished as necessary to conform with any product expiry date.

9 Luggage

- 9.1 Adequate clean storage for passenger luggage must be available. Luggage carried must be suitably secured in place without obstructing any emergency exits.
- 9.2 No luggage may be carried on the roof of the licensed vehicle unless carried in an approved enclosed securely fitted device or secured to factory fitted roof rails with adequate protection for such luggage from adverse weather.
- 9.3 If the licensed vehicle is an estate, hatchback or multi-passenger type vehicle then whilst carrying luggage a grill or securely fitted net or manufacturers fitted parcel shelf must be fitted to prevent luggage entering the rear passenger compartments.

10 Insurance and MOT

- 10.1 The licence holder must provide the Council with a continuous current insurance for the period of the licence. The insurance certificate must comply with the requirements of any relevant legislation. The insurance certificate must cover the licensed vehicle for use as a private hire vehicle and must insure all drivers of the vehicle for that purpose. Failure to provide an updated insurance certificate before the expiry of the current documents will result in the licence being suspended until such a time as a new insurance certificate has been received.
- 10.2 The licence holder must ensure that there is a current certificate of MOT provided to the Council for the period of the licence. Failure to provide an updated MOT certificate before the expiry of the current document will result in the licence being suspended until such a time as a new MOT certificate has been received.

11 Licence Plates

- 11.1 At all times, the licensed vehicle must display the licence plate provided by the Council unless an exemption has been granted in writing by the Council. The plate should be securely fixed in an external prominent position on or above the rear bumper of the vehicle. The two sided internal plate must be displayed clearly in the front windscreen.
- 11.2 The licence plate remains the property of the Council and must be returned within 7 days upon termination of the licence which may be due to suspension, surrender, revocation or expiry.
- 11.3 If an exemption has been granted by the Council from displaying the licence plate as required in condition 11.1 above, the exemption letter issued by the Council and the licence plate must be carried in the vehicle at all times.

12 Signage and Advertising

- 12.1 No licensed vehicle will be permitted to have a roof sign or any other kind of fixing on the roof.
- 12.2 All licensed vehicles must display signs stating the name of the private hire operator, their telephone number, and the statement, "Advanced Bookings Only" on both sides

of the vehicle. The sign should be legible for members of the public to read easily. The signs must be displayed on the licensed vehicle at all times during the period of the licence.

- 12.3 Where a licensed vehicle is used by more than one operator, the licence holder must ensure that the correct identifying signs are attached to the vehicle when fulfilling any booking.
- 12.4 For any signage in addition to that detailed at condition 11.2, approval must be obtained from the Council in writing prior to any signage being added to the licensed vehicle.
- 12.5 No signage shall include the word "TAXI", "CAB" or the words "FOR HIRE" or combinations of the above, or any other words that are likely to cause a person to believe that the vehicle is a hackney carriage and available for instant hire.
- 12.6 No signage must be placed in or on the rear window of the licensed vehicle so as to avoid the driver's view from being obscured.

13 Communications Devices

- 13.1 Any radio equipment fitted to the vehicle shall be kept in a safe condition, comply with statutory requirements and not interfere with any radio or telecommunication equipment.
- 13.2 The use of a Citizen Band (CB) transmitter or receiver is prohibited.
- 13.3 The use of radio scanning devices is prohibited and such devices must not be fitted or carried in the vehicle.
- 13.4 Drivers relying on mobile phones as their communication device shall ensure that the phone is connected to a bluetooth device to enable hands free operation. Nothing in this section overrides the law regarding the use of mobile phones whilst driving on a public highway.

14 Taximeters

- 14.1 It is not compulsory to have a taximeter installed in a licensed vehicle. Where a taximeter is fitted, the licence holder must provide the Council with:
 - (i) a calibration certificate;
 - (ii) details of the fare that the meter is set to.
- 14.2 A tariff card must be displayed in the vehicle showing the current fares payable.
- 14.3 The Council will require a new calibration certificate and new fare details each time a licence holder changes the private hire operator that they work for or the fare table changes.
- 14.4 The taximeter must be maintained in sound mechanical condition at all times, be securely fixed in the licensed vehicle, be clearly visible to passengers at all times and be fitted with seals so that it is not practicable for any person to tamper with except by breaking, damaging or permanently displacing the seals or other appliances.

- 14.5 Where a taximeter is not used, drivers must agree the cost of the journey with the passenger(s) prior to undertaking the journey. At the conclusion of the journey, the fare charged should not exceed the amount previously agreed.

15 Trailers

- 15.1 Trailers may only be used with the prior written approval of the Council and subject to the following requirements:

- (i) The driver's DVLA driving licence must cover the categories that allow the towing of trailers, currently 'BE' for cars and 'D1E' for a minibus, as amended by any subsequent legislation;
- (ii) The trailer must at all times comply with all requirements of road traffic legislation, in particular those as laid down in the Road Vehicles (Construction and Use) Regulations 1986;
- (iii) The trailer must be presented for inspection at the Council depot every 6 months, with the licensed vehicle it is to be used with, the cost of which is to be paid by the licence holder;
- (iv) The vehicle insurance must include the towing of a trailer;
- (v) A suitable lid or other approved means of enclosure shall be fitted to secure and cover the contents of the trailer whenever in use;
- (vi) A suitable tow-bar, with working electrics must be fitted to the vehicle;
- (vii) It must not be left unattended anywhere on the highway;
- (viii) The trailer must only be used on pre-booked journeys when excess luggage is to be carried and not for general use;
- (ix) The trailer may only be used on the licensed vehicle that it was presented with at the Council Depot;
- (x) No advertising shall be permitted anywhere on the trailer;
- (xi) A spare wheel is carried at all times;
- (xii) The trailer must be plated by the manufacturer stating the maximum load permitted
- (xiii) The speed restrictions applicable to trailers must be observed at all times;
- (xiv) Trailers must display an identical licence plate to the licensed vehicle at all times when attached to the licensed vehicle. The Council may charge an administrative fee for the duplicate plate.

16 Wheelchair Accessible Vehicles

- 16.1 Any wheelchair accessible vehicle must comply with the following requirements:

- (i) Access to and exit from the wheelchair position must not be obstructed in any manner at any time except by wheelchair loading apparatus;
- (ii) Wheelchair internal anchorage must be of the manufacturer's design and construction and secured in such a position as not to obstruct any emergency exit;
- (iii) A suitable restraint must be available for the occupant of a wheelchair;
- (iv) Access ramps or lifts to the vehicle must be securely fixed prior to use, and be able to support the wheelchair, occupant and helper;
- (v) Ramps and lifts must be securely stored in the vehicle before it may move off;
- (vi) The licence holder and all drivers must be suitably trained on how to use the equipment, and how to handle a person in a wheelchair;

- 16.2 Any equipment fitted to the vehicle for the purpose of lifting a wheelchair into the vehicle must be tested every 6 months in accordance with the requirements of the

relevant legislation. Any such equipment must be maintained in good working order and be available for use at all times. The certificate must be provided to the Council.

17 Liquid Petroleum Gas (LPG)

- 17.1 Any licence holder wishing to convert their licensed vehicle to run on LPG must notify the Council prior to any conversion taking place. Once the conversion has taken place, the licence holder must provide the Council with a certificate issued by a member of the LPG Association confirming satisfactory installation, examination and testing of the vehicle in accordance with LPG Association Code of Practice. This certification is required to ensure that the vehicle is considered safe by an approved inspector.
- 17.2 If an LPG conversion involves installation of an LPG fuel tank in a vehicle's boot space (and possible relocation of the spare wheel), an amount of space shall remain free for the stowage of a reasonable amount of luggage and any spare wheel displaced as a result must be stowed in a location that does not impinge on the passenger carrying area of a vehicle.

18 Tinted Windows

- 18.1 The licensed vehicle shall comply with the Construction and Use Regulations 1986 (as amended) with respect to the fitting of tinted, opaque, darkened or privacy glass windows.
- 18.2 No film or tints should be added to the windows of the licensed vehicle in addition to the manufacturer's original specification.

19 Change of Details

- 19.1 The licence holder shall notify the Council in writing of any change of his name, address, telephone number or email address during the period of the licence within 7 days of such change. Upon receiving notification and relevant fees, an amended paper licence shall be issued by the Council.
- 19.2 The licence holder should notify the Council in writing of any change of operator within 7 days of such a change.

20 Inspection

- 20.1 All private hire vehicles must be available for inspection at all times when requested by an Authorised Officer or a Police Officer.
- 20.2 All vehicle documentation must be produced within twenty four hours, or such other time as specified, when requested by an Authorised Officer or a Police Officer.

21 Unauthorised Use

- 21.1 The licence holder shall not allow the vehicle to be driven by any person who does not hold an appropriate current private hire driver's licence issued by the Council.
- 21.2 A copy of the vehicle licence shall be lodged and will be held on record by the private hire operator until such time as the driver ceases to work for the operator. Upon such time the licence will be returned to the driver.

22 Accident

- 22.1 All accidents involving the licensed vehicle, however minor, must be reported to the Council in writing as soon as reasonably practicable, and in any case within 72 hours of the occurrence thereof, regardless of whether any party was injured.

23 Carriage of Animals

- 23.1 The licensee shall not permit any animal belonging to or under the care of the licensee to ride in the vehicle when using the vehicle for private hire, without the consent of the hirer.
- 23.2 Any animal belonging to a passenger must be conveyed in the rear seating area of the vehicle and shall, when necessary, be contained so as not to present a nuisance or hazard to the occupants of the vehicle.
- 23.3 The licensee shall not refuse any request to carry an assistance or guide dog, accompanying a person with a disability, unless the licensee has been exempted from this requirement by the Council. An assistance or guide dog must be carried free of charge in the vehicle. The notice of exemption must be displayed in the vehicle at all times.

24 Loss of Licence

- 24.1 The licence holder shall report the loss of the licence or licence plate to the Council in writing as soon as the loss becomes known. A replacement licence may be issued upon payment of a fee.

25 Transfer of Licence

- 25.1 The licence holder shall notify the Council in writing of any transfer relating to the ownership of a vehicle within 14 days of the transfer taking place. Upon notification and receipt of the current transfer fee, the Council will issue an amended licence to the new proprietor.

26 Convictions and DLVA Driving Licence

- 26.1 The licence holder shall immediately, and in event not later than 72 hours, disclose to the Authorised Officer in writing if they are arrested during the period of the licence. The licence holder's representative may fulfil this requirement if the licence holder is detained.
- 26.2 The licence holder shall, within 7 days, notify the Authorised Officer in writing of any caution or conviction (including motoring offences) received during the period of their licence.
- 26.3 Fixed Penalty Notices (FPN) shall be reported to the Authorised Officer in writing upon acceptance from the Police Officer, as opposed to when the driving licence has been updated.
- 26.4 The licence holder shall notify the Council of any suspension or revocation of their DVLA driving licence within 72 hours. The licence holder shall make his or her DVLA/EU driving licence available for inspection by an Authorised Officer or a Police Officer upon request.

27 Dual Plating

27.1 A licensed vehicle must not be licensed with another Council or subsequently be licensed with any other Council during the period of the licence.

28 Miscellaneous

28.1 The proprietor of a private hire vehicle shall not knowingly cause or permit the vehicle to be used for any illegal or immoral purpose.

28.2 Nothing in these conditions shall be interpreted as overriding the provisions of:

- (i) the Town Police Clauses Act 1847, as amended;
- (ii) the Local Government (Miscellaneous Provisions) Act 1976, as amended;
- (iii) the Transport Act 1986, as amended.

29 Health Act 2006

29.1 It is the responsibility of the driver, the vehicle proprietor, and the operator to ensure no smoking signage, as prescribed by the Health Act 2006, is displayed in the private hire vehicles at all times.

29.2 No smoking by any person is permitted in the licensed vehicle at any time during the period of the licence.

30 VARIATION OF CONDITIONS

30.1 The Council reserves the right to vary, delete or waive any of these conditions.

DOCUMENT HISTORY

Issue No	Issue Date	Approved by
1	January 2009	Council
2	April 2012	Council
3		

PRIVATE HIRE DRIVER'S LICENCE CONDITIONS

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 ("the Act")

The following conditions are made by South Derbyshire District Council in pursuance of the powers conferred by Part II of the Act to ensure efficient and effective regulation of private hire vehicle use and to ensure that proper vehicular and driver standards are maintained in the interests of public safety.

1 GENERAL

- 1.1 The licence holder shall ensure that he or she complies in all respects with the requirements of any Act and Regulations affecting the operation of private hire vehicles and motor vehicles, these conditions and any Code of Practice implemented by the Council.

2 MAINTENANCE OF THE VEHICLE

- 2.1 The licence holder shall:

- Ensure that the vehicle to be driven by him or her is in a roadworthy condition, thoroughly cleansed, all equipment fittings and fixtures are present and serviceable and complies with the conditions attached to the licence relating to the vehicle before the commencement of any journey.
- Record details of checks and inspections in the record book provided by the proprietor of the vehicle.
- Report any defect discovered by the licence holder to the proprietor of the vehicle.

3 CONDUCT OF THE LICENSEE

- 3.1 The licence holder shall:

- at all times be clean and respectable in his or her dress;
- behave in a civil and orderly manner;
- confirm the name, destination, and method of payment with every passenger prior to commencing any journey;
- take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle;
- assist any passenger in gaining access to or from the vehicle;
- assist any passenger with the loading and unloading of luggage into and out of the vehicle;
- take all reasonable steps to ensure the safety of luggage conveyed in, being loaded in or removed from the vehicle;
- afford reasonable assistance in removing a passenger's luggage to or from the entrance of any house, station or place at which he or she may collect or set down a person;
- unless otherwise directed by the passenger, proceed to the destination requested by the passenger by the shortest possible route;
- not drive the vehicle without the written consent of the proprietor of the vehicle. The written consent must be kept in the vehicle at all times;

- not drink, eat, or play audio equipment in the vehicle without the express permission of the passenger;
- ensure that no annoyance or disturbance is caused to residents or other road users whilst driving the vehicle
- not use the horn or lights of the vehicle or shout in order to signify to the passenger that the driver is waiting for the passenger;
- not drive a vehicle in a manner that may intimidate or have the potential to intimidate another road user;
- not cause or permit the vehicle to stand in such a manner as to suggest that it is standing or otherwise plying for hire or that it is a hackney carriage
- not tout or solicit any person to hire or be carried in any vehicle; and not cause or procure any other person to tout or solicit any person to hire or be carried for hire in any vehicle;
- not smoke or permit a passenger to smoke in the vehicle;
- ensure that “No Smoking” signs are prominently displayed on the front passenger window or dashboard and on the rear passenger window of the vehicle;
- not use a mobile phone whilst the engine of the vehicle is running unless it is connected to a suitable handsfree device, and the use of such a device would not infringe any road laws;
- not initiate any inappropriate dialogue with a passenger.

4 TAXIMETER

- 4.1 If the vehicle to be driven by the licence holder is fitted with a taximeter, he or she shall not drive the vehicle as a private hire vehicle unless the taximeter is in working condition, has been sealed by a company with a calibration certificate being held by the Council and the tariff of the taximeter has been submitted to the Council. If the vehicle being driven by the licence holder is fitted with a taximeter, he or she shall not cause the fare recorded to be cancelled or concealed until the hirer has had a reasonable opportunity of examining it and has paid the fare.
- 4.2 The licence holder shall not tamper with or permit any person to tamper with any taximeter with which the vehicle is fitted, with the fittings thereof, or with the seals affixed thereto. The licence holder shall ensure that when the vehicle is not in use the taximeter is switched off.
- 4.3 The licence holder shall submit to the Council a new calibration certificate and tariff if they change private hire operator or the tariff changes during the course of the licence.

5 WRITTEN RECEIPT

- 5.1 The licensee shall, if requested by the hirer, provide a written receipt of the fare paid. This receipt should include the name of the private hire operator, the name of the driver, the name of the passenger, the date, time and details of the journey and the fare paid.

6 ACCIDENTS AND DAMAGE TO THE VEHICLE

- 6.1 All accidents involving the licensed vehicle, however minor, must be reported to the Council in writing as soon as reasonably practicable, and in any case within 72 hours of the occurrence thereof, regardless of whether any party was injured.

7 PROMPT ATTENDANCE

- 7.1 When the vehicle has been hired to be in attendance at an appointed time and place, the licence holder shall, unless delayed or prevented by some sufficient cause, punctually attend with the vehicle at such appointed time and place. Prior to collecting the hirer, the licensee shall ensure that he or she is aware of the destination and how to reach the destination.

8 DRIVER'S IDENTITY BADGE

- 8.1 The licence holder shall wear the driver's identity badge issued by the Council in a position where it may be seen at all times. The licence holder shall return the identity badge within 7 days upon termination of the licence, whether such termination is through suspension, surrender, revocation or normal expiry.
- 8.2 Any loss of badge must be reported to the Council as soon as the loss becomes known. A fee will be payable for all replacement badges. The licence holder must not drive for hire or reward purposes until they receive their updated badge.

9 FARES

- 9.1 The licence holder shall:
- not demand from any hirer a fare in excess of any previously agreed for that hiring between the hirer and the operator or, if the vehicle is fitted with a taximeter and there has been no previous agreement as to the fare, the fare shown on the face of the taximeter. The licence holder shall not demand any fare higher than that shown on the face of the taximeter;
 - not demand from any hirer their personal belongings in lieu of payment;
 - cause any statement of fares provided by the operator to be exhibited inside the vehicle, in clearly distinguishable letters and figures.
- 9.2 In the event of a customer being unable to pay the required fare, the licence holder shall contact the operator immediately.

10 PASSENGERS

- 10.1 The licence holder shall not:
- convey or permit to be conveyed in the vehicle a greater number of persons than that prescribed on the licence for the vehicle;
 - without the consent of the hirer convey or permit to be conveyed any other person in the vehicle.
- 10.2 The licence holder shall ensure that all passengers between three and twelve years of age or 135cm in height wear an appropriate child restraint to travel in the front of a vehicle. If not available, these passengers must use an adult seat belt in the rear of the vehicle.

11 CARRIAGE OF ANIMALS

- 11.1 The licence holder shall not permit any animal belonging to or under the care of him or her to ride in the vehicle when using the vehicle for private hire, without the consent of the hirer.
- 11.2 Any animal belonging to a passenger must be conveyed in the rear seating area of the vehicle and shall, when necessary, be contained so as not to present a nuisance or hazard to the occupants of the vehicle.
- 11.3 The licence holder shall not refuse any request to carry an assistance or guide dog, accompanying a person with a disability, unless the licence holder has been exempted in writing from this requirement by the Council. An assistance or guide dog must be carried free of charge in the vehicle. The notice of exemption must be displayed in the licensed vehicle at all times.

12 PRIVATE HIRE VEHICLE OPERATOR

- 12.1 The licence holder shall not use the vehicle for private hire unless the bookings are invited and accepted by an operator. The licence holder shall ensure the operator has a current private hire vehicle operator's licence issued by the Council.
- 12.2 The licence holder shall notify the Authorised Officer in writing of the name and address of the operator he or she is permitted or employed to drive for within 7 days from the date he or she commenced driving for that operator.
- 12.3 If the licence holder ceases driving for the operator, he or she shall notify the Authorised Officer in writing within 7 days.

13 DEPOSIT OF PAPER LICENCE

- 13.1 The licence holder shall deposit a copy of his or her paper private hire driver's licence with the vehicle licensee and operator before driving the vehicle.
- 13.2 The licence shall be retained by the vehicle licensee and operator until such time as the driver ceases to drive that vehicle or ceases to be registered/employed by the operator.
- 13.3 Any loss of paper licence must be reported to the Council. A fee is payable for the replacement licence.

14 INSURANCE

- 14.1 The licence holder shall ensure that he or she is covered by a valid insurance policy for hire and reward before driving the vehicle.
- 14.2 The licence holder shall, on being requested to do so, produce the insurance certificate to a Police Officer or the Authorised Officer.

15 LOST PROPERTY

- 15.1 The licence holder shall ensure that, immediately after the termination of any hiring or as soon as practicable thereafter, the vehicle is searched thoroughly for any property which may have been accidentally left therein, and the operator informed immediately.

- 15.2 Any property found by the licence holder, or handed to the licensee, must be taken to any Police Station within the South Derbyshire District boundary if not claimed by or on behalf of the customer with 24 hours. Licence holders must leave it in the custody of the officer in charge of the Police Station and obtain a receipt. If the Police do not accept any article of lost property, the licence holder must pass the property to the operator.

16 MEDICAL FITNESS

- 16.1 The licence holder must maintain the standard of medical fitness required by the Council which is that normally associated with a DVLA group II driver's licence throughout the term of the licence.
- 16.2 The licence holder shall notify the Authorised Officer in writing as soon as possible, and in any event not later than 72 hours, of any illness or injury affecting his or her fitness to drive in any way.
- 16.3 Where there is reasonable doubt over a driver's fitness, the Council may direct the driver for a medical examination by a specified registered medical practitioner at any time. The applicant is responsible for the payment of all fees required for any medical examination.

17 CONVICTIONS AND DVLA DRIVING LICENCE

- 17.1 The licence holder shall immediately, and in event not later than 72 hours, disclose to the Authorised Officer in writing if they are arrested during the term of their licence. The licence holder's representative may fulfil this requirement if the licence holder is detained.
- 17.2 The licence holder shall, within 7 days, notify the Authorised Officer in writing of any caution or conviction (including motoring offences) received during the term of their licence.
- 17.3 Fixed Penalty Notices (FPN) shall be reported to the Authorised Officer in writing upon acceptance from the Police Officer, as opposed to when the driving licence has been updated.
- 17.4 The licence holder shall notify the Council of any suspension or revocation of their DVLA driving licence within 72 hours. The licence holder shall make his or her DVLA/EU driving licence available for inspection by an Authorised Officer or a Police Officer upon request.

18 CHANGE OF PERSONAL DETAILS

- 18.1 The licence holder shall notify the Authorised Officer in writing of any change in his or her personal details. Changes shall include changes of address, name, phone number, mobile number, and e-mail address.

19 COPY OF THE LICENCE AND CONDITIONS

- 19.1 The licence holder shall at times when driving the vehicle carry with him or her a copy of the licence including these conditions and shall make it available for inspection by the hirer, any other passenger, the Authorised Officer or a Police Officer upon request.

20 WHEELCHAIR ACCESSIBLE VEHICLES

20.1 All drivers of wheelchair accessible vehicles must:

- (i) be fully conversant with the correct method of operation of all ramps, lifts and wheelchair restraints fitted to the vehicle;
- (ii) before any movement of the vehicle takes place, ensure that all wheelchairs are firmly secured to the vehicle using an approved restraining system and the brakes of the wheelchair have been applied;
- (iii) ensure that any wheelchairs, equipment and passengers are carried in such a manner that no danger is likely to be caused to those passengers, or to anyone else, in accordance with the regulations detailed in Section 100 of the Road Vehicles (Construction and Use) Regulations 1986.

21 INTERIM DOCUMENTS

21.1 All necessary paperwork to support these conditions including medical, eye test, and DBS certificates shall be kept up to date during the currency of any licence, and deposited with the Authorised Officer.

22 VARIATION OF CONDITIONS

22.1 The Council reserves the right to vary, delete or waive any of these conditions.

DOCUMENT HISTORY

Issue No	Issue Date	Approved by
1	January 2009	Council
2	April 2012	Council
3		

Responses to Private Hire Licensing Policy, Private Hire Operator, Vehicle and Driver’s Licence Conditions Consultation

Responses Received	Proposed Amendment	Summary of Response	Consideration of Response
<p>Private hire driver</p>	<p>Policy 2.13 – On the initial grant of a private hire vehicle, all licences must be less than six years old from the date of registration.</p> <p>Policy 3.15 – All drivers are required to provide a prescribed certificate signed by a registered medical practitioner and a registered ophthalmic practitioner to the effect that they are physically fit to be the driver of a private hire vehicle:</p> <ul style="list-style-type: none"> (i) On initial application; and (ii) Every 3 years* until the age of 70 and every 12 months thereafter. <p>* Unless the driver is restricted to a shorter period for medical reasons.</p>	<p>Deeply concerned about the proposal to make new vehicles 6 years or less on grant. This will only benefit the Council Depot but will cause hardship to drivers in already challenging financial times where there is uncertainty. There will be maximum impact on drivers.</p> <p>The proposal to change medicals from 5 to 3 years will most certainly have a financial impact on all drivers because the cost of a medical exceeds by far the cost of an eye test which is a lot easier and cheaper to arrange. The proposal will place a greater workload on local GP practices as more medical appointments will clearly be required. By increasing the age up to 70 for an annual medical is going against the whole idea of keeping the public safe which is listed under the four objectives.</p>	<p>A concern raised in all responses. Concerns acknowledged and it is recommended to amend the Policy to:</p> <p>‘On the initial grant of a private hire vehicle, all licences must be less than 8 years old from the date of registration’.</p> <p>The Department of Transport taxi and Private Hire Vehicle Licensing: Best Practice Guidance recommends medicals in line with the DVLA Group 2 medical standards. The DVLA require that medicals are carried out every 5 years. Opticians recommend that eye tests are carried out every two years.</p> <p>It is recommended to amend the Policy to make it a requirement for medicals to be carried out every 5 years and eye tests every 2 years until the age of 65 and every 12 months thereafter. Both medical and eye tests may be required for shorter periods if the driver is restricted for medical</p>

	<p>Policy 3.12 – to ensure compliance with the Equality Act 2010, the Council requires all drivers to undertake disability awareness training.</p>	<p>The cost of the training should be met by the Council as it would be absurd if the driver is asked to pay for this after drivers have been paying for years and have more experience on dealing with the public than the Council have. Already attended a session and found it patronising. As a disabled person will use a wheelchair accessible vehicle, only drivers of these types of vehicles should undertake the training.</p>	<p>reasons.</p> <p>In line with Best Practice, it is recommended that the Licensing Authority applies the Group 2 medical standards. The Group 2 standards preclude the licensing of drivers with insulin treated diabetes however exceptional arrangements do exist for drivers with insulin treated diabetes who can meet a series of medical criteria to obtain a licence to drive category C1 vehicles. This Licensing Authority will therefore apply the C1 standards to private hire drivers with insulin treated diabetes. The Policy has been amended to reflect this.</p> <p>The Licensing Authority must comply with the Equality Act 2010. In addition, it is recommended in the Law Commission Report published in May 2014 on the reform of taxi and private hire services that licensed drivers undertake disability discrimination awareness training. Furthermore, the training covers are types of disabilities in addition to disabled people who use a wheelchair. It is recommended to make no change to the Policy.</p>
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<p>Alpha 25 Cars Ace Cars ST Travel Ltd T/A Alliance Private Hire with 23 signatures of licensed private hire drivers</p>	<p>Policy 2.13 – On the initial grant of a private hire vehicle, all licences must be less than six years old from the date of registration.</p> <p>Policy 3.12 – to ensure compliance with the Equality Act 2010, the Council requires all drivers to undertake disability awareness training.</p>	<p>Excessive compared to the national average and other nearest Councils. Difficult to buy a vehicle for the proposed 6 years due to the financial crisis. The financial burden cannot be passed on to customers as they cannot afford to pay an increased fare. Are other Councils not concerned about safety and providing a professional service? The age limit should be left at current legislation.</p> <p>The training should not be imposed on those drivers who have already completed the training as part of their NVQ.</p>	<p>See comments above.</p> <p>Recommended to make amendments to the Policy so that vehicles should be 8 years on initial grant.</p> <p>It is already stated in the Policy that drivers will not have to undertake the training if they have completed elsewhere. Proof of training will be required. No amendment to the proposal.</p>
<p>Private Hire Operator and Private Hire Driver</p>	<p>Policy 2.14 – A licensed vehicle may continue to be licensed until it reaches ten years of age from the date of first registration.</p>	<p>The condition in the current Policy for wheelchair accessible vehicles should remain the same. There are only a handful of wheelchair accessible vehicles in the District and to change the Policy will mean that there will not be many left as the cost of a wheelchair accessible vehicle is nearly triple that of a normal vehicle.</p>	<p>The condition in the current Policy states that wheelchair accessible vehicles are exempt from the current 8 year rule therefore can be licensed beyond 8 years if they vehicle is in good condition.</p> <p>No evidence that this condition has led to an increase in the number of wheelchair accessible vehicles. No comments received from the public or local disability groups that there is a lack of wheelchair accessible vehicle.</p>

			<p>It is recommended to make no change to the proposed Policy therefore all vehicles will be licensed until they reach 10 years of age and once a vehicle reaches 10 years of age, the licence will not be renewed.</p>
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Responses to Private Hire Licensing Policy, Private Hire Operator, Vehicle and Driver's Licence Conditions Consultation

Driver's Forum held on 12th August 2014.

22 drivers attended

Proposed Amendment	Summary of Response	Consideration of Response
<p>Policy 2.13 – On the initial grant of a private hire vehicle, all licences must be less than six years old from the date of registration.</p>	<p>If pass MOT and Council test then why is age policy required?</p> <p>If vehicle roadworthy then vehicle should be licensed. Concentrate on checks rather than the age of the vehicle.</p> <p>No other Council has 6 years as an age policy.</p> <p>If vehicle has to be less than 6 years old then drivers will purchase vehicles with higher mileage as they could only afford these vehicles. The Policy may make less safe.</p> <p>Mileage should be consideration rather than age.</p>	<p>Drivers aware of when they must upgrade their vehicle rather than relying on an Officer decision each year as to whether the vehicle will be licensed. This would put pressure on the driver to replace his vehicle within a month. An age policy allows the fleet to have a set standard which benefits members of the public.</p> <p>Depot check and MOT is 3 times a year. Licensed vehicles carry out excessive miles and not all vehicles are maintained to the standard of a MOT and/or depot check for the remainder of the year. Age policy would ensure that older vehicles that may have older or worn parts would not be on the road so putting members of the public at risk.</p> <p>Benchmarking exercise carried out and policy is in line with other local authorities that have an age policy.</p> <p>Very difficult to produce a policy on mileage. Anticipated that would cause further financial burden on drivers.</p> <p>Concerns acknowledged and it is recommended to amend the Policy to read:</p>

<p>Policy 3.15 – All drivers are required to provide a prescribed certificate signed by a registered medical practitioner and a registered ophthalmic practitioner to the effect that they are physically fit to be the driver of a private hire vehicle:</p> <ul style="list-style-type: none"> (i) On initial application; and (ii) Every 3 years* until the age of 70 and every 12 months thereafter. <p>* Unless the driver is restricted to a shorter period for medical reasons.</p> <p>Policy 3.12 – to ensure compliance with the Equality Act 2010, the Council requires all drivers to undertake disability awareness training.</p> <p>Application Procedures</p>	<p>Financial impact on drivers as medical expensive and eye test free.</p> <p>Recommended to be 5 years for medical so why reduce to 3 years.</p> <p>Agree with proposal as long as those drivers who have already completed the training are exempt.</p> <p>No comments to make about the new application procedures.</p>	<p>‘On the initial grant of a private hire vehicle, all licences must be less than 8 years old from the date of registration’.</p> <p>The Department of Transport taxi and Private Hire Vehicle Licensing: Best Practice Guidance recommends medicals in line with the DVLA Group 2 medical standards. The DVLA require that medicals are carried out every 5 years. Opticians recommend that eye tests are carried out every two years.</p> <p>It is recommended to amend the Policy to make it a requirement for medicals to be carried out every 5 years and eye tests every 2 years until the age of 65 and every 12 months thereafter. Both medical and eye tests may be required for shorter periods if the driver is restricted for medical reasons.</p> <p>Further detail as to the recommended Policy amendment detailed in Appendix 5</p> <p>It is recommended to make no amendment to Policy as already included.</p> <p>No change to Policy recommended.</p>
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REPORT TO:	Environment and Development Services	AGENDA ITEM: 11
DATE OF MEETING:	2nd October 2014	CATEGORY: DELEGATED
REPORT FROM:	Director of Housing and Environmental Services	OPEN
MEMBERS' CONTACT POINT:	Matthew Holford, 01283 595856, matthew.holford@south-derbys.gov.uk Angela Edwards, 01283 595935, angela.edwards@south-derbys.gov.uk	DOC:
SUBJECT:	Regulators' Code	REF:
WARD(S) AFFECTED:	All	TERMS OF REFERENCE: EDS 13, EDS 14

1. Recommendations

- 1.1 The Committee is recommended to approve the proposed actions identified in the report following a review of the Council's regulatory services in the light of the publication of the Regulators' Code.
- 1.2 The Committee is recommended to approve the contents of this document as evidence that the regulation of the business community by South Derbyshire District Council is compliant with the principles of the Regulators' Code and therefore with the requirements of the Legislative and Regulatory Reform Act 2006.

2. Purpose of Report

- 2.1 To advise Members of the changes in statutory guidance in the way that the Council's enforcement services are directed to regulate the local business community.
- 2.2 To inform the Committee of the existing measures being taken by the regulatory services in South Derbyshire District Council to ensure that law enforcement is proportionate, consistent and targeted.
- 2.3 To advise Members of actions which will be taken to further ensure that the principles of proportionality, consistency and targeting are applied to the way we regulate local businesses.

3. Detail

- 3.1 In the Autumn Statement 2012 Government announced that it would introduce a package of measures to improve the way businesses are regulated. It stated its commitment to supporting economic recovery through reducing regulatory burdens and supporting compliant business growth by the development of an open and constructive relationship between regulators and those they regulate.

- 3.2 In April 2014 the Department for Business Innovation and Skills published a [Regulators' Code](#) (the 'Code'). The Code provides a framework for regulation of businesses that directs regulators to design their service and enforcement policies in a manner that best suits the needs of businesses and other regulated entities.
- 3.3 The stated aim of the Code is to seek to promote proportionate, consistent and targeted regulatory activity through the development of transparent and effective dialogue and understanding between regulators and those they regulate. These aims are a direct replication of the 'regulatory principles' stated in Section 2(3) of the Legislative and Regulatory Reform Act 2006 ('the Act').
- 3.4 It is a requirement of the Act that relevant parts of the Council must have regard to the Code when developing policies and operational procedures that guide their regulatory activities. Specifically these parts of the Council are those defined in Schedule 3 of the Legislative and Regulatory Reform (Regulatory Functions) Order 2007 and these are;
- Environmental Health (all parts of the service);
Licensing (all parts of the service);
- 3.5 Planning enforcement, building control and Community Safety enforcement are not covered by the code.
- 3.6 The Code gives six requirements which regulators must have regard to. Within each of these six requirements the Code provides further details about how each should be met.
- 3.7 Following the publication of the Code, officers have reviewed the content, carried out a self-assessment of our existing activities from the perspective of demonstrating compliance with the Code's principles and identified any parts of the Code where we do not feel we can currently offer sufficient evidence of compliance. We have then made proposals about what we can do to address this. The outcome of the assessment is summarised in Appendix 1 of this report.
- 3.8 The assessment in Appendix 1 considers each of the six requirements of the Code (in Column 1 headed 'Requirement'). In column 2 (headed 'Cross Cutting') we have identified what we already do to meet some or all of the principles. In column 3 (headed 'Specific') we have identified what we already do specifically in relation to each of the six requirements. In column 4 (headed 'Proposals') we have identified other actions we can take to further improve our regulation of the local business sector in accordance with the Code.
- 3.9 Paragraph 2.1 of the Code states that "Regulators should have mechanisms in place to engage those they regulate, citizens and others to offer views and contribute to the development of their policies and service standards". We consider that seeking Members views on the proportionality, consistency and targeting of the relevant services by virtue of this report is a significant part of meeting this Code requirement.

4. Financial Implications

- 4.1 We do not anticipate that delivering the commitments stated in Appendix 1 will have any financial implications which cannot be met within existing budgets.

5. Corporate Implications

- 5.1 The proposals meet the Corporate Plan themes of both “sustainable growth and opportunity” and “value for money”.

6. Community Implications

- 6.1 The proposals fit with the Community Strategy theme of “A vibrant economy”. As an outcome of this report we hope to give the business community in South Derbyshire the confidence that they are being regulated in the fairest way possible in order to encourage them to invest in our District.

7. Background Papers

- 7.1 Department for Business Innovation and Skills, Better Regulation Delivery Office, “Regulators’ Code” (April 2014)
- 7.2 Legislative and Regulatory Reform Act 2006
- 7.3 Legislative and Regulatory Reform (Regulatory Functions) Order 2007

Appendix 1 – Environmental Health

Requirement	Cross Cutting	Specific	Proposals
<p>Regulators should carry out their activities in a way that supports those they regulate to comply and grow</p>	<p>We have published an Enforcement Policy, which was approved by Members and provides the guiding principles which enforcement officers are expected to follow when applying the laws they are empowered to enforce on behalf of the Council.</p> <p>The grades of officers who are authorised by SDDC under all of the legislation covered by the Code is specified in a Scheme of Delegation. This Scheme of Delegation is signed by the relevant Director.</p> <p>We have developed an enforcement decision process which forces officers to consider all of the criteria in the enforcement policy before proposing a case for prosecution.</p> <p>The decision to instigate a prosecution can only be</p>	<p>Following approval by Members, SDDC has provided a ‘without prejudice’ health and safety advisory service across Nottinghamshire and Derbyshire on behalf of the Derbyshire and Nottinghamshire Chamber of Commerce (DNCC). This service was in direct response to findings by the Chamber of Commerce that 29% of business felt that regulation put them at a competitive disadvantage.</p> <p>SDDC are playing an active role in supporting the Local Strategic Partnership to deliver a ‘Better Business for All’ project across the Derbyshire and Nottinghamshire region. See our website</p> <p>The Housing and Environmental Services Service Plan contains a number of service targets intended to support business growth, namely; Corporate Plan Indicators SM14 - Increase the proportion of premises that meet the Food Rating Scheme of 5 Stars SM15 - Reduce the proportion of premises that meet the Food Rating Scheme of 0 to 2 Stars GP 04 - Regulate businesses in a way which promotes success for South Derbyshire's economy, as well as continuing to provide public protection. Local Plan Indicators Number of new food businesses provided with free consultation advice at start up. % of planning applications recommended for</p>	<p>We will publish an updated Enforcement Policy which covers all of the Councils services covered by the Regulators’ Code.</p> <p>We will be working jointly with all other environmental health and trading standard departments in Derbyshire to identify key action points which we can all adopt to improve the delivery of regulation across the County. We will use our close working relationship with the LEP to consult on these with the business community before implementation.</p> <p>We are working with the LEP to deliver a programme of training for regulatory officers to enable them to ‘walk in the shoes’ of business operators.</p>

	approved by both the Director of Housing and Environmental Health <u>and</u> by the Legal and Democratic Services Manager.	approval. Business satisfaction with regulatory services. We use Environmental Health's facebook page to promote all food businesses who have been awarded 5 stars for food hygiene. We also use our facebook page to promote business grants and business awards.	
Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views		After every food safety inspection, the Food Business Operator is offered the opportunity to state their opinion of the inspector in an anonymous feedback questionnaire. Any dissatisfied responses are investigated by the Environmental Health Manager. The food safety officers are given a target (included in the service plan) to achieve 90% satisfaction ratings. Ways for businesses to appeal against any regulatory decisions are included in all written communications following an inspection. All appeal processes have clear timescales and are independent of the officer(s) who made the original decision.	To improve the impartiality of an appeal we are seeking an inter-authority agreement with other local authorities to enable appeals against regulatory decisions to be considered by professionals in other authorities
Regulators should base their regulatory activities on risk		Proactive inspections of businesses <u>only</u> take place after the relative risk of the business has been assessed based on an approved national risk assessment method. The frequency of inspection is always based on the national standard. Reactive inspections of businesses <u>only</u> occur where there are reasonable grounds to suspect that an offence may have occurred.	We will publish on our website details of all of the risk assessment methods so that businesses know how their risks are rated and how they can improve their risk scores.
Regulators should		Business can sometimes get different advice from	Further work is necessary to

<p>share information about compliance and risk</p>		<p>different regulators. To avoid this we support the Primary Authority national scheme. Where we disagree with another regulator we will reach an agreement with the other regulator and not leave it up to the business operator to find the solution.</p>	<p>improve information sharing between regulatory agencies. Councils and between professional groups (e.g. Environmental Health / Trading Standards / Fire Safety). We propose to drive this forward at regional and national level.</p>
<p>Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply</p>		<p>Business operators are given clear, unambiguous written feedback following an inspection.</p> <p>All written advice to business clearly differentiates between legal compliance, advice and best practice.</p> <p>Our website provides quick links to other external websites which offer regulatory advice (e.g. D2N2 Single Point of Contact, HSE, Food Standards Agency).</p> <p>We regularly promote our regulatory activity in the local press and have a target of 12 press releases a year</p>	<p>Revise all our webpages to ensure that the information and links are all up to date.</p> <p>We will set up an email contact list to enable rapid and direct contact with our business community</p>
<p>Regulators should ensure that their approach to their regulatory activities is transparent</p>		<p>We publish all of our service standards online.</p> <p>We monitor the performance of our officers against these service standards.</p> <p>We publish our performance against our service standards in reports to E&DS</p> <p>Business operators are given immediate reports following a food safety or health and safety inspection. The report requires the officer to discuss the findings with the business owner and to obtain their signed agreement of the findings.</p>	<p>We need to improve the on-line publication of feedback received from those we regulate (such as customer satisfaction surveys, data relating to complaints and appeals against our decisions)</p> <p>The Environmental Health Service is revising its service standards this year</p>

Appendix 2 - Licensing

Requirement	Cross Cutting	Specific	Proposals
<p>Regulators should carry out their activities in a way that supports those they regulate to comply and grow</p>	<p>We have published an Enforcement Policy, which was approved by Members and provides the guiding principles which enforcement officers are expected to follow when applying the laws they are empowered to enforce on behalf of the Council.</p> <p>The grades of officers who are authorised by SDDC under all of the legislation covered by the Code is specified in a Scheme of Delegation. This Scheme of Delegation is signed by the relevant Director.</p> <p>We have developed an enforcement decision process which forces officers to consider all of the criteria in the enforcement policy before proposing a case for prosecution.</p> <p>The decision to instigate a prosecution can only be</p>	<p>SDDC are playing an active role in supporting the Local Strategic Partnership to deliver a ‘Better Business for All’ project across the Derbyshire and Nottinghamshire region. See our website</p> <p>South Derbyshire District Council have signed up to the Derby and Derbyshire Licensing Enforcement Protocol. The Protocol is signed by all Derbyshire Licensing Authorities, Derbyshire Constabulary, Derbyshire Trading Standards and Derbyshire Fire and Rescue Service. The aim of the Protocol is to establish the roles played by each enforcement agency to avoid duplication for premises and aims to promote good joint-working partnerships.</p> <p>The Licensing Department are signed up to the local VAL meeting. The VAL is attended by all relevant enforcement agencies. The VAL identifies problem premises and produces an action plan to tackle the problem premises. This targets the available resources to the premises that require action.</p> <p>The Licensing Department endeavours to work with businesses to ensure compliance with the relevant piece of legislation. Enforcement action is the last resort if compliance actions do not work for problem premises or unlicensed premises.</p>	<p>The Enforcement Policy to be reviewed and updated. Joint enforcement Policy with Environmental Health to be put in place.</p> <p>The LEP are working to deliver a programme of training for regulatory officers to enable them to ‘walk in the shoes’ of business operators. The Licensing Department will participate in any relevant training.</p>

	approved by both the Chief Executive <u>and</u> by the Legal and Democratic Services Manager.		
Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views		<p>Applications for various licences can be made online via gov.uk</p> <p>A Driver's Forum is held every 6 months for licensed private hire drivers and operators to attend to discuss relevant private hire matters.</p> <p>The complaint process and form is available on the website.</p> <p>Decision notices detail the appeal procedure.</p>	<p>Further work is required to ensure that all licence applications can be made and paid online.</p> <p>Develop ways to regularly invite, receive and take on board feedback.</p>
Regulators should base their regulatory activities on risk		<p>Proactive inspections of businesses <u>only</u> take place after the relative risk of the business has been assessed based on a local risk assessment method. Proactive inspections will also be led by intelligence received by other agencies.</p> <p>Priority risks are identified based on evidence and an enforcement plan is produced based on the priority risks.</p> <p>Reactive inspections of businesses <u>only</u> occur where there are reasonable grounds to suspect that an offence may have occurred.</p>	

<p>Regulators should share information about compliance and risk</p>		<p>The Licensing Department have excellent relationships with Derbyshire Police. Joint inspections are carried out based on information received.</p> <p>Business can sometimes get different advice from different regulators. To avoid this we support the Primary Authority national scheme. Where we disagree with another regulator we will reach an agreement with the other regulator and not leave it up to the business operator to find the solution.</p> <p>The Licensing Department regularly engage with private hire operators via email to keep them up to date with issues within the Licensing Department.</p>	<p>Further work is necessary to improve information sharing between the Licensing Department and between other professional groups (e.g. Environmental Health / Trading Standards / Fire Safety).</p> <p>The website pages to add a news section for private hire drivers and operators.</p> <p>Explore the possibility of using more social media to keep licensees updated with relevant information.</p> <p>Private hire drivers fall under the definition of a notifiable occupation. Work is required to ensure that the Police have the correct contact details in order to notify the Licensing Department if any licensed drivers receive any convictions.</p>
<p>Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply</p>		<p>Business operators are given clear, unambiguous written feedback following an inspection.</p> <p>All written advice to business clearly differentiates between legal compliance, advice and best practice.</p> <p>Website pages have been updated to ensure that all information is correct.</p> <p>Guidance notes in place to assist applicants in</p>	<p>Have a plan in place to regularly revise the webpages to ensure that the information and links are kept up to date.</p> <p>Update the website to provide quick links to other external websites which offer regulatory advice (e.g. Home Office, DCMS).</p>

		submitting application.	<p>More work to be done to promote the regulatory work within the local press.</p> <p>Review guidance notes for all areas of legislation</p>
Regulators should ensure that their approach to their regulatory activities is transparent		Business operators are given immediate reports following licensing inspection. The report requires the officer to discuss the findings with the business owner and to obtain their signed agreement of the findings.	<p>Service standards to be produced and published online. Officers' performance will be monitored against the service standards.</p> <p>The performance against the service standards will be published in reports to E&DS.</p> <p>We need to improve the on-line publication of feedback received from those we regulate (such as customer satisfaction surveys, data relating to complaints and appeals against our decisions)</p>

REPORT TO:	Environmental & Development Services	AGENDA ITEM: 12
DATE OF MEETING:	2 October 2014	CATEGORY: DELEGATED
REPORT FROM:	Chief Executive	OPEN
MEMBERS' CONTACT POINT:	Mike Roylance, 01283 595725 mike.roylance@south-derbys.gov.uk	DOC:
SUBJECT:	DERBYSHIRE ECONOMIC STRATEGY STATEMENT	REF:
WARD(S) AFFECTED:	All	TERMS OF REFERENCE: EDS03, EDS10 & EDS11

1.0 Recommendations

1.1 It is recommended that the Committee:

- Endorse the Derbyshire Economic Partnership's 'Derbyshire Economic Strategy Statement'.

2.0 Purpose of Report

2.1 To outline the Derbyshire Economic Partnership's (DEP) 'Derbyshire Economic Strategy Statement' (DESS), which sets out the economic vision for the County.

3.0 Detail

Background

3.1 The DESS has been developed through the Derbyshire Economic Partnership (DEP) with the objective of defining what Derbyshire needs to secure economic prosperity and setting out what the County can do to promote and deliver growth.

3.2 To this end, the DESS represents a clear statement of intent for all economic stakeholders in Derbyshire and aims to serve a number of functions:

- Provides a key framework for all economic partners in the public, private and third sectors to work collectively.
- Sets out the economic baseline on which the need and opportunities for investment and growth are evidenced and built.

- Pursues growth and prosperity through attracting investment/funding by setting out clear objectives and priorities.
 - Presents a dynamic narrative of Derbyshire to support wider discussions and decisions.
- 3.3 Producing the DESS should ensure Derbyshire is well positioned to influence and secure funding from 'D2N2' – the Derby, Derbyshire, Nottingham and Nottinghamshire Local Enterprise Partnership (LEP). The clear objectives and priorities set out in the DESS are directly aligned to D2N2's Strategic Economic Plan, emphasising what Derbyshire has to offer the region in terms of economic growth.
- 3.4 In July 2013, the DEP Board endorsed a draft strategy outline, developed by partners and led by Derbyshire County Council. The completed DESS was subsequently endorsed by the DEP Board on 23 May 2014 and adopted by Derbyshire County Council at its Cabinet meeting on 17 June 2014. Following DEP Board endorsement, all local authority partners have been requested to approve the DESS through their individual governance arrangements.

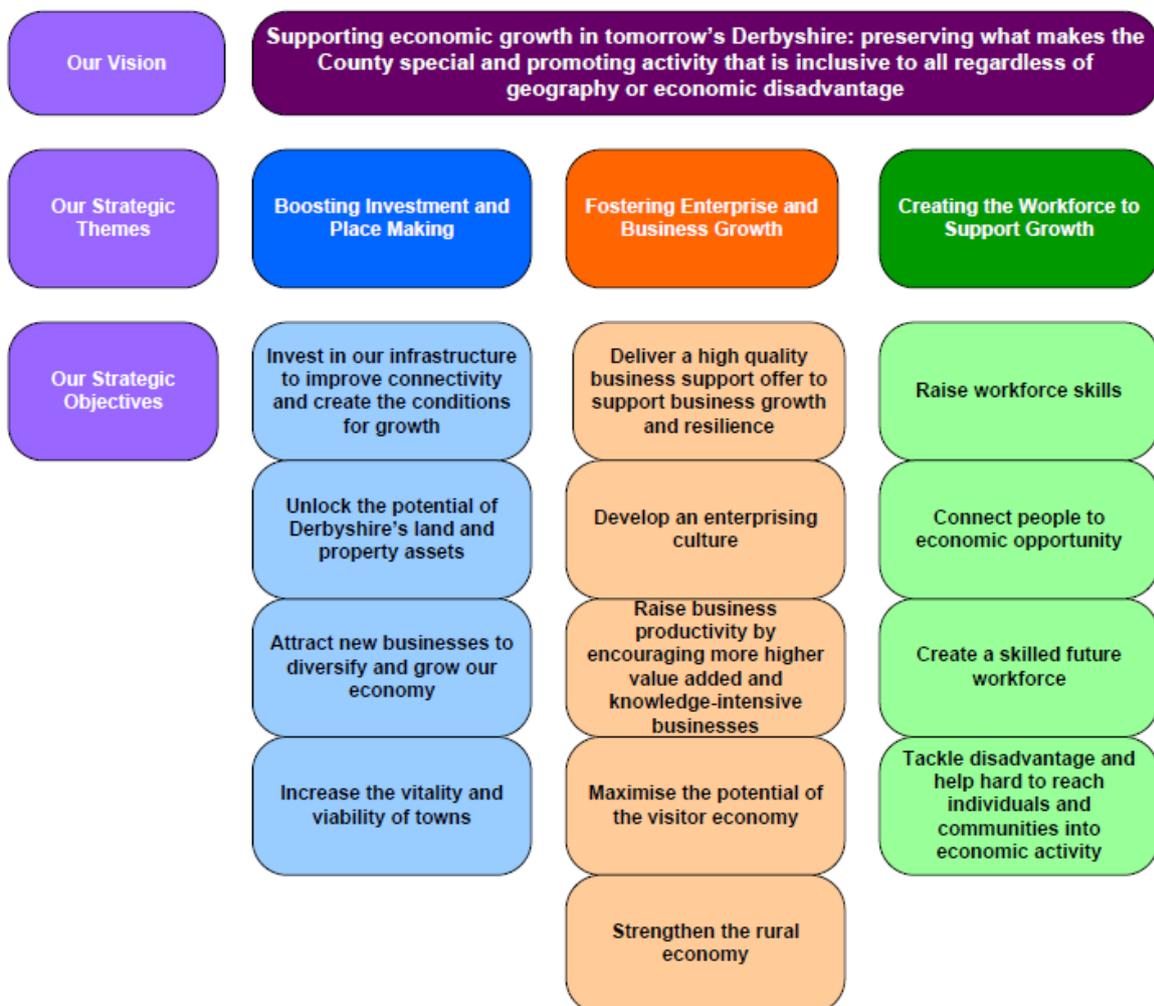
Strategy Development and Consultation

- 3.5 The DESS has been developed through two distinct project phases with the objective of ensuring all economic partners and stakeholders have had the opportunity to input and shape the final strategy.
- 3.6 The first phase of the project focused on a comprehensive scoping and background analysis which included an assessment of all relevant strategies both local, sub-nationally and nationally, statistical analysis of the Derbyshire economy (complementing the Local Economic Assessment review), and scoping interviews with local authorities and economic stakeholders. The outcome of the first phase was the development of a draft economic framework and option appraisal. The initial findings were presented to the DEP Board in February 2014 and received positive feedback from partners.
- 3.7 The second phase of the project focused on refining the proposals and priorities alongside the completion of the broader D2N2 Strategic Economic Plan and related infrastructure/investment planning work. This phase included stakeholder workshops to test options and shape the proposed vision, priorities and objectives. Following the workshops, a final draft version of the Strategy was published for wider public consultation, including publication on the DEP website and subsequent press release to attract wider stakeholder input.

Overview of Strategy

3.8 The DESS sets out an analysis of the County’s key strengths, assets, challenges and opportunities together with a framework for growth based upon a vision and strategic priorities (See Annex A). In summary, the DESS focuses upon:

- Boosting investment and place-making; particularly in relation to digital connectivity and infrastructure investment, unlocking development potential, attracting inward investment and increasing the vitality of towns.
- Fostering enterprise and business growth; particularly in relation to entrepreneurship, productivity and both the visitor and rural economy.
- Creating the workforce to support growth; particularly in relation to skills, increasing the range and connectivity of opportunities and tackling disadvantage.



Next Steps

- 3.9 The Strategy is not a delivery plan in its own right but outlines a framework for delivery and action that is capable of being used flexibly to respond to emerging opportunities and changes in regional and national programmes and priorities.
- 3.10 Implementation and further development of the DESS will be monitored regularly by the DEP Board, feeding into the D2N2 LEP through the D2 Derby & Derbyshire Joint Committee for Economic Prosperity. As the Joint Committee develops, determination of the required implementation programmes will form part of its role.

4.0 Financial Implications

- 4.1 There are no specific financial implications arising from this report.

5.0 Corporate Implications

- 5.1 The Derbyshire Economic Strategy Statement contributes directly to the Corporate Plan's vision to 'make South Derbyshire a better place to work, live and visit' and to the theme of 'Sustainable Growth & Opportunity – strengthening South Derbyshire's economic position within a 'clean' and 'sustainable' environment.

6.0 Community Implications

- 6.1 The Derbyshire Economic Strategy Statement contributes directly to the South Derbyshire Partnership's Sustainable Community Strategy vision of 'a dynamic South Derbyshire, able to seize opportunities to develop successful communities, whilst respecting and enhancing the varied character of our fast growing district'. 'Sustainable Development' is highlighted as a key theme, with the aim of achieving 'sustainable existing and new communities that meet the population's needs and aspirations.

7.0 Conclusions

- 7.1 The Derbyshire Economic Partnership's Derbyshire Economic Strategy Statement should be a key tool in promoting economic development in South Derbyshire, aiming to 'Support economic growth in tomorrow's Derbyshire: preserving what makes the County special and promoting activity that is inclusive to all regardless of geography or economic disadvantage'.

8.0 Background Papers

NA

Derbyshire Economic Strategy Statement

http://www.derbyshire.gov.uk/council/have_your_say/consultation_search/Consultation_search_index/derbyshire_economic_strategy_statement.asp



Derbyshire
Economic Partnership

Derbyshire Economic Strategy Statement

Produced by Derbyshire Economic Partnership

August 2014
FINAL



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Foreword

To be completed following endorsement

1 Introduction

The Role of DESS

1.1 The Derbyshire Economic Strategy Statement (DESS) brings together the ambitions and growth objectives of all the local authorities, private and third sector partners across Derbyshire and sets out the opportunities to drive economic growth. It presents the economic and social change we need to deliver and is the strategic framework to focus activity on agreed County-wide objectives. Sitting alongside the Derby Economic Strategy, DESS is owned and managed by all economic stakeholders and will guide our collective journey to achieve our ambitions for Derbyshire.

1.2 The Strategy is a valuable tool for all partners. It ensures we are all working towards the same goal, creating more prosperous places and resilient communities. Businesses and people are at the heart of economic development, and by working together to achieve our DESS objectives, we will create the conditions to allow them to flourish.

A Strategic Focus

1.3 By working collaboratively and strategically Derbyshire has much to offer and is an important economic player. The County contributes more than £10 billion in economic output, has higher than average employment levels and good business survival rates. It is home to major business brands such as Toyota, Thorntons, Sports Direct and Buxton Water, and has attracted significant investment in flagship developments which include Markham Vale, Castlewood and Dove Valley Park. The internationally recognised Peak District and National Forest brands and Derbyshire's industrial heritage support vibrant rural and visitor economies; and the County's strong manufacturing and engineering sectors play host to innovative and world-leading businesses which contribute to a successful cluster of manufacturing activity across the County and wider East Midlands.

1.4 The economy is not in need of major restructuring. The key to success will be making our traditional industries resilient and open to innovation, whilst attracting emerging higher value sectors that can take advantage of Derbyshire's unique offer. Indigenous businesses have survived periods of industrial decline and economic recession resulting in a strong business base across a range of sectors, almost all with significant GVA growth potential. Derbyshire values the full range of businesses and skills required to maintain and grow the economy. Micro-businesses and SMEs are an important component of our local economy and we recognise the contribution all individuals can make with the appropriate support. The County has an educated workforce; can offer a good quality of life; and has quality sites and premises for growing businesses. Derbyshire has the solid foundations for strong economic growth. The DESS will build on these foundations and further reinforce the County's position as a major driver in the regional economy.

1.5 It is evident from the economic shocks experienced over recent years that the challenges facing businesses and the workforce are continually changing; and so too, therefore, will the DESS. The Strategy will differ from traditional growth strategies that quickly become outdated as economic circumstances change. As a "living document" the DESS will be a three year rolling strategy, under continual review via the Derbyshire Economic Partnership (DEP) who will review and update an Action Plan on an annual basis. This will incorporate the most up-to-date information about the Derbyshire economy based on intelligence in the Local Economic Assessment and econometric forecast data.

Policy Drivers

1.6 Over the past five years, a combination of political change and global recession has led to a series of national policy changes and directives which present a new set of challenges for those involved in economic development and accelerating economic growth. Since its election in May 2010, and initially expressed in the Local Growth White Paper in October 2010, the Government has stated its commitment to supporting economic growth. Both the White Paper and the Treasury's Plan for Growth highlight the importance of re-balancing the national economy; reducing the reliance on a small number of sectors and geographies for prosperity; and creating an environment in which private

sector businesses can drive economic and employment growth. The context for this has however been one of national austerity, requiring the prioritisation of limited resource on interventions to deliver maximum benefit.

1.7 Lord Heseltine's 2012 report, 'No Stone Unturned in the Pursuit of Growth' emphasised the importance of place in economic development, highlighting the diverse opportunities and challenges faced by different local economies across the country. The report recommended that local places are given the initiative to generate local growth, along with incentives to encourage each area to play to its natural strengths and make the greatest possible contribution to national economic growth. The Single Local Growth Fund and the role of LEPs in leading the development of the 2014-2020 European Programme highlight the enhanced responsibilities which are being devolved to local economic geographies. This presents a significant opportunity for Derbyshire to put forward our own vision for growth which builds on our considerable diversity; tapping into our strengths and assets, and ensuring everyone benefits from economic growth.

1.8 At national level, the Government's objective of achieving strong and sustainable economic growth has a strong focus on policies to promote innovation, business growth and skills; including the Industrial Strategy, Investing in Britain's Future and Skills for Sustainable Growth. The important contribution universities make to economic growth has been highlighted in the Witty Review; and it is evident that technological developments and innovation will be an important influence on the shape of future economies. This will present new market and growth opportunities which our businesses need to capitalise on. The US National Intelligence Council has suggested that: automation and advanced manufacturing technologies; resource efficiency technology; and health technologies will be amongst the technologies driving business. These complement the UK Government's Great 8 Technologies which include, amongst other, advanced materials which is estimated to have a yearly UK turnover of £197bn. The importance of these technological drivers on cross-sector skills needs has been highlighted in research commissioned by the Derbyshire Employers Coalition which indicated that future skills needs are likely to be driven by technology, ICT and the environment.

1.9 Technological drivers and the move towards a low carbon economy will have important implications for economic growth across Derbyshire. Since the 2008 Climate Change Act, the UK has been making the transition towards a low carbon economy. The UK faces a legally binding European target to source 15% of its energy from renewable sources by 2020. If the Government seeks to meet this target through renewable electricity generation alone as much as 45% of all electricity will need to be sourced from renewable technologies, such as wind and biomass. Investment in new technologies to create low carbon buildings and low carbon transport will be required to cut emissions. The Government expects industry to reduce their emissions through greater efficiencies in the use of energy, materials and the industrial design process; the replacement of fossil fuels with low carbon alternatives; and, from carbon capture and storage to address combustion and process emissions. With a strong manufacturing base and specialism in sectors such as cement and ceramics where emission levels are typically high, the move towards a low carbon economy will have a significant influence on our local businesses. We will need to support our businesses to adapt to new legislation; adopt new ways of working; and, capitalise on new opportunities in high technology manufacturing.

Delivering for Derbyshire

1.10 With a constantly evolving national policy context, effective partnership and joint working will be vital to ensure the Derbyshire economy reaches its potential. DESS is an outward looking strategy informed by neighbouring areas strengths and the opportunities to achieve a critical mass of activity to deliver jobs and attract investment. Our economic success is closely linked to that of our neighbours; and theirs to ours. The DESS looks beyond the County's borders and gives due regard to the strategies and activities of wider partners.

1.11 The EU Growth Programme and D2N2 priorities in the Strategic Economic Plan (SEP) set the context for DESS. These include a range of thematic areas for intervention focused on innovation, business growth, infrastructure, employment and skills. The new European Programme, alongside other LEP funds, will be major sources of funding for Derbyshire and the DESS identifies how the County's unique assets and growth opportunities will contribute to the successful delivery of the EU Programme and D2N2 priorities, as well as raise the prosperity of

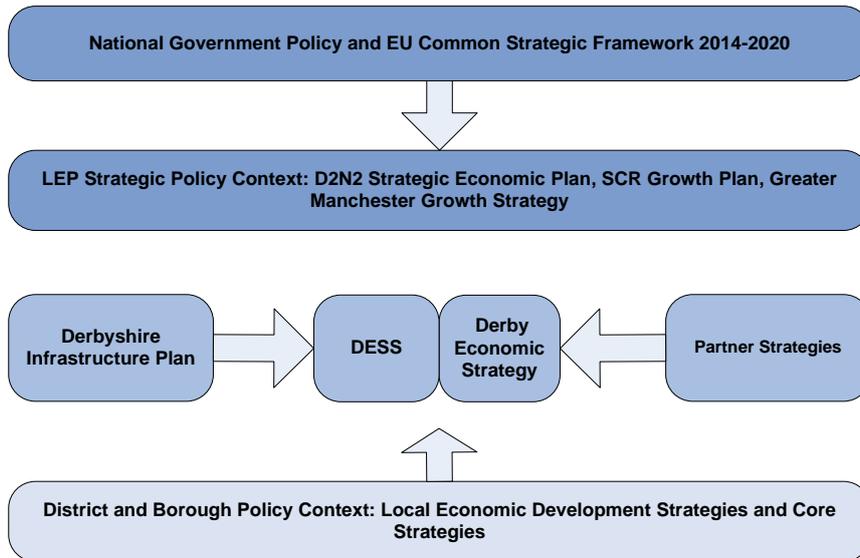
local people and businesses. The following diagram sets out the eight priority sectors of the SEP and the contribution of the Derbyshire economy to delivery.



1.12 In preparing the DESS, we have been mindful of recent developments around the Sheffield City Region and the Greater Manchester Combined Authority. With SCR planning to create an additional 70,000 new jobs and £3bn of additional output by 2023, this growth will be an important driver, particularly for North Derbyshire districts. Plans for a Sheffield City Region Growth Hub and the availability of devolved transport funding (SCRIF) for instance will support growth in Derbyshire and we need to work collaboratively with all partners to ensure we can access these opportunities. The DESS also complements other existing partner documents such as the Derby Economic Strategy and the Visit Peak District & Derbyshire Growth Strategy which set out growth and delivery priorities for key areas of the County.

1.13 The DESS has been heavily informed by partners across the County's districts and boroughs. Locally identified priorities for intervention based on robust analysis of the strengths and weaknesses of local areas, alongside a comprehensive consultation process, have provided the building blocks upon which the DESS has been developed.

1.14 The diagram overleaf provides the strategic context through which the DESS will deliver growth, linking the strategy with global, national and local priorities.



1.15 A genuine approach to joint work across all the key partners and stakeholders represented in the diagram above will be essential if we are to succeed in delivering our ambitions. We want the private sector to be a hothouse for innovation and new technology, for start ups and growth; we want our local authorities to provide the leadership, strategy development and drive for robust implementation; and we want our third sector partners to identify and deliver the opportunities for economic and social prosperity in our communities. We each have a part to play and the DESS sets our journey.

2 Our Economic Geography

2.1 Situated at the centre of the UK, Derbyshire is a large and diverse County which is home to over 750,000 people and 25,340 businesses¹. The County is geographically, economically and socially diverse incorporating heavily built-up areas as well as sparsely populated rural areas; there are contrasting levels of economic performance.

2.2 The County's economic geography is strongly influenced by its excellent location at the heart of the country and its relationship with neighbouring major urban centres and conurbations. The pull of Derby, Sheffield, Manchester, Nottingham and the West Midlands is evident in travel to work patterns and Housing Market Areas which extend beyond Derbyshire's borders.

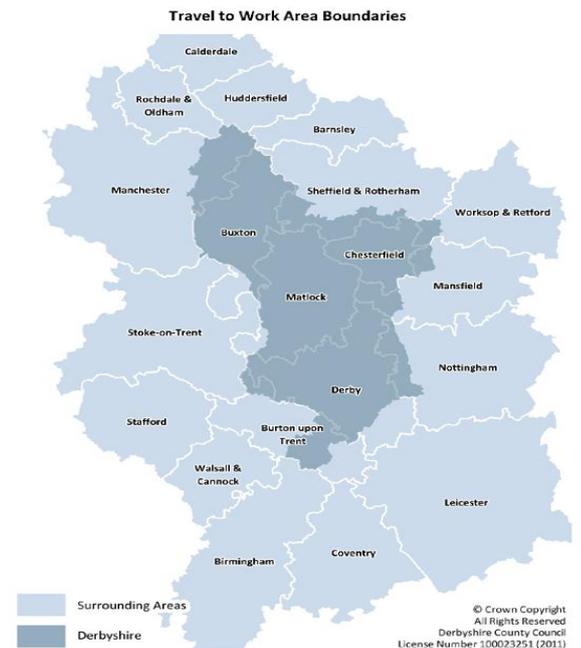
2.3 Connectivity to surrounding areas is supported by good road networks, with the M1 providing a major spine through the east of the County and providing excellent north-south access. The A50 and A38 provide links into the North West and the M6 corridor in the west whilst the A61 links our largest settlement, Chesterfield, into the wider Sheffield City Region area. Erewash in the south-east has strong ties with Nottingham, comprising part of the Nottingham Core Housing Market Area. To the North West, the High Peak and Derbyshire Dales have road and rail links into Manchester, Sheffield and Stoke on Trent. This integration with surrounding areas brings considerable opportunity to link into employment and new economic growth, as well as to deepen and expand markets for local goods and services.

2.4 A high proportion of the County is rural, with the Peak District National Park covering approximately a third of the land. The County has a strong network of local service centres, including important market towns and former industrial towns such as Alfreton, Buxton, Belper, Ilkeston, Long Eaton and Swadlincote, whilst Chesterfield performs an important function as a sub-regional service centre.

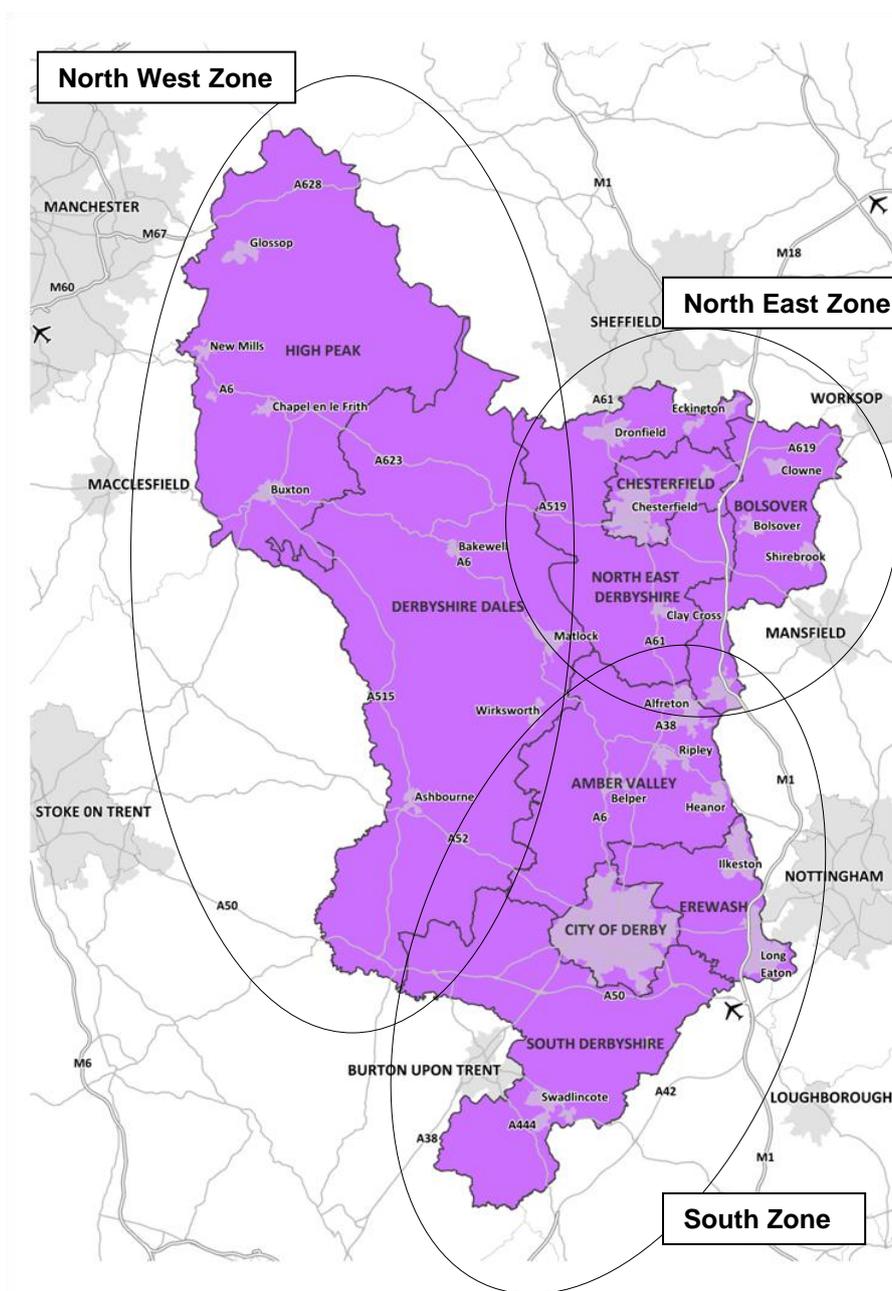
2.5 Derby City has an important economic, social and historical relationship with Derbyshire. Housing markets, labour markets, supply chains and transport routes cross County and City boundaries. The City is a significant asset and developing a strong and mutually beneficial relationship with Derby remains a priority.

Derbyshire's Functional Economic Zones

2.6 The DESS seeks to exploit opportunities in and across our economic geography. In setting out our economic zones we recognise the varying drivers and capacity for growth and are mindful of the spatial pattern of existing and future opportunities. Through the DEP, we will support collaboration and communication beyond our borders where this facilitates Derbyshire's growth and benefits our residents.



¹ VAT and/or PAYE based enterprises (2013 data)



The North East Economic Zone

2.7 The North East Economic Zone includes a significant part of “The M1 Corridor” from junction 26 (Ilkeston) to junction 30 (Barlborough). It primarily includes Bolsover and North East Derbyshire Districts and the Borough of Chesterfield. The Zone has a strong industrial heritage and its northern fringe is influenced by developments within the Sheffield City Region which attracts workers from Dronfield and surrounding communities. The geography of the area is diverse and characterised by contrasts; rural and urban; affluence and deprivation; high/poor accessibility. Securing growth whilst reducing disparities and improving prosperity within communities will therefore be a feature of development across this Zone.

2.8 The area is characterised by major employment sites and has a high business density with considerable potential for further growth. The Zone has capacity to attract significant inward investment at major employment sites

such as the Markham Vale Enterprise Zone and along the A61 Corridor. Chesterfield has a strong inward investment offer and this is being further developed through the Destination Chesterfield place marketing initiative. Significant investment opportunities include Chesterfield Waterside and Peak Resort. The Zone is likely to provide a major contribution to future GVA growth in the County given its economic diversity and critical mass of activity. The Zone will continue to diversify its local economy by moving businesses towards higher value added activities. There is potential to expand the visitor economy through the development of green and blue infrastructure² and the Zone's numerous historical, heritage and cultural attractions.

2.9 Whilst the Zone has considerable capacity for housing and business investment, low levels of demand in some areas deter speculative development. The main urban centres, which are predominantly post-industrial towns, will benefit from regeneration, public realm and place-marketing interventions to increase their viability and attractiveness to investors and housing developers; and Chesterfield will continue to strengthen its role as a sub-regional centre. This needs to be complemented with interventions to connect more people to economic opportunities within Derbyshire and the Sheffield City Region area and raise local aspirations. The Zone has a higher proportion of economic inactivity than other parts of the County, and there is a need to tackle persistent pockets of disadvantage and support hard to reach individuals and communities to improve their prospects. Raising the qualification and skills levels of the workforce will also be a priority in this Zone.

The North West Economic Zone

2.10 The North West Economic Zone primarily covers High Peak and Derbyshire Dales, extending into the rural areas of North East Derbyshire and the western fringe of Amber Valley. The North West Economic Zone is a predominantly rural area, including parts of the Derwent Valley Mills World Heritage site corridor and benefiting from a high quality landscape and the Peak District National Park - a premier and distinctive UK destination and brand. The main centres of population include Glossop, New Mills, Whaley Bridge, Chapel-en-le-Frith, Buxton, Matlock, Bakewell, Wirksworth and Ashbourne. These towns will be the focus for housing and economic growth. The urban centres have relatively buoyant economies which benefit from tourist spend and the quality of the surrounding environment which makes them attractive to businesses. Manufacturing is the largest economic sector, accounting for 16% of all employment in the wider Peak District. Wholesale/retail, and the public sector, are also significant economic sectors in the North West Zone. In addition to tourism, land based industries including agriculture, mining and quarrying, are important to the local economy. The area is home to a large proportion of high earning, highly skilled residents, but many commute out of the area for work as the Zone is characterised by a predominantly low wage economy. Unemployment is below the national average and the proportion of people employed in knowledge-based sectors is above the national average. The area has a relatively high level of entrepreneurialism, and micro-businesses are an important feature of the local economy.

2.11 The North West Zone provides significant opportunities for continued diversification of the economy and transition to higher value added businesses building on the already high levels of entrepreneurship, manufacturing sector and landscape e.g. promoting the "Inspired by the Peak District" brand. The Zone has considerable potential given its skilled workforce to create new jobs in high technology and advanced manufacturing sectors, and to maximise supply chain development opportunities with Manchester. There are opportunities for further market town investment and significant heritage-led regeneration, for example, Buxton. Priorities for this Zone include: creating new, highly skilled jobs through the provision of high quality sites suitable for advanced manufacturing, environmental technologies, ICT and creative industries; improving access to universities and research facilities to help business growth (building on the University of Derby at Buxton); developing the tourist offer; improving accessibility and connectivity; encouraging investment by high tech companies along the A6 corridor; supporting micro-business growth

² Green and blue infrastructure can enhance quality of life through recreation and improvements to the urban environment. It can also be used to support moves towards a low carbon economy e.g. cycle routes, and address environmental/climatic challenges e.g. floodwater management and sustainable energy production.

through access to quality business support; supporting delivery of RDPE and EU programmes; and developing employment space and housing in older mill and industrial complexes.

2.12 Much of the area's existing land supply is unable to meet the needs of modern businesses or potential growth sectors (creative and digital, food and drink, and tourism) and therefore requires investment and innovative solutions to bring buildings back into modern use, whilst protecting the landscape and heritage assets. Connectivity improvements are a key priority for this Zone addressing rural accessibility, congestion pinch points and broadband not-spots/connectivity speeds. Whilst rail links to Manchester are relatively good, the area requires improvements to the Buxton Line rail service to improve connectivity. Public transport provides an essential lifeline for helping people access employment. It will be important for this Zone to support residents and workers to access affordable housing provision, affordable transport to work and/or sustainable local employment opportunities, and suitable business premises and support.

The South Zone

2.13 The South Zone includes South Derbyshire, Erewash and Amber Valley. The Zone has a relatively buoyant economy with considerable growth potential, particularly within high value added activities and supply chain development. The Zone is an area of engineering excellence in the Aerospace, Rail and Automotive sectors. The location of Derby City is an important asset and the area has a mutually beneficial relationship with the City in terms of flows of labour, goods and services. It is an attractive place to live and has a relatively affluent and highly skilled workforce, although with some pockets of disadvantage and a slightly ageing population. The Zone will be an important location for housing and employment growth.

2.14 The Zone is influenced by developments within Derby and Nottingham, and South Derbyshire in particular has benefited from the expansion of Derby and arrival of The National Forest and is one of only two districts experiencing growth in private sector employment since 2009. The South Zone is planned to accommodate much of the future expansion of the city of Derby (because of constraints in other directions) – this includes housing, employment and infrastructure. Specifically, this will include Infinity Park, where land has been identified in the South Derbyshire district for its future expansion.

2.15 A manufacturing growth corridor runs along the A38/A50/M1 and A52 in the north of the Zone, the development of which has been supported by the availability of major brownfield sites and a highly skilled workforce. A key priority is facilitating high quality growth along these key corridors at major employment sites with potential. This Zone's proximity to East Midlands Airport and the Nottingham Enterprise Zone, and strong road and rail connections, provide an attractive proposition for businesses. There is further scope to develop the rural and visitor economy and revive the prospects of post-industrial and market towns. This is already underway with developments at The National Forest (a major national Government exemplar project) driving the diversification of the local economy and the enhancement of environmental quality.

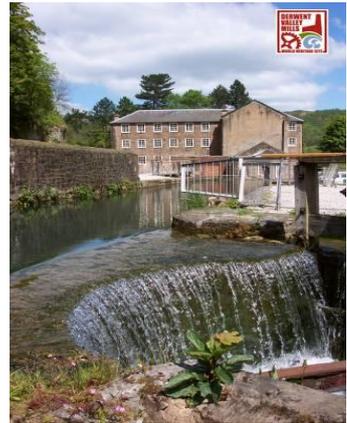
2.16 Preventing widening disparities is a priority as well as continued investment in the skills and qualifications' levels of the local workforce. The Zone has a fast growing population meaning it will need to accelerate employment opportunities, whilst accommodating new housing development. A priority is retaining these opportunities within the Zone. There is scope for further business investment and support and a need to address some of the constraints facing local employers – congestion and the availability of suitable sites and premises for instance.

Local Economic Assets and Priorities

2.17 We recognise that the capacity for growth and the nature of growth will vary across Derbyshire and although partners will face common issues and challenges, the solutions to addressing these may differ. A review of local economic priorities has highlighted the potential contribution of our districts and boroughs to growth across our economic zones. The DESS provides the strategic framework under which delivery partners can develop local approaches to growth.

3 Distinctive Derbyshire: Our Economic Offer

3.1 Derbyshire has a **strong industrial heritage**. Its natural assets resulted in coal mining, quarrying and textile industries dominating the local economy over many centuries; many regard Derbyshire as the birthplace of the industrial revolution. The legacy of the County's industrial past is still visible today in the built environment and economy and has the potential to provide the foundations for a new era of economic growth. Former industrial land, particularly in the former coalfield areas of NE Derbyshire and Bolsover, provide brownfield sites for development, former railways have been transformed into a strategic network of scenic Greenways, and the South Derbyshire former coalfield area has been reclaimed for development by The National Forest which has supported growth in the woodland and visitor economy. Former mill buildings in the preserved Derwent Valley Mills World Heritage Site in the west of the County attract tourists and provide space for modern commercial and industrial uses. Despite the impact of the economic recession, the County has retained a **strong manufacturing base; developing modern engineering excellence** and an entrepreneurial rural economy which offers considerable growth potential within medium and higher value added industries.



3.2 The County has a **strong manufacturing reputation** with many international manufacturing companies located here and international business leaders that bring significant supply chains. In an era of high business mobility, the close integration of Derbyshire's indigenous manufacturing business base provides a competitive advantage.



3.3 There is significant growth potential within the manufacturing sector. Although employment has declined over recent years; GVA is expected to increase by 144% between 2013 and 2030. This compares to a 44% increase across the East Midlands and 39% nationally. The County has high concentrations of manufacturing businesses within **food and drink; automotive; metals; minerals; rubber/plastics and furniture and textiles**. Some of these have been identified as sub-regionally significant growth sectors, and Derbyshire can play a key role in delivering growth across these sectors. The County has the capacity to build on its manufacturing heritage to increase employment within medium and high technology businesses.

3.4 In addition to manufacturing, other clusters of activity which are specific to Derbyshire include:

- **The aggregates industry:** focused within the upland areas of the Peak District. This sector continues to exploit the County's wealth of natural assets through the provision of high quality building stone and minerals exported around the country. It makes an important contribution to the local economy as a predominantly high GVA and high wage sector.
- **The creative and digital industries:** particularly in the High Peak, Derbyshire Dales and Amber Valley, where the exceptional landscape, visitor economy and proximity to surrounding cities and markets has supported the growth of micro-businesses. These industries continue to provide growth opportunities for the County and support entrepreneurialism across the North West Economic Zone. The County's urban centres have also seen the growth of technology companies, and Chesterfield College are creating new incubation facilities specifically for the creative and digital industry. GVA in the ICT sector is forecast to increase by £655m between 2013-30; the second highest rate of increase behind professional, scientific and technical businesses and almost double the national forecast rate of change.

- **The visitor economy:** the visitor economy is an important sector across Derbyshire. In addition to the Peak District and The National Forest, the County has numerous heritage, cultural, historical and leisure-based attractions which offer growth and employment potential across all districts and boroughs. Major investments such as the Peak Resort; activities in The National Forest; the development of new markets such as the festivals economy; and investment in Green and Blue infrastructure (such as the Chesterfield Canal) will support the growth of the visitor economy across Derbyshire.
- **Retail:** the retail sector is an important employer across the County, and as we look to diversify our economic base and increase the resilience of businesses, it will be important to ensure we do not overlook those businesses which provide major employment opportunities. In 2012, retail and wholesale businesses accounted for approximately 12% of total employment across Derbyshire and approximately 13% of total GVA. Developing opportunity within the retail sector will be important to maintain and enhance the individuality, vibrancy and vitality of our towns and safeguard employment.
- **Health and social care:** in 2012, the health and social care sector was the third largest sector in employment terms across the County with just under 38,000 employees. With an ageing population the sector provides an important local service function, the demand for which is expected to increase.

3.5 The County's **business survival rate is above national averages** with over 90% of businesses surviving their first year³ and 61% surviving three years⁴. Areas of rural Derbyshire in particular have **high levels of entrepreneurialism**, and High Peak has bucked the national trend and seen an increase in its business base over the past two years. **Micro-businesses form approximately 90% of firms in rural Derbyshire** and are an important asset to the Derbyshire economy. Small businesses, home-working and self employment are key features of the rural economy, supporting diversification and increased resilience as well as providing local employment opportunities to help retain young people in local communities.

3.6 **The existing business base offers considerable growth potential for the County.** Employment within small businesses has been growing and there is increased confidence as businesses are beginning to experience greater economic stability. 73% of businesses have indicated they expect their turnover to improve over the next 12 months, whilst 63% believe their profitability will increase⁵. Derbyshire also has **strong employment rates**. The economic activity rate is above the national average and between 2009 and 2012 total employment across Derbyshire increased by 3%, compared to 1% nationally, resulting in an additional 9,224 jobs over the period.

Total Employment 2009-2012				
	2009	2012	Net change	% Change
Derbyshire	277,550	286,800	9,200	3%
Chesterfield	46,350	51,000	4,650	10%
South Derbyshire	27,700	30,400	2,700	10%
Bolsover	24,950	27,150	2,200	9%
Derby	117,850	119,350	1,500	1%
High Peak	30,050	30,850	750	3%
Derbyshire Dales	34,700	35,200	500	1%
North East Derbyshire	26,900	26,650	-250	-1%
Erewash	37,000	36,400	-600	-2%
Amber Valley	49,900	49,150	-800	-2%
East Midlands	1,907,000	1,894,750	-12,250	-1%
England	23,064,700	23,225,450	160,750	1%

Source: Business Register and Employment Survey

³ 2011 data

⁴ 2009 data

⁵ DNCC Quarterly Economic Review Q4 2013

3.7 Derbyshire has a **highly skilled workforce** and resident based wages are in line with the national average. 43% of the County's workforce is in high skilled occupations, which is comparable with the national average and above the regional average. Over the past five years there has been a steady increase in the proportion of upper tier occupations across Derbyshire. Workplace occupation levels and wages are however lower than resident-based levels which reflects high levels of out-commuting amongst highly skilled workers to surrounding cities.

3.8 Derbyshire has a **vibrant visitor economy**. In 2011 visitor spend in Derbyshire was £1.72bn, an increase of 20% since 2008. The County's strong tourist offer ranges from Bolsover and NE Derbyshire's historical attractions of Bolsover Castle and Hardwick Hall in the east; the rural landscape and outdoor/sporting offer in the Peak District and The National Forest (particularly our growing reputation and business development opportunities in the cycling field); and heritage attractions such as the Derwent Valley Mills World Heritage Site and Chatsworth House. The County's **high quality landscape and environment**, and central location



makes it an attractive place to live, visit, work and invest. Continuing to build our green and blue infrastructure to preserve and enhance the landscape and character of the County will be a priority action; and we will continue to maximise the economic benefits from our environmental and cultural assets to support growth across the County and attract business investment.

3.9 The sector is set to benefit from approximately £850m of new investment over the next 5 years which includes the redevelopment of The Crescent in Buxton as a spa facility and hotel; the £300m Peak Resort development near Chesterfield which will generate approximately 3000 new jobs; a new train station at Ilkeston, the first phase of development of Cromford Mills and further investment in the cycling infrastructure in The National Park.

3.10 Derbyshire's **market towns** also offer considerable potential to attract and retain visitors. One of Derbyshire's unique features is its network of attractive and distinctive market towns such as Chesterfield, Swadlincote, Bakewell,



Buxton and Belper which have vibrant urban centres, impressive architecture, and cultural/historical assets which draw in visitors and people seeking a quality residential environment. The County is not dominated by one major urban centre which provides an opportunity to deliver equitable and inclusive growth across all our urban centres. However, the influence of Derby is recognised especially in the south of the County and opportunities exist to further strengthen links to improve vibrancy and strengthen communities.

3.11 Derbyshire's strong connections to surrounding conurbations ensure it is ideally placed to capitalise on the research, development and knowledge transfer activities of **major HEIs** such as Derby, Sheffield, Nottingham, Manchester and Loughborough; many of which have expertise in engineering, construction and advanced manufacturing. Successful investments have already been made in Buxton and Chesterfield by the University of Derby, and Chesterfield College is seeking to open a Technical Academy by the end of 2016. The County is well placed to tap into research expertise and centres of excellence such as Sheffield University's Advanced Manufacturing Research Centre at the SCR Advanced Manufacturing Park; the Rolls Royce Global Technology Cluster; and the University of Nottingham's EPSRC⁶ National Centre for Innovative Manufacturing in Food.

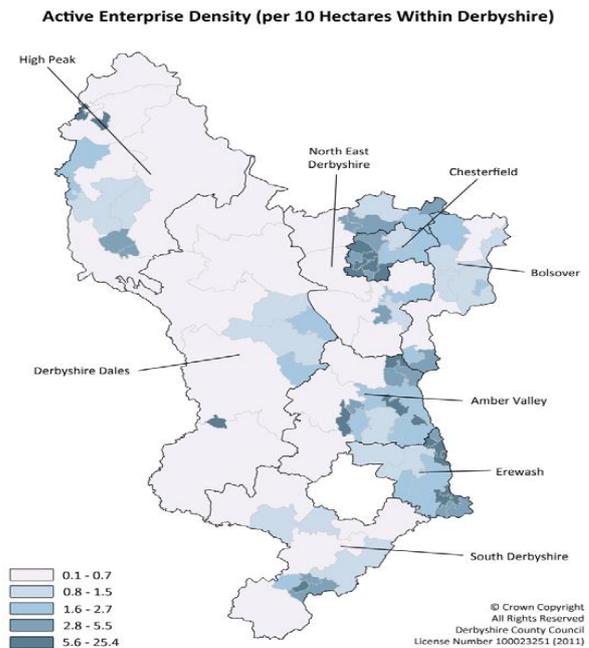
⁶ Engineering and Physical Sciences Research Council

4 Derbyshire's Untapped Potential

4.1 Derbyshire has considerable economic growth potential. Analysis of socio-economic conditions and trends suggest there are solid foundations for growth and a strong case for investment. There are however weaknesses in the economy which we need to address through targeted intervention to stimulate private sector investment and effective partnership working.

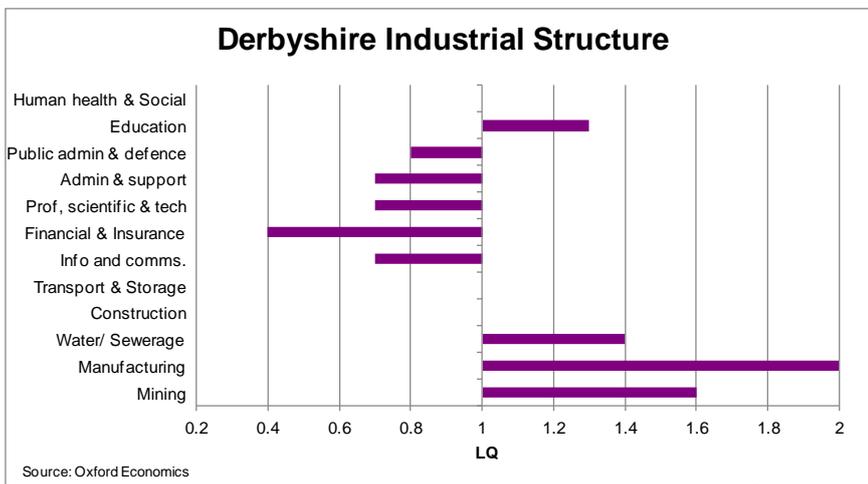
Enterprise and Employment

4.2 Derbyshire has high business concentrations in the east of the County along the M1 corridor, with further concentrations around Swadlincote, Ashbourne, Buxton and Glossop. Investment in sites and premises along the M1 corridor and developments such as Markham Vale, the Avenue and Chesterfield Waterside are now beginning to deliver on their economic potential. **Although business density is in line with regional levels, it is approximately 70% of the national average.** The County has experienced a net decrease in the business base over the last two years, with **start-up rates below the national average.** In 2012, enterprise births were 9.7% in Derbyshire (as a percentage of active enterprises) compared to 11.6% in England. Although there are encouraging signs of entrepreneurialism, with the North West Economic Zone and parts of the North East Economic Zone experiencing a net gain in businesses between 2011-12, the County needs to generate more new businesses and increase the resilience of the existing business base. All indicators suggest that once a business is established, Derbyshire provides an excellent environment for growth with strong survival rates.

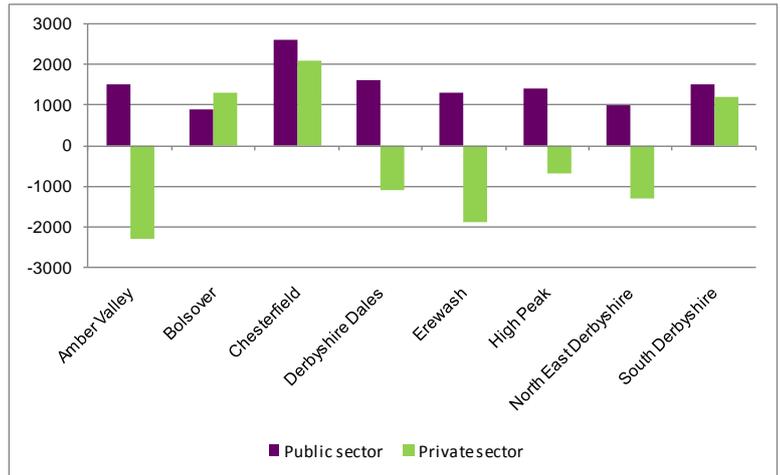


4.3 The structure of the business base reflects the County's strong manufacturing base, with higher than average proportions of businesses within construction, production and land based sectors, but **fewer businesses in sectors forecast to generate private sector employment growth** such as professional, scientific and technical; and information and communication.

4.4 This is supported by LQ data which shows comparatively low concentrations of employment in information and communication technology (ICT), and professional sectors compared to manufacturing and public sectors such as education and health/social work.



4.5 The public sector has been a ‘sustainer’ and key driver of employment growth. Although the public sector will remain an important local employer (providing approximately 32% of total employment in 2012), with the impact of future funding cuts it is unlikely this sector will provide the same level of employment growth over the coming years. Derbyshire’s economy is therefore vulnerable to further structural change. This suggests a requirement to **diversify and expand the business base** to increase resilience and create new employment opportunities in growth sectors, **reducing reliance on public sector employment.**

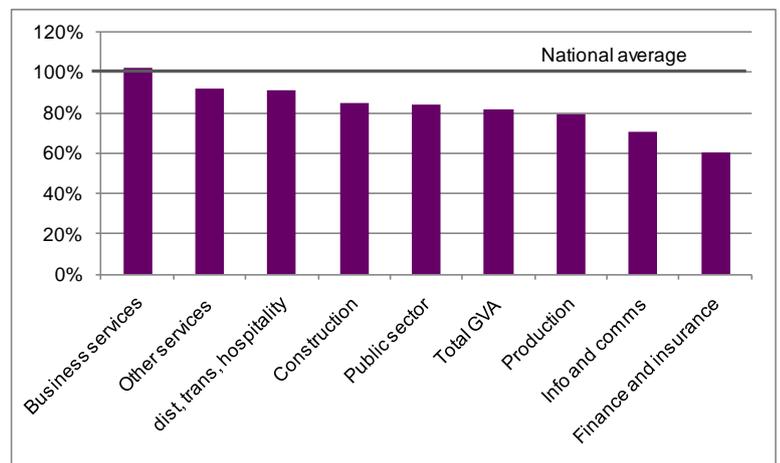


4.6 D2N2 has set an ambitious target to create an additional 55,000 jobs by 2023. Derbyshire’s share of this (based on its share of current employment in D2N2) is approximately 18,000 new jobs. With current forecasts predicting employment will grow by 9,300, this suggests a **shortfall of 8,600 jobs**. It will be important however to ensure we safeguard existing employment by raising the competitiveness of the business base, whilst **creating new employment opportunities** which will raise productivity and GVA. There are already solid foundations for growth in future employment growth sectors, with parts of the South and North West Economic Zones having an above average proportion of businesses within the professional, scientific and technical sector; and Bolsover’s LQ for the professional, scientific and technical sector in line with the UK. Our challenge therefore is to build on this activity and strengthen these sectors across the County.

Economic Competitiveness and Productivity

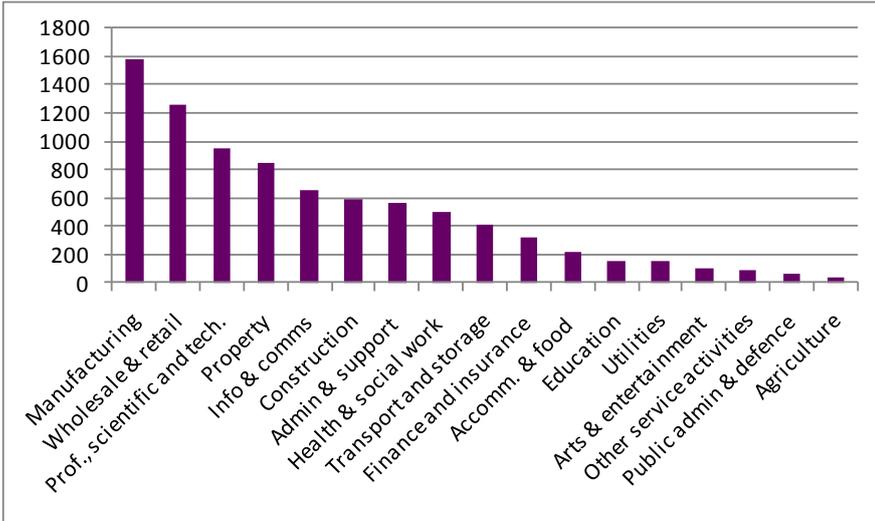
4.7 Across Derbyshire, total GVA is approximately 80% of the national average; a £2,800m shortfall. Forecast data suggests that based on current trends, between 2013 and 2030 GVA per FTE will remain below the national average. There is therefore a **need to raise GVA and business productivity.**

4.8 With such a large proportion of employment and GVA currently generated by the manufacturing sector, but with employment forecast to decline, it is vital that the sector **diversifies into higher value added activities.** The high proportion of employment within high technology manufacturing in Derby presents a significant opportunity for the County, particularly where Derby’s growth is geographically constrained. **The skills level of the available workforce needs to reflect the demands and requirements of the local economy to attract new enterprise and generate growth.**



Derbyshire GVA by Sector (Regional Accounts, 2012)

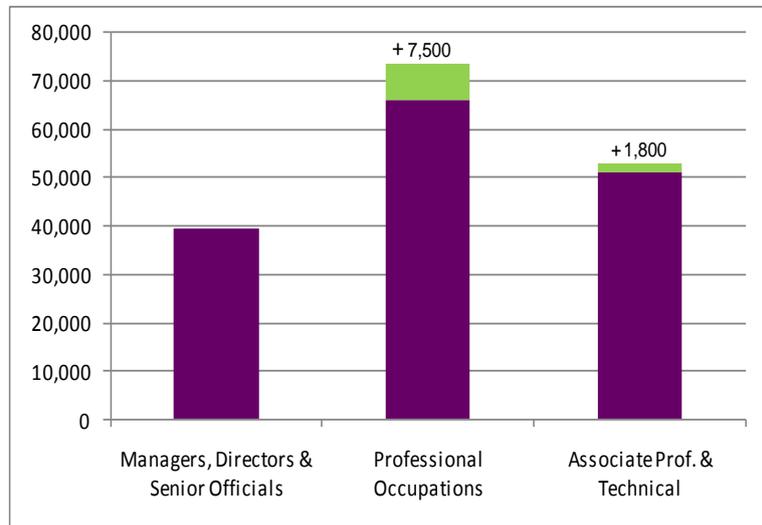
4.9 Within Derbyshire in 2012, 3.8% of total employment was within medium-technology sectors compared with only 2.7% regionally and 2.1% nationally. These sectors include the manufacture of electrical motors; wiring and electrical lighting, domestic appliances; motor vehicles; railway locomotives rolling stock; military fighting vehicles; and, transport equipment. With high technology manufacturing focused on computing, communication equipment, optical, air/spacecraft and pharmaceuticals sectors, medium technology sectors where Derbyshire already has a competitive advantage, may provide more appropriate growth opportunities, particularly over the short to medium term.



4.10 Over the long term however, the County needs to be **attracting and retaining more knowledge-based workers and industries** to raise productivity levels. The Derbyshire Local Economic Assessment 2014 suggests that at present, Derbyshire is not well placed to capitalise on knowledge-driven economic growth having a **shortfall in knowledge workers, knowledge occupations and knowledge intensive business activities**. Variable access to high speed broadband across the County also inhibits the growth of this sector.

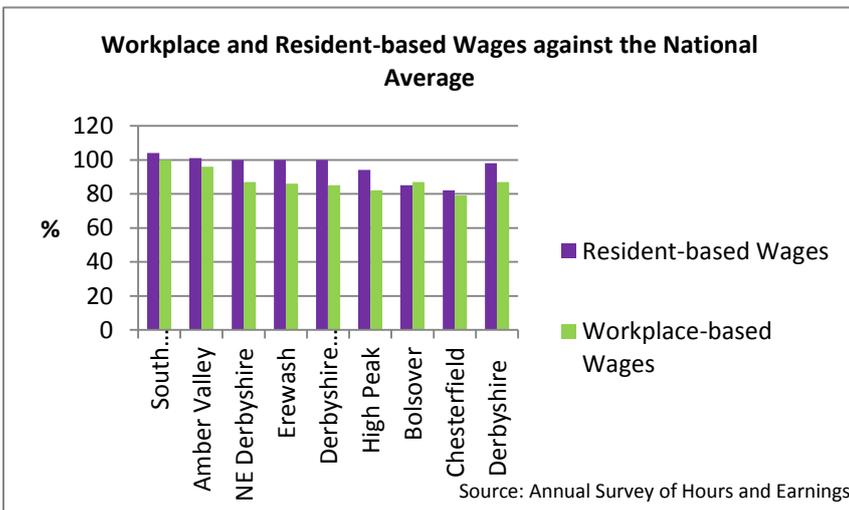
Derbyshire GVA Growth by Sector 2013-2030 (Oxford Economics, 2013)

4.11 Derbyshire has a much lower proportion of knowledge-intensive activities in its industrial structure compared with England. Analysis of residents' skills levels suggests this is a feature of our industrial structure rather than quality of the workforce. Overall, Derbyshire has a highly skilled resident workforce, but **the structure of the economy does not provide sufficient highly skilled local employment opportunities**, which has led to out-commuting - particularly to Derby and surrounding cities and conurbations. Large parts of the County have high resident-based wages and areas such as Amber Valley, South Derbyshire and the wider Peak District, have highly skilled resident populations, although the skill levels and earnings of the workforce populations are considerably lower.



Highly Skilled Occupations in Derbyshire (Source: APS)

4.12 Increasing innovation and **capitalising on Derbyshire's proximity to several Higher Education Institutes** to increase university/business links will be important if we are to increase competitiveness and productivity and move the business base towards more knowledge-based activities and occupations. This will also be important in retaining and attracting skilled workers.



4.13 Creating the **right employment opportunities within higher skilled occupations** would greatly improve the employment base and productivity. This will require expansion of the existing business base, **bringing forward sites and premises** and supporting our major local employment centres to ensure they continue to retain local employment and accommodate any increased demand for employment resulting from population growth and new housing.

Physical Infrastructure

4.14 Derbyshire has a good supply of strategic employment and housing sites but much of the land is former industrial land which requires investment in broadband, energy infrastructure, highways improvements and remediation work to bring it to the market. **Securing the investment to bring sites to market** will be important to unlock growth, particularly for housing growth which will be a major economic driver for some settlements. As the national economy stabilises and investor confidence grows, the County needs to be in a position to unlock sites and capitalise on speculative development which will generate economic opportunities and meet housing and commercial needs.



4.15 **Addressing strategic transport issues** will be a key component in providing the infrastructure for growth. Although the County is well connected and Derbyshire County Council continues to invest £20m per annum in structural maintenance and improvement schemes, local road traffic congestion is impacting on our economy. We are working closely with SCR and D2N2 to ensure local partners are supported to access devolved LTB funds - but investment in our rail infrastructure is also needed, alongside local transport schemes and development of our bus network to connect communities to economic opportunities. The proposed **High Speed Rail route (HS2)** represents both a challenge and opportunity for Derbyshire and efforts will focus on maximising the economic benefits of this major investment for the County by ensuring effective connectivity to the route and securing opportunities for employment and training, such as the proposed HS2 Skills Academy and maintenance depot. We also recognise the impact HS1 will have on the North West Zone in particular and will work to further improve economic links to Greater Manchester.

4.16 Across Derbyshire we need to **increase the quality of employment sites and premises**. Parts of the County such as Glossopdale in the High Peak, have an excess of industrial land but much of it is of poor quality with a high proportion of vacant and old premises. Opportunities to attract high quality new build and **bring old industrial estates (such as Bakewell Riverside), brownfield sites (such as Cawdor Quarry) and commercial properties back into use** to support new employment opportunities need to be explored, particularly within rural Derbyshire where environmental considerations often act as a constraint on new capital investments. The County benefits from many attractive former mill and industrial buildings which require innovative approaches to bring them back into modern use, this is particularly evident in the Derwent Valley Mills World Heritage Site. Areas of the County are already looking at opportunities to utilise these assets to accommodate local housing needs.

4.17 Access to the most up to date technology is crucial to the ability of our businesses to effectively compete in global markets. In a predominantly rural area it is also vital to the growth of rural businesses and to support home and more flexible working. Improvement to broadband connectivity is identified as a key priority for Derbyshire in the DCC Council Plan for 2014-2017 "A Fair Deal for Derbyshire, Building a Better Future Together". The County currently **lacks the high speed broadband and mobile communications infrastructure required by modern businesses**. This problem is particularly acute across rural Derbyshire where investment in communications technology is required to support business growth and competitiveness. The County has successfully secured over £7m from BDUK to improve broadband services via the Digital Derbyshire programme. This is being matched by funding from British Telecom, Derbyshire County Council and ERDF to provide broadband to an additional 88,000 premises and provide superfast connections to 95% of premises by 2016. The remaining premises will be provided with a minimum speed of 2Mbps. **All other opportunities and options need to be explored to connect the most remote and challenging premises to ensure every resident can take full advantage of the economic and social benefits of broadband.**

4.18 With economic policy increasingly focused on the contribution of major cities, we need to continue supporting **the role and functioning of Derbyshire's urban centres and market towns as drivers of local economic growth.**

Our towns have very different characteristics and needs; some such as Bakewell, Ashbourne, Chesterfield, Matlock and Belper are comparatively strong and healthy centres, whilst other predominantly post-industrial centres such as Clay Cross and Shirebook, have less critical mass or are transition economies requiring a different scale of intervention linked to housing growth, alongside local place-making interventions. This is reflected in varying average house prices, with house prices much lower in the east of the County and higher in the west and south. This diminishes the attractiveness of locations to external investors and property developers, reducing the long term viability of centres. Derbyshire's towns require continued support to ensure they provide attractive places to live, work and socialise; and can capitalise on opportunities to support growth of the visitor economy.

The Visitor Economy

4.19 With Derbyshire's quality landscape and strong historical, cultural and leisure offer, the visitor economy provides a major opportunity for economic growth. Some weaknesses need to be addressed however if the sector is to achieve its full growth potential. Between 2009-2012, employment within the sector fell by 15.1% but increased by 2.6% nationally, suggesting the sector has been particularly affected by the adverse economic conditions. 2011 data⁷ indicates that only one in ten trips to Derbyshire included an overnight stay and average visitor spend is lower than in comparable areas. In developing the visitor economy, we will be mindful of the need to create jobs of sufficiently high quality to attract local people into careers; rather than typically low wage, low skill, part time, seasonal jobs that have characterised the tourism sector in the past.

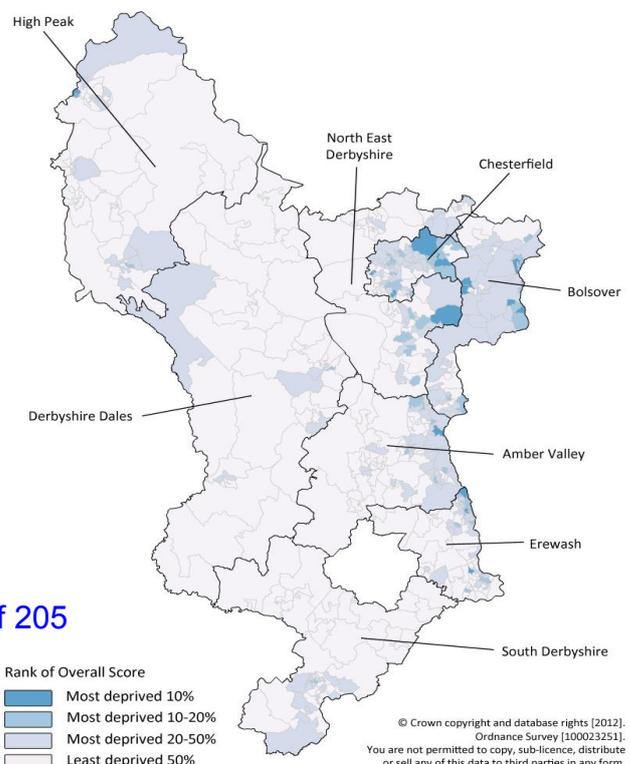
4.20 Our partners within the sector have undertaken detailed analysis of current conditions and identified opportunities to raise the quality of the tourist offer and productivity of the sector. This includes measures to improve the connectivity between key destinations and surrounding areas; capital investment to improve the quality of existing attractions, sites and assets; strengthen the County's events/festivals offer; improve marketing of the full Derbyshire offer; and support businesses within the sector to raise their competitiveness and productivity.

4.21 Whilst there is already a strong and successful focus on the visitor economy of the Peak District, we need to support development of our numerous other cultural, historical, environmental, leisure and heritage based assets and encourage **dispersal of visitors** around Derbyshire. Maximising the opportunities of new technology to create an **improved and increasingly customised visitor journey** through quality information, mapping and directions will be important. The preservation and further development of the County's cycle network, rivers and canal networks (green and blue infrastructure) to offer both sustainable travel to work routes and extend the visitor offer will also be critical in maintaining our economic advantage in this area. There is significant opportunity to increase Derbyshire's market share of regional, national and international tourists (particularly from the Far East and North America), as well as encouraging greater take-up of the tourism offer by local residents.

People and Communities

4.22 Whilst the proportion of people in Derbyshire within highly skilled occupations is relatively high, there is a threat of widening disparities across the County.

4.23 Youth unemployment remains high. Recent data (January 2014) indicates unemployment amongst the under 25s as a proportion of total unemployment is 29.6% in Derbyshire, compared with 24.7% nationally. Within the County, the youth unemployment rate is generally higher in the North East Economic Zone and lower across the North West and South Zones. **We need to raise the aspirations of young people**, particularly within the most



⁷ 2014 Local Economic Assessment.

disadvantaged communities and improve information, advice and guidance to **facilitate effective transitions from education into sustained employment**, increasing the accessibility and opportunities presented through apprenticeships, traineeships and vocational training – alongside formal training – to help ensure the skills profile of the County matches employers' needs. Within rural areas, the challenge lies in assisting young people into quality employment on secure contracts to prevent out-migration.

4.24 Overall, Derbyshire has a high level of economic activity⁸ (78.9% in Derbyshire compared with 77.6% nationally). However, claimant count unemployment rate data highlights **high concentrations of unemployment** in the North East Economic Zone compared with the rest of the County and within pockets of isolated wards such as Gamesley and Cotmanhay. We need to ensure people within these communities are supported to benefit from future economic growth and hidden unemployment and deprivation is not over-looked. Positive interventions to address long term unemployment and get the short term unemployed back into work is key to tackling disadvantage and maximising the economic offer of all Derbyshire's workforce.

4.25 Communities with **higher levels of deprivation** (within the most deprived 10%) are concentrated primarily within the North East Economic Zone. The extent of economic restructuring within this Zone will have a bearing on levels of deprivation, but it is important to note that whilst deprivation levels are improving in the North East, they are deteriorating in the South Zone e.g. parts of Erewash and the Derbyshire Dales. We need to ensure we support people within disadvantaged and isolated communities to benefit from new economic opportunities.

4.26 Although earnings (resident and workplace-based) as a whole are lower across Derbyshire than nationally, they are much lower in parts of the North East Economic Zone. In 2013, average weekly resident earnings were £422 compared with approximately £510 nationally. Low income levels, but an increasing cost of living raises the **risk of financial exclusion** amongst the most vulnerable parts of the population. We need to create the right jobs, which provide skilled employment opportunities and support people to access these through training, employment support and removing physical barriers to accessing better employment.

4.27 **Health issues** can act as a significant barrier to employment, particularly within former industrial communities. The proportion of working age people with a limiting long term illness is higher in Derbyshire than nationally (14.6% and 12.7% respectively in 2011). Eighteen wards however have limiting long term illness levels of above 20% and these tend to be located in former industrial communities, particularly in the North East Economic Zone and parts of the South Zone.

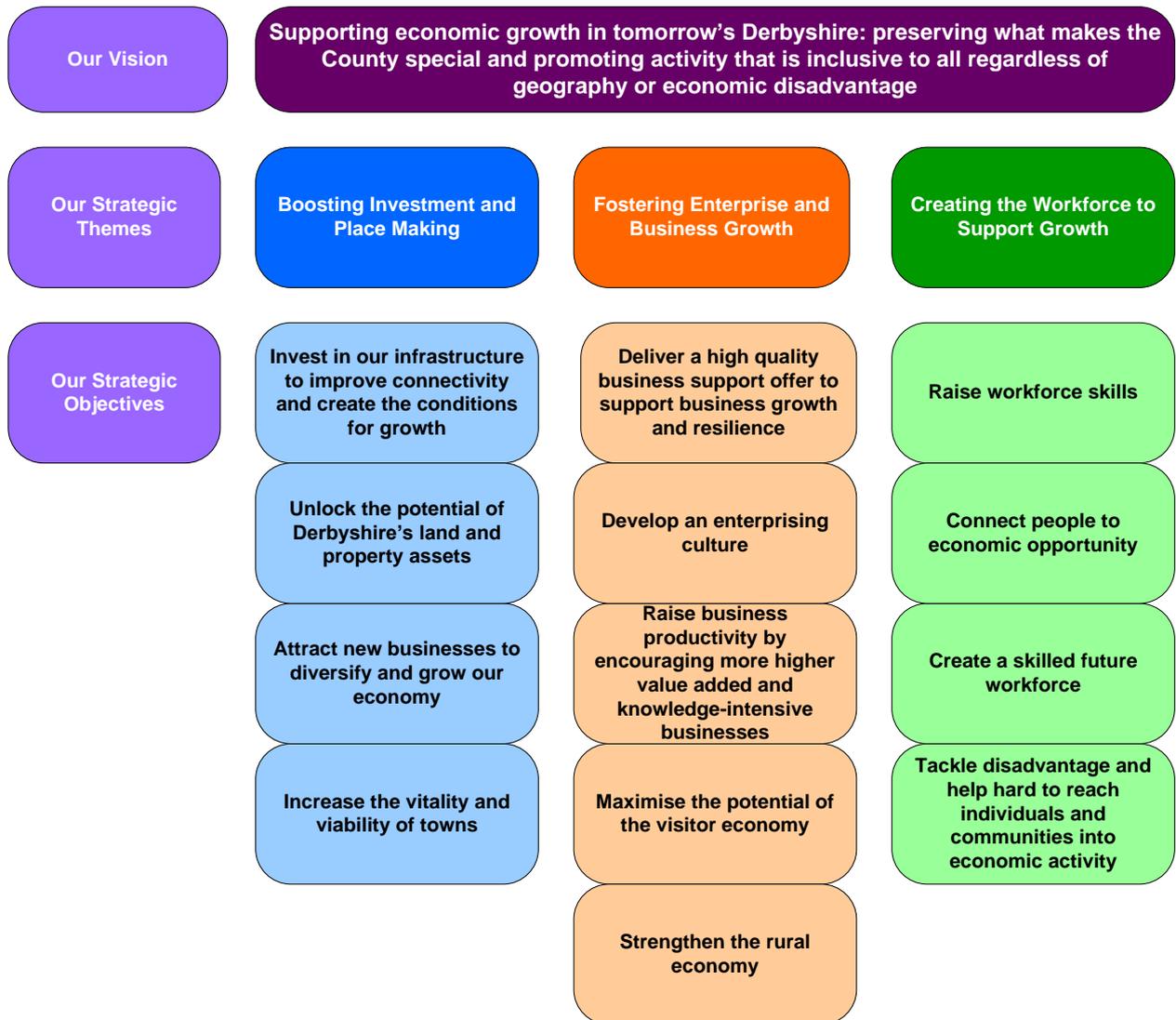
4.28 We need to ensure we **provide the workforce with the skills and knowledge-sets required by businesses**, now and in the future. It will be important to work with employers, employer representative organisations and education and training providers to understand how we can best support workforce development. There is scope for the **third sector - the voluntary, community and faith sector – to play a stronger role in supporting economic growth**, particularly in helping disadvantaged communities and individuals back into training, employment or voluntary work.

⁸ The percentage of the working age population (16-64) who are employed or looking for work

5 An Economic Vision for Derbyshire

5.1 Derbyshire’s natural, physical and human assets provide a firm foundation for growth. Businesses and people will be supported to take full advantage of new growth opportunities; inward investment will be encouraged through marketing of a strong Derbyshire brand ensuring the County becomes a ‘place of choice’; and the landscape and heritage which has previously supported our economy will be actively protected and conserved to maintain our unique identity. Derbyshire is well-placed to capitalise on the technological revolution which will drive economies of the future. We will support businesses to innovate and access new markets and create new, skilled employment opportunities. We will invest in our infrastructure to create the conditions and places which will support growth; and we will ensure we have a workforce which continues to attract business investment.

5.2 Our vision is clear, our focus is fixed and the broad work we need to undertake to achieve our ambitions for Derbyshire is set out in the remainder of this Strategy Statement. Through continued collaborative working we will develop the detailed action plans that will provide the route map to achieving our vision, alongside partners in Derby City, to ensure the whole of Derbyshire benefits from our collective efforts.



5.3 Delivery of the vision will be guided by the following principles:

- We will address immediate barriers to growth, but encourage investment which provides for tomorrow's Derbyshire and our future social and economic needs.
- We will promote sustainable growth which preserves and enhances the character of the County whilst delivering our economic needs.
- We will champion high quality, innovative and environmentally sensitive design solutions in building the infrastructure for growth; particularly where this preserves the natural landscape and brings heritage assets back into use.
- We will pursue growth for all; recognising the potential of all businesses and individuals.
- We will facilitate and encourage strong and effective partnership working.
- We will work collectively and inclusively to deliver Derbyshire's vision, drawing on the expertise of all private, public and third sector partners.

5.4 In delivering the DESS we will:

- Support businesses as the drivers of local economic growth.
- Build on our manufacturing expertise to support the Government's objective of delivering growth through innovation, exporting and supporting the transition to a high value added and knowledge-based economy.
- Recognise the importance of place and community in driving economic growth, providing flexibility to allow partners to determine and deliver local approaches and interventions.
- Develop our natural assets to deliver sustainable growth.
- Support the Government's energy policy by facilitating the transition to a low carbon economy across all aspects of development.
- Develop a workforce which meets the needs of businesses and supports all individuals to reach their full potential, supporting Government's commitment to help people find and remain in employment and reduce youth unemployment.

6 The Strategy

6.1 The following pages of this Strategy Statement set out the framework through which we will deliver activity to help us achieve our vision for Derbyshire. The specific actions needed to deliver the vision and objectives of the DESS will be developed as part of the early stages of implementation, working closely with Derby City to ensure coherence and alignment with the actions of the Derby Economic Strategy. Clear measures of success will be developed, supported by targets for improvement. The Derbyshire Economic Partnership (DEP) – a key partnership of the D2N2 LEP – will be responsible for managing and ensuring delivery of the DESS and its accompanying Implementation Plan.

6.2 The work of the DESS has identified three themes which provide the mainstay of our framework:

- **Boosting Investment and Place Making**
- **Fostering Enterprise and Business Growth**
- **Creating the Workforce to Support Growth**

6.3 Each of the three themes is supported by a number of strategic objectives and the scope of further activity is set out in:

- Headline priorities for action identified through the DESS consultation process;
- The expected geographic focus of activity; and
- The broad performance indicators against which we will measure progress.

Strategic Theme: Boosting Investment and Place Making

Rationale: Continued investment in infrastructure, business and place will have a significant, positive effect on productivity and growth within the Derbyshire economy. Strategic investment in digital roll out, land and premises, transport and green and blue infrastructure will enhance connectivity and accessibility and will help create the conditions for further growth in strategic sites and locations within Derbyshire’s Economic Zones.

Strategic Objective 1: Invest in our infrastructure to improve connectivity, increase accessibility and create the conditions for economic growth

Priorities

- Secure successful delivery of Digital Derbyshire in line with project targets and facilitation of community-led approaches to broadband provision in areas where market failure remains
- Develop supportive transport and planning policies to facilitate appropriate levels of development
- Develop a pipeline of transport infrastructure projects which will increase Derbyshire’s capacity for growth and work with partners to bring these to market
- Further develop and safeguard green and blue infrastructure such as cycle routes, urban trails and canals to encourage sustainable transport, reduce carbon emissions and support the visitor economy
- Undertake active lobbying to secure additional investment in rail and bus services across the County
- Shape the development of the proposed HS2 to ensure maximum economic benefit for Derbyshire

Spatial Focus

Rural Derbyshire and the Peak District require broadband interventions to improve connectivity, speeds and reliability. Intervention will be focused on the Digital Derbyshire rollout areas, particularly across the North West Economic Zone, but also across other predominantly rural areas.

Investment in green and blue infrastructure will be an important mechanism to support growth in the visitor economy, particularly in extending the offer in South and North East Economic Zones, building on the strengths of the North West Zone. This will also help connect Derbyshire’s network of market towns and predominantly rural areas with residential areas; investment will be focused on supporting the County’s move towards a low carbon economy by supporting sustainable development and transport interventions.

Priority rail improvements (including the Midland Mainline, Buxton Line and Hope Valley Line; Ilkeston and Gamesley rail stations, Park and Ride scheme at Boulton Moor; and the rail terminal at Markham Vale) are shown on the accompanying map.

HS2: masterplanning around Toton, the maintenance depot near Staveley and potential for the HS2 Academy.

Ensure strong links to the European Infrastructure Investment Strategy and the D2N2 (and SCR/ Manchester SEP) and Growth Deals.

Key Indicators

- Uplift in GVA
- Delivery against the Digital Derbyshire Plan – specific measures around coverage, speed and connection to premises
- Increase in level of infrastructure investment

Strategic Objective 2: Unlock the potential of Derbyshire's land and property assets to attract and retain businesses and create the conditions for economic growth

Priorities

- Facilitate delivery of strategic employment and housing sites and support scoping/feasibility work
- Promote the re-use of vacant and underused commercial, industrial and heritage buildings
- Review of council-owned assets as part of a shared estate programme to identify opportunities for rationalisation and commercial development
- Support enhancement of provision of quality commercial accommodation to meet the needs of creative, hi-tech and knowledge-based industries
- Maximise potential of existing vacant, under-used premises or those in need of modernisation and provide follow-on space for growth businesses
- Meet the accommodation needs of start-up businesses to support an enterprising culture and business growth
- Investment in renewable energies, green/blue infrastructure and opportunities around ecosystem services; particularly where these unlock sites

Spatial Focus

Investment will be focused on key strategic employment sites across the County with strong links to the European Infrastructure Investment Strategy, the D2N2 and SCR SEPs and Growth Deals. Major investment areas are shown on the accompanying map.

Key Indicators

- Uplift in GVA
- Increase business numbers/ new business starts
- Increase in business survival rates
- Industrial land availability/ commercial floorspace usage
- Increase in jobs created
- Reduction in unemployment

Strategic Objective 3: Attract new businesses to diversify and grow our economy

Priorities

- Continue to develop the inward investment function/ investor development service for Derbyshire to actively promote districts and boroughs and act as a comprehensive gateway for investor enquiries
- Strengthen partnership working between UKTI, D2N2, D2 local authorities, Chamber of Commerce and other key stakeholders to ensure joined up working on inward investment
- Capitalise on input of higher education institutes to support research, innovation and invention to increase competitiveness and productivity, particularly in knowledge-based industries
- Ensure skills level of workforce meets business needs (see Objective 12)
- Provide robust interventions to initiate and support business start ups
- Strengthen niche sectors such as heritage crafts/ skills to support successful diversification of the economy
- Work collaboratively to promote the unique assets of Derbyshire's districts and boroughs to capitalise on growth in adjacent cities and attract national and international inward investment
- Develop a co-ordinated approach to place making activity across D2 local authorities
- Enhance the attractiveness of the natural and built environment, market towns and urban centres to attract new private sector investment
- Establish, market and raise the national profile of the 'Derbyshire Offer' to investors and neighbouring LEPs

Spatial Focus

We will support interventions across the County to attract new business and investment. Priority will be given to those areas with immediate capacity for growth and where the effects of economic restructuring have been most acute, particularly the North East Economic Zone.

Capacity to attract and accommodate major inward investment currently lies primarily within the North East and South Economic Zones, particularly in terms of developments around Markham Vale and the expansion of Derby City; the existing availability of major employment sites in these zones provides a strong offer to potential investors.

Key Indicators

- Increase in total amount of inward investment (conversions)
- Increase in number of businesses/ new business starts
- Jobs created through FDI and re-investment
- Public/ private sector employment balance (%)
- Increase in productivity (GVA)
- Increase in visitor numbers
- Increase in skills level

Strategic Objective 4: Increase the vitality and viability of our market towns and urban centres to support their role as local service and employment centres and maximise their ability to attract private sector investment

Priorities

- Use planning measures to increase vitality within towns, including the use of Local Development Orders
- Establish town teams or other appropriate mechanisms to improve communication with the business community and develop fresh approaches to urban regeneration
- Diversify uses in town centres including office development, retail, leisure/hospitality and commercial developments
- Preserve and enhance the character and historical/ industrial assets of market towns and their surroundings to increase their contribution to the visitor economy
- Secure investment for regeneration/ public realm schemes in towns requiring physical regeneration, including support for local masterplanning

Spatial Focus

With the needs of towns varying significantly across the County, we will support proportional interventions to meet identified local needs. Planned schemes include:

- Chesterfield Town Centre Package
- Swadlincote Area Package
- Buxton Spa Town Package

Other developments will be linked to the priorities and projects identified via the Growth Deal and infrastructure planning processes.

Local regeneration and public realm interventions will be supported particularly within post-industrial towns where the effects of economic restructuring have been most acute and intervention is required to attract new investment. These interventions are likely to be targeted primarily within the North East Economic Zone but also incorporating other post-industrial centres in the South Zone e.g. Heanor, Alfreton, Shirebrook, Bolsover, Clay Cross, Killamarsh, Eckington and Ilkeston.

Interventions which facilitate growth in the visitor and rural economies will also be supported. These interventions are likely to be targeted within the North West Economic Zone and west of the Amber Valley e.g. Glossop; Bakewell; Matlock; Ripley; Belper.

Key Indicators

- Increased footfall
- Reduce vacancy rates
- Housing completions
- Industrial land availability/ commercial floorspace usage

Strategic Theme: Fostering Enterprise and Business Growth

Rationale: In Derbyshire, our future economy will rely heavily on new and existing business growth combined with investment in the visitor and rural economies and regionally significant sectors such as ‘world class manufacturing’. In order to narrow our productivity gap we need to ensure that we (1) offer an exceptional environment to start and grow a business (2) foster a much more diverse and high value business base and (3) build resilience in our bedrock industries.

Strategic Objective 5: Deliver a high quality business support offer to support business growth and resilience

Priorities

- Support businesses to enhance their profitability and competitiveness through the provision of a high quality, coordinated business support and mentoring, recognising the support needs of different types of businesses and at different stages in their growth. This may include the provision of:
 - o Access to quality advice and guidance and key account management support for businesses with high growth potential
 - o Access to finance and investment readiness support
 - o Access to business networking opportunities
 - o Access to finance models
 - o Access to training
- Support the proposed D2N2 and SCR Growth Hubs to ensure Derbyshire businesses have effective access to information advice and guidance
- Support supply chain development through local purchasing agreements and ensuring public procurement is open to SMEs
- Review regulatory requirements on businesses to reduce red tape where possible
- Develop programmes to support healthy workplaces, reducing absenteeism and increasing productivity
- Encourage resource efficiency and move towards a low carbon economy
- Work with business representative organisations to collate a robust evidence base of business needs and priorities; and share information across the County regarding new developments and the implications/opportunities for each district/borough
- Explore the potential for new and emerging sectors

Spatial Focus

We will encourage new and existing business growth across Derbyshire and ensure a consistent approach to business support which exploits the opportunities created by the proposed D2N2 and SCR Growth Hubs.

With micro and small businesses comprising 88% of Derbyshire’s business base, we will encourage interventions which support this important feature of our local economy; as well as targeting those businesses with high, or locally significant, growth potential. We also wish to encourage resilience within our traditional industries, particularly to safeguard local employment.

Key Indicators

- Uplift in GVA
- Increase in business numbers/new business starts
- Increase in business survival rates
- Positive feedback from business

Strategic Objective 6: Develop an enterprising culture to increase new business starts and provide the support and infrastructure to enable new businesses to grow

Priorities

- Ensure a supply of appropriate start-up and expansion space for new and early stage starts, and maximise the use of technology to enable home-working
- Ensure pre and new start businesses are able to access appropriate business advice and support services – including financial (as proposed under Objective 5)
- Support people from disadvantaged communities to start a business or move into self-employment, including awareness raising of enterprise and social enterprise opportunities
- Develop positive interventions to embed entrepreneurialism within education and learning to develop entrepreneurship skills and promote business start-up/self employment as a career option for young people and graduates and raise aspirations

Spatial Focus

Supporting entrepreneurialism is a County-wide priority and we will seek to create a consistent offer to entrepreneurs across the County. We will also encourage activities which seek to remove barriers to business start-up and promote entrepreneurialism as a means of addressing specific weaknesses in local economies. This may include, but is not restricted to:

- Activity which builds on high levels of entrepreneurship in the North West Economic Zones and seeks to address lower start-up rates across the rest of the County
- Activity which supports entrepreneurialism amongst young people and graduates as a means of addressing youth unemployment and retaining/attracting skilled graduates
- Activity which supports enterprise in disadvantaged communities as a means of addressing economic disadvantage and higher levels of unemployment in these areas (particularly in the North East Economic Zone)

Key Indicators

- Increase in business numbers/new business starts
- Increase in business birth rate
- Increase in numbers self employed

Strategic Objective 7: Encourage more higher value added and knowledge-intensive businesses to raise business productivity and rebalance our economy

Priorities

- Encourage the traditional manufacturing sector to move towards higher value manufacturing and services
- Ensure a supply of appropriate accommodation and facilities (including high speed broadband) to meet the needs of knowledge-based industries
- Support the commercialisation of innovation and research through the provision of tailored business support/key account management and access to finance, and facilitating partnerships with HEIs and research centres
- Support initiatives to increase exporting and access to new markets, particularly amongst traditional business sectors, including supply chain development activities; innovation support measures, exploitation of global trade links; and facilitating the adoption of ICT and e-business
- Work with businesses to identify and meet high level skills gaps and provide the conditions to attract and retain graduates in the region
- Support businesses to exploit new opportunities in the low carbon economy

Spatial Focus

Raising business productivity and encouraging higher value added businesses is a County-wide priority.

We are particularly keen to ensure that activity within this strategic objective raises productivity within the traditional manufacturing sector given the importance of this sector to the local economy.

Key Indicators

- Increase in productivity (GVA)
- % change in industrial structure: including enterprises (and employment) in growth and knowledge-based and medium/high technology sectors
- Increase in resident and workplace based earnings

Strategic Objective 8: Maximise the potential of the visitor economy to create new employment and raise GVA

Priorities

- Continue to develop a strategic approach to the branding and marketing of Derbyshire's full tourist offer
- Review and refine an appropriate marketing plan that recognises the potential of attract/ disperse in benefiting all the County's offer
- Increase the use and take-up of the Derbyshire's tourism offer by those living in the County
- Develop active and sustainable transport connectivity between key destinations/ emerging heritage clusters and gateway towns and cities to facilitate access to tourist destinations
- Raise the quality of existing visitor attractions through targeted capital investment – particularly in the heritage sector
- Raise the profile and value of distinct landscape areas in the North East and South Zones in supporting the future visitor economy
- Develop Derbyshire's cultural tourism offer through the support and expansion of the festivals and events sector
- Facilitate and improve the visitor journey through quality information, mapping and directions and improved service delivery standards within the visitor economy and tourist information services
- Address the need for more serviced and high quality accommodation within popular tourist destinations
- Enhance and preserve green and blue infrastructure as a mechanism to attract visitors and support sustainable connectivity

Spatial Focus

Activity will build on the current strengths and contribution of the North West Economic Zone, and particularly the Peak District.

Growth of the visitor economy across the North East and South Economic Zones building on the varied cultural, heritage and leisure offers within these areas. This may include, but is not restricted to:

- The National Forest
- Green and blue infrastructure initiatives e.g. the Chesterfield Canal developments, cycle infrastructure, and the green infrastructure priority area in southern Bolsover
- Heritage clusters and historical assets across the County e.g. the Derwent Valley Mills World Heritage Site and proposed Creswell Crags World Heritage Site
- Hospitality and Leisure assets, particularly in relation to business/HEI visitors in the areas surrounding Derby
- Major developments e.g. Peak Resort
- Market towns and urban areas with unique historical, cultural or leisure assets.

Key Indicators

- Increase in employment in the tourism sector
- Uplift in visitor Economy GVA
- Increase in visitor spend
- Increase in overnight visitor stays

Strategic Objective 9: Strengthen the rural economy to create new jobs and raise GVA

Priorities

- Grow the rural economy through supporting micro-business growth and productivity in rural areas, including access to finance and out-reach business support
- Increase the competitiveness of rural businesses through the use of ICT for online trading, social media/marketing and improved business management/operations. Facilitate this by reducing the gap in broadband speed between rural and urban areas of Derbyshire
- Enhance the vitality of rural market towns as employment and service centres with affordable live/ work accommodation
- Unlock smaller sites for housing and employment growth in rural areas such as the Cawdor Quarry, Bakewell Riverside and Ashbourne Airfield
- Increase high wage employment opportunities for young people in rural areas

Spatial Focus

The North West Economic Zone will be a primary driver of growth in the rural economy, but we will also encourage interventions which create growth in the rural areas of the North East and South Economic Zones.

Key Indicators

- Increased employment in rural districts
- Business start ups
- Uplift in GVA in rural districts
- Implementation of Digital Derbyshire - broadband connectivity
- Reduced youth unemployment
- Increase in affordable housing

Strategic Theme: Creating the Workforce to Support Growth

Rationale: Skills are a fundamental component of our competitiveness, yet our skill levels and earnings are holding us back and we have pockets of excluded communities. Only through concerted investment in skills, workforce training and targeted inclusion activities will local people access new economic opportunities, improve their labour market prospects and progress within their current roles.

Strategic Objective 10: Raise the scope and level of workforce skills to reduce the barriers to business growth and attract and retain jobs and wealth

Priorities

- Work with business representative organisations and training providers to understand and address business skills needs and skills shortages
- Increase the number of businesses accessing training and apprenticeships and promote the importance of training and development to business growth
- Support interventions to improve management & leaderships skills in the workforce
- Actively encourage and improve access to higher level skills/ apprenticeship training – particularly with young people

Spatial Focus

Raising the level of workforce skills is a priority across the County, and this includes addressing the high number of people without qualifications.

We recognise there are geographic disparities in skill levels and that the population of the North East Economic Zone generally has lower skills levels than the rest of Derbyshire.

Activities and interventions which reduce geographical disparities will be supported.

Key Indicators

- Increase in businesses accessing training
- Improve qualification levels – Levels 3, 4 and 5
- Reduce number of people without qualifications

Strategic Objective 11: Connect people to economic opportunity to help individuals to benefit from new employment opportunities and ensure businesses have the workforce to grow

Priorities

- Engage with public transport providers and local transport authorities to strengthen public transport links to employment opportunities
- Support local interventions to help people in isolated communities access employment – particularly young people and those out of work
- Explore new interventions such as the 21st Century Guildhall, alongside local employment and skills charters, guaranteed interview schemes and similar measures to link local people to new job opportunities and skills development
- Develop interventions to raise the employability skills of young people, NEETs and the unemployed
- Develop innovative approaches to reducing vacancies, including working with employers to address demand side weaknesses
- Develop redeployment initiatives to help retain and recruit high skilled, redundant workers
- Target work and support with short-term unemployed to get people back to work quickly and prevent long-term impacts

Spatial Focus

It is important that all residents are supported to access local employment. Activity will however be focused on:

- Connecting communities to jobs at key strategic sites;
- Meeting the recruitment needs of businesses;
- Raising economic inclusion within the most disadvantaged communities; primarily within the North East Economic Zone where unemployment is comparatively high; but also in isolated pockets of deprivation across the County; and
- Linking people in isolated rural communities to the labour market.

Key Indicators

- Increased employment
- Reduction in job vacancies
- Apprenticeship numbers/ traineeship numbers and destinations
- Increase in productivity (GVA)

Strategic Objective 12: Create a skilled future workforce to meet business needs and support a higher value added and knowledge-based economy

Priorities

- Improve the provision of careers advice and employability skills to young people within schools both pre and post 16
- Work with HEIs to ensure higher level skills provision and offer meets the need of emerging sectors within Derbyshire
- Support better education-industry links to promote the range of local employment opportunities and engage young people in their wider communities, including site visits, work experience, mentoring schemes, volunteering, awareness raising sessions
- Increase the take-up of high quality vocational and apprenticeship opportunities, particularly to those young people not in full time education
- Work with employers and employer representative organisations to encourage business investment in skills and apprenticeship schemes such as the Trusted Employer Register
- Work with employer representative organisations and training providers to develop the evidence base relating to skills demand
- Promote enterprise education from an early age through curriculum development

Spatial Focus

Ensuring a skilled future workforce is a County-wide priority. We recognise however that the population of the North East Economic Zone generally has lower skills levels than the rest of Derbyshire and activities which reduce geographical disparities in resident skills levels will be supported, with specific targeting on:

- Activity which supports the identified skills needs of businesses; and,
- Opportunities arising from investment in key strategic sites.

Key Indicators

- Increasing apprenticeship numbers/ traineeship numbers and destinations
- Reducing the number of young people who are NEET
- Reducing youth unemployment
- Increase in higher level skills

Strategic Objective 13: Tackle disadvantage and help hard to reach individuals and communities into economic activity to ensure everyone who is able to work, is supported to do so

Priorities

- Support people, particularly those furthest from the labour market, to overcome barriers to employment
- Develop supported employment projects, integrated approaches to removing barriers and addressing the root causes of exclusion and poverty such as health and well-being and skills interventions
- Actively promote volunteering, and improve the quality and scope of work experience and work-tasters as routes into employment
- Support people in hard times, particularly those facing financial exclusion and the impacts of welfare reform; including Welfare Rights service and community-based provision
- Support the role of credit unions and other community –based interventions to accessible finance
- Utilise the expertise and knowledge of the third sector and develop Derbyshire’s social infrastructure to support the needs of communities facing economic and social exclusion
- Support enterprise and social enterprise as a route to economic inclusion
- Address discrimination in the labour market and promote equal opportunities

Spatial Focus

Activity will be focused on disadvantaged communities with high levels of economic inactivity, particularly within the North East Economic Zone and isolated pockets of deprivation across the County.

Particular target communities include:

- People with health and wellbeing issues, including those with mental health issues;
- The financially excluded;
- Those excluded by reason of living in isolated rural communities;
- Children and young people (including NEETs);
- People with multiple and complex needs;
- People with caring responsibilities;
- Households with worklessness;
- People affected by redundancy;
- Adults with physical and learning disabilities; and,
- Older people.

Key Indicators

- Economic activity rates
- Increase in household income
- Reduction in personal and household debt

7 Delivering the Strategy

7.1 The DESS sets out the framework for action needed to deliver economic prosperity across Derbyshire. It is a strategic statement which provides a framework for local intervention and delivery. It ensures we are collectively moving towards our strategic goals and addressing the weaknesses in our economy in order to create a more prosperous future for all.

7.2 DESS is not a delivery plan. It does not outline specific project interventions. It is important to recognise that the projects to deliver DESS will be best defined, and possibly delivered, at a local level and tailored to specific local issues and circumstances. The DESS does however help us to define the issues and challenges where a County-wide or collective approach may add value. It also provides a clear statement of where we can add value to Government and LEP agendas thereby supporting the rationale for investment and delivering growth across the County.

7.3 With DESS in place, the DEP is able to provide a forum for the consideration of potentially contentious schemes which may be strategically important but require further debate amongst partners to agree a way forward. DESS also provides a framework within which partners can carefully consider the overall strategic, as well as local contribution of individual schemes to ensure they do not undermine DESS objectives or have adverse impacts at a wider spatial scale.

7.4 DEP will play an important role in driving delivery of DESS and, most importantly, provide a forum to bring local partners together. DEP and the local commitment to joint-working is a key asset for the County which we should support and develop. The key aims of DEP include:

- Co-ordinate and agree joint strategic priorities in the interest of Derbyshire to ensure a clarity of purpose for all partners.
- Communicate a coherent voice for Derbyshire to enable positive and constructive dialogue with key players such as LEPs, the Homes and Communities Agency and the EU.
- Maximise investment and external funding into Derbyshire through targeted service delivery, aligning resources, initiating and support funding bids and providing project management resources.

7.5 The DESS is an important first step in delivering on these objectives. The Partnership has already successfully secured £3m RGF for the Global Derbyshire Small Business Support Programme which is benefiting businesses across the County, whilst “Invest in Derbyshire” has proved very successful in attracting new inward investment and support to local people to access new jobs. DESS will support future negotiations with funders and provide clarity on Derbyshire’s growth offer.

7.6 Rapid progress has been made in developing the governance structures required to attract and channel future investment and LEP funding. The D2 (Derby and Derbyshire) Joint Committee is now established and will engage with D2N2 to ensure effective delivery and governance of new funding opportunities. Momentum exists to develop the new arrangements further with the possible creation of an Economic Prosperity Board. Within this context DESS will be a valuable tool to inform our negotiations with our strategic partners in D2N2 and beyond; a document that clearly articulates Derbyshire’s offer and ambition.

7.7 In preparing the DESS, we have identified a series of 'must do' interventions which are required to kick-start growth. These are set out below and will provide the focus for initial activity and discussions regarding a Growth Deal for Derbyshire.

Boosting Investment and Place Making
<ul style="list-style-type: none"> - Deliver broadband provision - Develop and deliver a pipeline of transport infrastructure projects - Unlock smaller employment and housing sites
Fostering Enterprise and Business Growth
<ul style="list-style-type: none"> - Support business growth through high quality business support - Address high level skills gaps - Support the traditional manufacturing sector to move towards higher value added activities - Maximise growth in micro and small businesses
Creating the Workforce to Support Growth
<ul style="list-style-type: none"> - Raise the employability skills of young people - Engage with employers and providers to address skills shortages - Ensure all have access to employment and opportunity regardless of location or economic circumstances

Measuring our Success

7.8 As a high level strategy, the number of additional jobs and GVA we create will be determined by the level of funding Derbyshire secures. To deliver our ambitions, we need to ensure we access our share of both European and Government funding. European Funding will be a major source of investment for the County and the table overleaf demonstrates the strong contribution we can make to EU growth objectives.

7.9 Alongside ERDF and ESF, other funding streams will include LEADER, RGF, LGF and HCA. It will be vital to ensure we use funding effectively and efficiently to lever in additional private sector investment. In addition to securing investment, we will also expect to see continued progress against key social and economic indicators which are monitored in our Local Economic Assessment. We will monitor the general direction of travel of key indicators and work towards improving the rate of change and reducing disparities across the County.

7.10 The key indicators we will monitor are:

- Public/private sector employment balance
- Industrial structure: including enterprises (and employment) in growth and knowledge-based and medium/high technology sectors
- Youth employment
- Enterprise start-up and survival rates
- Qualification levels
- Resident and workplace based earnings
- Housing completions
- Industrial land availability/commercial floorspace usage.

7.11 The Local Economic Assessment will be refreshed every two years with any new and emerging trends feeding into our on-going monitoring of DESS. We will also undertake continual qualitative monitoring of our progress in delivering DESS objectives. DEP will provide the forum for on-going dialogue between partners to ensure we remain on track.

7.12 Thematic Delivery Plans will be prepared setting out the projects (local and county-wide) to deliver DESS. These will give a clear indication of where project development work needs to be undertaken, resourcing requirements and the expected economic and social impacts of current and planned interventions.

The European Dimension

7.13 The European Structural & Investment Fund programme 2014-20 will provide real opportunities for Derbyshire partners to deliver the aspirations and required interventions emerging from the DESS. The table overleaf highlights how the DESS Strategic Themes map across to the thematic objectives and priority activities set out in the D2N2 European Structural & Investment Strategy. Opportunity also exists to access EU funding being delivered by Sheffield City Region in the overlap districts. The DESS should provide the focus for promoting and commissioning projects to deliver this funding.

Next Steps

7.14 The DESS represents the starting point for co-ordinating our efforts. Effective, joined up delivery at county and local level is the key to realising the growth potential of Derbyshire. Action plans focused on our Strategic Themes will be developed, co-ordinated and monitored by DEP on a rolling basis and will reflect evolving opportunities and challenges.

DESS Themes	EU Thematic Objectives	EU Priority Activities
Fostering Enterprise and Business Growth	Strengthening Research, Technological Development and Innovation	<ul style="list-style-type: none"> - Building collaborative research between enterprises, research institutions and public institutions - Supporting businesses including social enterprises to commercialise Research and Development - Physical infrastructure
	Enhancing access to, and use and quality of, Information and Communication Technologies	<ul style="list-style-type: none"> - Extend the roll-out and take up of high-speed communications networks where the market is failing particularly where this is proving a barrier to SME growth - Support SMEs and social enterprises in their development of ICT products
	Enhancing the Competitiveness of SMEs	<ul style="list-style-type: none"> - Build the growth capacity of SMEs - Foster a more entrepreneurial culture by reducing barriers to entrepreneurship and supporting entrepreneurs
	Supporting the shift towards a low carbon economy in all sectors	<ul style="list-style-type: none"> - Build the market in low carbon environmental technologies, goods and services - Non domestic low carbon technologies and energy efficiency - Whole place low carbon solutions - Innovation and adoption of low carbon technologies
	Protecting the environment and promoting resource efficiency	<ul style="list-style-type: none"> - Investments in Green and Blue infrastructure and actions that support the provision of ecosystem services in which businesses and communities depend to increase local natural capital and support sustainable economic growth - Investment in the uptake of innovative technologies and resource efficiency measures to increase environmental protection, resilience and performance of businesses and communities
Boosting Investment and Place Making	Promoting climate change adaption, risk prevention and management	<ul style="list-style-type: none"> - Enable economic development through investment in flood and coastal risk management
	Promoting sustainable transport and removing bottlenecks in key network infrastructures	<ul style="list-style-type: none"> - A38 Derby junction improvements - M1 J24-25 managed motorway scheme at Long Eaton and M1 J28-31 accelerated delivery pilot - The electric spine rail enhancement programme - MIRA technology park – Automotive Research Centre - Super-connected city: Derby - Rebuilding of 28 schools as part of the Priority School Building Programme
	Promoting employment and supporting labour mobility	<ul style="list-style-type: none"> - Access to employment for job-seekers and inactive people, including local employment initiatives and support for labour mobility - Sustainable integration of young people, in particular those not in employment, education or training into the labour market
Creating the Workforce to Support Growth	Promoting social inclusion and combating poverty	<ul style="list-style-type: none"> - Active inclusion in particular with a view to improving employability

Glossary

BDUK: Broadband Delivery UK

D2N2: The Local Enterprise Partnership covering Derby, Derbyshire, Nottingham and Nottinghamshire

DCC: Derbyshire County Council

DEP: Derbyshire Economic Partnership

DESS: Derbyshire Economic Strategy Statement

EPSRC: Engineering and Physical Sciences Research Council

ERDF: European Regional Development Fund

ESF: European Social Fund

EU: European Union

FTE: Full Time Equivalent Employees

GVA: Gross Value Added

HCA: Homes and Communities Agency

HEIs: Higher Education Institutes (Universities)

HS2: The proposed high speed train line to connect London to Birmingham and the north.

KAM: Key Account Manager

LEADER: A method of delivering Rural Development Programme funding at a local level.

LEP: Local Enterprise Partnership

LGF: Local Growth Fund

LQ: Location Quotient (a measure which shows the concentration of employment in a particular area in comparison to nationally. Eg A LQ of 1 = employment in line with the national average.)

LTB: Local Transport Body

NE: North East

NEETS: Young people not in education, training or employment

RDPE: Rural Development Programme for England

RGF: Regional Growth Fund

SCR: Sheffield City Region

SEP: Strategic Economic Plan

SMEs: Small and medium enterprises (employing 10-249 employees)

UKTI: UK Trade and Investment

VCFS: Voluntary Community and Faith Sector

REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 13
DATE OF MEETING:	2nd October 2014	CATEGORY: DELEGATED
REPORT FROM:	Director of Community & Planning Services / Director of Housing & Environmental Services Stuart Batchelor (Ext. 5820) Bob Ledger (Ext. 5775)	OPEN
MEMBERS' CONTACT POINT:		DOC:
SUBJECT:	WORK PROGRAMME	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

1.1 That the Committee considers and approves the updated work programme.

2.0 Purpose of Report

2.1 The Committee is asked to consider the updated work programme.

3.0 Detail

3.1 Attached at Annexe 'A' is an updated work programme document. The Committee is asked to consider and review the content of this document.

4.0 Financial Implications

4.1 None arising directly from this report.

5.0 Background Papers

5.1 Work Programme.

**Environmental & Development Services Committee – 2nd October, 2014
Work Programme 2014/15**

Work Programme Area	Date of Committee meetings	Anticipated completion date	Submitted to Council target date	Contact Officer (Contact details)
Derbyshire Economic Strategy statement	2 nd October 2014			Mike Roylance, Economic Development Manager 01283 595725
Conservation Area Character Statements	2 nd October 2014			Nicola Sworowski Planning Policy Manager (01283 595983)
Regulators' Code	2 nd October 2014			Matthew Holford, Environmental Health Manager (01283 595856)
Quarterly performance	Nov 2014, March 2015			
Local Plan Part 2 Consultation Report	20 th November 2014			Nicola Sworowski Planning Policy Manager (01283 595983)
Swadlincote Conservation Area Management Plan - HLF	20 th November 2014			Nicola Sworowski Planning Policy Manager (01283 595983)

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Work Programme Area	Date of Committee meetings	Anticipated completion date	Submitted to Council target date	Contact Officer (Contact details)
Minerals and Waste Strategy	20 th November 2014			Kevin Exley Planning Policy Officer 01283 228717
EMIMP (East Midlands InterModal Park) Update	20 th November 2014			Tony Sylvester Planning Services Manager (01283 595743)
Car parking Standards Supplementary Planning Guidance	20 th November 2014			Richard Groves Planning Policy Officer 01283 595738
Design Supplementary Planning Guidance	29 th January 2015			Richard Shaw Design Excellence Officer 01283 228764
Greenways SPD	29 th January 2015			Richard Groves Planning Policy Officer 01283 595738
Local Plan Part 1 Adoption	5 th March 2015			Nicola Sworowski Planning Policy Manager (01283 595983)
Repton High Street – Air Quality	March 2015			Matt Holford Environmental Health Manager (01283 595856)
Local Plan Part 2 Draft Report	5 th March 2015			Nicola Sworowski Planning Policy Manager (01283 595983)