



GENERAL LICENSING SAFEGUARDING, SUITABILITY AND CONVICTIONS POLICY

INTRODUCTION

The Council is responsible for a multitude of licensing functions, including but not exclusively, Taxi Licensing, the licensing of Premises and persons for the sale of alcohol, late night refreshment, regulated entertainment, sexual entertainment, gambling and betting, street trading consents, houses in multiple occupation, caravan sites and animal welfare including boarding and breeding, pet shops, dangerous wild animals and zoos.

This policy guides decision making and can be applied to new and renewal applications as well as any existing licences and consents for any licensing functions where the Council considers this policy to be relevant, except Taxi Licensing, where there is a specific policy 'Safeguarding, Suitability and Convictions Statement of Policy for Taxi Licensing' adopted by the Council in November 2015.

The application of this policy is dependent on the legislation under which each licence or consent is issued. Appendix 1 provides a table of each licence and identifies where this policy can be applied, where the policy might possibly be applied or used to support decision making and also identifies the licences where there may be safeguarding risks but the current legislation does not permit safeguarding to be a consideration in the issue of a licence.

Licences and consents may only be granted where the Council is satisfied that the individual is a "suitable person" to hold such a licence or consent where the legislation permits this type of test to be applied.

Where, this Policy is applicable, it is intended to give guidance on whether an individual is or is not a "suitable" person; specifically, the situation where an individual has previous convictions, cautions, complaints, reprimands and/or other relevant matters.

In carrying out its Licensing functions the Council has a responsibility to protect public safety and therefore must ensure where possible:

- That an individual is a "suitable" person
- That the public are not put at risk by individuals with a history of dishonesty, indecency and/or violence
- The safeguarding of children, young persons and vulnerable adults

The Council also has a duty to prevent harm to animals as part of the wider licensing functions and therefore this secondary objective is relevant to all animal welfare licensing activities.

There is an expectation from the public that those persons trading under a licence or consent granted by the Council are trustworthy, honest and do not pose a risk to the safety of the public or to animals in their care.

For example, a street trader serving ice cream from a mobile unit which visits residential streets within the borough may have regular contact with children. They may also know where those children live, when parents are home or not and what holiday plans they may have, by building up trusting relationships with those customers.

The operator of a house in multiple occupation, as the owner of the premises, likely to have keys and access to the individual units, for the purposes of maintenance and safety. This type of accommodation may house young or elderly people or those with specific vulnerabilities.

For these reasons it is imperative that the Council has a robust policy for ensuring that all those given a licence or consent by the Council are suitable and safe to be trusted with the safety of the public and animals and the personal information they may hold on individuals.

Assessment of Suitability

The most important questions that the Members of any Committee that decides on whether to grant, renew, suspend, revoke or refuse a licence or consent are:

1. Would I trust this person to be responsible for having access to any member of my family (children, parents, grandparents, grandchildren, husband, wife or pets), with particular regard to whether they might be alone &/or vulnerable at the time?
2. And would I trust this person with sensitive personal information about my routines and holiday plans?

If the answer to those questions is 'No', 'don't know' or 'not sure' then a licence should not be granted or renewed and should be refused or where an existing licence is in place revoked, on the grounds that Members are not convinced that the applicant is safe and suitable.

Safeguarding Considerations

Particular regard must be had for the safeguarding of children and vulnerable adults. Vulnerable persons not only includes those with learning or physical disability or impairment (including dementia), but also includes those under the influence of drugs or alcohol, or in any other circumstances which render them less capable of making decisions; this might include suffering from shock after an incident or traumatic experience.

Following the review of Rotherham's Licensing Services serious failings were identified and consequently the Council did not take sufficient steps to protect the public. Chorley Council must learn from the mistakes of Rotherham and Rochdale and ensure that the appropriate policies and safeguards are in place to ensure that only those persons that meet the suitability test are permitted to hold any form of licence or consent issued by the Council.

Therefore, it is important to not only consider convictions but also take steps to give sufficient weight to relevant personal relationships and associations with known or suspected criminals, complaints, allegations, investigations, arrests and charges, even where

convictions are not secured, when making any decisions that can impact on the safety of the public.

The Licensing Committee is not a jury in a criminal court and does not have to be convinced beyond reasonable doubt of guilt. The precautionary principle should be applied in all cases where this policy is applicable.

Child Sexual Exploitation is not a remote problem that only affects other areas of the country, statistically there is evidence to support the claim that it happens everywhere, and that the people responsible for perpetrating and organising these crimes live and work in our communities. There is evidence of an association between taxi drivers, proprietors and operators and also other licenced premises, such as takeaways, pubs and off licences. As such the Licensing and Public Safety Committee and sub-committees have a clear responsibility to the public when making their decision, the consequences of failure in this respect are far reaching, not only personally for the victims, but also for the reputation of the Council.

Convictions

Although convictions are not the only consideration for the Council, they are important and clear guidelines are crucial.

The Rehabilitation of Offenders Act 1974 does apply to all licences and consents (except for those licences relating to taxi drivers). It is acknowledged that employment plays a vital role in reducing reoffending and changing behaviour, however, the Council's primary role when carrying out the licensing function is to protect public safety and ensure all those persons licensed by the Council are suitable to hold such a licence or consent.

When submitting an application for a licence or consent individuals may be required to declare any and all previous convictions, this will depend on the legislation for each individual licence or consent. Individuals may also be required to disclose convictions which are not spent for the purposes of the Rehabilitation of Offenders Act 1974.

The information will be treated in confidence and will only be taken into account in relation to the relevant application and the associated legislation in order to assist the Council in determining whether the applicant is a safe and suitable person to hold a licence or consent.

We will consider all convictions based upon the Council's guidelines. When considering convictions, complaints, allegations, investigations, arrests and charges the Council will be mindful of the severity of, the relevance to the licence applied for and the time elapsed since the offence or alleged offence. The age of the applicant at the time of the offences/ alleged offences will also be taken into account.

Complaints include those made directly to the Council, police or any other agency. Intelligence received from other agencies, which includes circumstances that have not resulted in a criminal conviction, caution or other disposal may be taken into account. By way of example, this would also include incidents that have resulted in a police, trading standards or RSPCA investigation, but there has been no further action due to the criminal burden of proof or some other reason, if the Council is satisfied that the incident occurred based on the balance of probabilities.

The disclosure of a criminal conviction, caution or other relevant information relating to an individual's conduct will not debar that individual from being granted, retaining or renewing a licence or consent. It will depend on whether or not an individual can satisfy the Council that they are a "suitable" person to hold such a licence or consent.

The Council may not be satisfied that an individual is a "suitable" person to hold a licence for any good reason that is supported by legislation. If adequate evidence that an individual is a suitable person is not presented or if there is good reason to question or doubt the evidence provided, then that could amount to good reason to refuse a licence or consent or make any decision adverse to the licence or consent holder.

In considering evidence of an individual's good character and fitness to hold a licence or consent and where previous convictions / cautions or other information relating to criminal matters or character are disclosed, the Council will consider:

- The nature of the offence / issue and penalty
- When it was committed / took place
- The date of conviction / issue and the length of time elapsed
- The age of the individual when the offence / incident took place
- Whether or not it is part of a pattern of behaviour
- The intent the harm could or did cause
- Any other factors which may be relevant

Greater weight will be given to recent convictions, complaints, allegations, investigations, arrests and charges and in particular those criminal offences involving dishonesty, violence, drugs, alcohol, criminal damage and sexual offences, together with serious offences connected with the driving of a motor vehicle (where relevant to a street trading consent for a mobile unit, such as an ice cream van).

The Council will, where appropriate, contact other agencies (e.g. other local authorities, the Police, Children's Services, RSPCA) for any other information which they may hold in order to determine the application or existing licence or consent. This information will be kept in strict confidence and will be retained no longer than is necessary and in any event will be destroyed in accordance with the requirements of the Data Protection Act 1998 and good practice after the application is determined or any appeal against such determination is decided.

Whilst a licence or consent is valid, should we receive updates from the Police, of new convictions and cautions for licence/consent holders, this will allow us to decide whether action needs to be taken on the continuation of the licence or consent where permitted by legislation. It is the responsibility of each licence or consent holder, including any nominated assistant in relation to a street trading consent, to inform the Council promptly in writing of any conviction, caution or fixed penalty arising during the currency of the licence or consent. A criminal record check is required on application, and thereafter every three years for existing licence or consent holders, and nominated assistants. Applicants may wish to use the digital service provided by DBS for the annual updates.

GUIDELINES RELATING TO THE RELEVANCE OF CONVICTIONS

The Council has adopted the following guidelines relating to the relevance of convictions to which it refers in determining applications for licences and consents.

The guidelines cannot deal with every possible offence and the Council will take into account offences not specifically referred to, or any other conduct which may be relevant to an application. If an applicant has a conviction for an offence not covered by the guidelines a judgement will be made based on the factors outlined at paragraph 3 when determining the application.

Offences are given a general description in the guidelines and offences of a similar nature created in any statutory provision, modification or re-enactment, will be taken into account and interpreted in accordance with the spirit of the guidelines

The guidelines are not an attempt to provide a definition of what constitutes a “suitable person”.

Any individual who is refused a licence or consent will need to refer to the individual legislation for the details of rights of appeal against this decision.

The guidance will be used for the determination of all new applications, the renewal of existing licences or consents and the continuous review of current licences or consents where any offences are committed during their period of validity.

General Policy

1. Each case will be decided on its own merits.
2. The public has an expectation that the Council will take the necessary steps and make appropriate checks to ensure that applicants are suitable to persons to hold any licence or consent granted by the Council. One aspect of this is the extent to which previous convictions indicate that an individual is not a safe and suitable person and / or may or otherwise take advantage of the role and information that the licence or consent provides. This includes, but is not limited to, convictions for:
 - Offences against children, young people, vulnerable adults or animals
 - Dishonesty
 - Sexual offences
 - Violence and drugs
 - Traffic offences
3. Whether an applicant has any recorded criminal activity is a critical factor in making this judgement.
4. Convictions or cautions which are recorded for any offences may be considered by the Council in determining an application. This guidance refers to the most common groups of relevant offences, namely, offences against children and young persons, dishonesty, sexual offences, traffic offences, violence and drugs.

5. An offence when committed in relation to carrying on the business for which the licence or consent is granted (or complaint about behaviour) will be viewed in a more serious light and a longer period of rehabilitation will be required.

A person with a conviction for a single serious offence or a number of separate offences is not barred from applying for a licence or consent, but would normally be expected to remain free from conviction for an appropriate period (which will depend on the nature of the offence) and be able to provide supporting evidence to show that they are a 'suitable' person to be granted or to continue to hold a licence or consent (the onus is on the individual to produce such evidence).

Simply remaining free of conviction will not generally be regarded as sufficient evidence.

Consideration will be given to any patterns of offending, intent and the harm which was or could have been caused.

Multiple offences or a series of offences over a period of time are likely to give greater cause for concern and may demonstrate a pattern of inappropriate behaviour which will be taken into account. Any case which involves a sexual offence, murder or manslaughter the application / licence will normally be refused / revoked.

The table in Appendix 1 provides details of relevant offences for each licence or consent. Where offences or convictions exist the Council will need to consider the relevance and make a determination on an individual basis.

Appendix 1- Table of Licences, identification of safeguarding risks and summary of where legislation allows the application of the General Safeguarding Policy

Safeguarding Policy is applicable Safeguarding Policy potentially applicable Safeguarding Policy currently not applicable

Licence, Permit or Consent	Legislation	Criteria for grant and (if applicable) criteria for sanctions such as suspension and revocation	Safeguarding risks identified	Relevant Convictions where policy might be applied	Recommendations and comments on application of policy and legislative provisions
Street Trading Consent	Local Government (Miscellaneous Provisions) Act 1982 Sch. 4	Grant if Council “thinks fit” to persons over 17. Conditions may be attached to prevent obstruction or nuisance and limit location & times of trading. Other conditions may be attached which are reasonably necessary. Suspension not available. Grounds for revocation not stated but will include breach of conditions.	Access to children and vulnerable adults, potentially on a regular basis. Ability to locate close to areas where children congregate, such as school and parks. Young adults working for traders Mobile vendors have regular rounds in residential areas, so potential to obtain personal information such as holiday plans- any issues of dishonestly or links to burglary etc. Supply of drugs	Supply of drugs Burglary Dishonesty Sexual Offences Violence Offences Serious Motoring Offences (as detailed in Table A – Major Traffic Offences, in the Taxi Licensing Safeguarding, Suitability and Convictions Policy)	Street trading policy includes reference to general safeguarding and a requirement for a basic DBS – legislation allows for inclusion of conditions and procedures including nuisance. The relevant convictions relating to safeguarding risks could reasonably be considered as nuisance behaviour in the context of the Act when applying the policy and taking enforcement for breach of conditions or refusing an application on the basis of convictions.
Licence for House in Multiple Occupation	Section 64 Housing Act 2004	Council must grant licence if (i) house suitable or can be made suitable (ii) applicant fit & proper (iii) manager of house fit & proper. Fit & proper test includes dishonesty, violence, drugs or sexual offences, unlawful discrimination, breach of landlord & tenant law or prescribed code of practice by applicant and/or associate. Also management competence threshold. Revocation for serious breach of conditions; if licence holder and/or manager no longer fit & proper or if HMO no longer suitable under criteria prevailing at time. Revocation with consent of holder immediate; otherwise after appeal not made or appeal concluded	Access to personal information and property. Type of property may mean proportionally a greater number of young, elderly or vulnerable adults access this type of accommodation- risks relates to any issues of dishonestly or links to burglary etc. for managers and landlords.	Drugs Burglary Dishonesty Sexual Offences Violence Offences	Legislation makes specific reference to ‘fit and proper’. Safeguarding policy can be applied to these Licences. Action: Update conditions for licence to reference safeguarding policy and introduce additional record check requirements, Basic DBS to be included with application for grant and renewal.

Licence for Dangerous wild animals	S.1 Dangerous Wild Animals Act 1976	Grounds for granting licence: if not contrary to public interests as regards safety, nuisance or otherwise, (ii) applicant must be a suitable person (iii) animal will be secured and well treated and able to exercise. More wide ranging discretion than with other animal related licences but relates to protection of the public from the animal and not just welfare. Also a suitable person test. Court not Council may cancel licence or disqualify for breaching licence conditions or offences under animal welfare laws.	Animal Welfare considerations- allegations or convictions for cruelty. Suitable person test.	Supply of drugs Sexual Offences Violence Offences Cruelty/abuse of animals	The policy of the Act is animal welfare and protection of the public from the animal and nuisance. However, the additional considerations would be accepted because of the suitable person test. Someone involved in crime or drugs or with a history of violence might use the animal as a weapon. Action: Update conditions for licence to reference safeguarding policy and introduce additional record check requirements, Basic DBS to be included with application for grant and renewal.
House to House Collections	s.2 House to House Collections Act 1939	Licence granted by Council under s.2 House to House Collections Act 1939. Short term promotions certificated by police. Refusal or revocation on grounds that too few proceeds applied to charitable purpose, remuneration excessive, could enable begging or applicant/holder convicted of offences in Schedule to 1939 Act	Access to persons at their home address. Potential to gain access to individual premises and possible vulnerable persons.	Robbery Burglary Blackmail Dishonesty Sexual Offences Violence Offences Child abduction Failure to ensure that collectors fit and proper Refusal/failure to provide information	Refusal or revocation only on conviction for offences in Schedule to 1939 Act. Action: Review procedures for applications, possible inclusion of Basic DBS check to ensure no recent relevant convictions
Licence for a Sexual Entertainment Venue	Schedule 3 of Local Government (Miscellaneous Provisions) Act 1982 as amended by Police and Crime Act 2009	Application subject to 28 day objection period. Police and public may object. Refusal if applicant unsuitable because convicted of any offence or for any other reason, if unsuitable person connected with applicant or if it would be inappropriate for locality. Criteria for refusal in paragraph 12 to Sch 3 i.e honest, qualified to run establishment, management structure, treatment of performers, protects public. Council may limit no. of premises for borough which can be nil but must in words of council policy in place since January 2011 be "rationally underpinned". No	Potential for the exploitation of vulnerable adults. There is a risk of sexual or violent offenders being given access to individuals Access to Children should be limited and controlled by licence conditions and legislation.	No limits in 1982 Act and CBC policy in para 2.2 refers to refusal for "any offence"	The Council currently has no SEV licences, but Legislation would allow for the Safeguarding policy to be used to underpin decisions. Action: None at this time

		determination on appropriate number made by the Council. Licence fees set at £8,000. Annual renewal fee also £8,000 Criteria for revocation by council only if licence holder unsuitable or associate of applicant unsuitable. Suspension not available,			
Licence for a Sex Shop	Local Government (Miscellaneous Provisions) Act 1982	Same criteria for grant and revocation as sexual entertainment venue. Application subject to 28 day objection period. Police and public may object. Refusal if applicant unsuitable because convicted of any offence or for any other reason, if unsuitable person connected with applicant or if it would be inappropriate for locality. Criteria for revocation by council only if licence holder unsuitable or associate of applicant unsuitable. Suspension not available.	Access to Children should be limited and controlled by licence conditions and legislation.	No limits in 1982 Act and CBC policy in para 2.2 refers to refusal for "any offence"	There is one licensed sex shop in the Chorley area. Legislation would allow for the Safeguarding policy to be used to underpin decisions. Action: None at this time
Personal licence (required to be held by Designated Premises Supervisor in licensed premises)	Section 120 Licensing Act 2003	Must be granted to persons over 18 who hold licensing qualification. If police object because applicant has committed any offence in Sch. 5 to Licensing Act 2003 (including licensing, dishonesty, drugs, sex offences) then may be refused.		Convictions contained in Schedule 4 to the Licensing Act 2003 which are not spent	If the police object, is it a straightforward refusal, or conditions can be applied. The Council would use the safeguarding policy to inform decision making and support decision. Action: None at this time
Licence for caravan Site/ Residential Park	Section12A Caravan Sites and Control of Development Act 1960 as amended by Mobile Homes Act 2013	Occupier's site licence. Discretion on conditions on site licences to protect persons in caravans and wider public. Can condition occasions/no. of caravans, types, position, amenity, fire safety, sanitation. Court may revoke site licence on application of council if holder convicted 3 times for breaching conditions or a compliance notice. Power to make regulations requiring that manager of relevant protected site must be fit & proper not	Access to personal information and property. Type of property may mean proportionally a greater number of young, elderly or vulnerable adults access this type of accommodation- risks relates to any issues of dishonestly or links to burglary etc for managers and landlords.	Burglary Dishonesty Sexual Offences Violence Offences	Legislation does not currently support the application of a fit and proper test, safeguarding policy cannot be implemented at this time DCLG Guidance issued in March 2015 makes no mention of safeguarding issues. Case law has held that conditions more appropriate as a planning condition cannot be imposed. All that shows site licences are about the land, not the people. The Tribunal will have regard to the Model Standards 2008 (which are

		in force. It may be possible to revisit once s.8 in force. Council will be able to ask court to revoke on 3rd conviction or if manager not fit and proper to apply to Residential Property Tribunal to revoke.			all about the site and not persons) when determining any appeal. Also provision in s.8 Mobiles Homes Act 2013 regarding managers being fit & proper not in force. It may be possible to revisit once s.8 in force. Action: Review conditions and policy once legislation is updated by inclusion of s. 8
Cosmetic piercing (ear and body), Tattooing, acupuncture, electrolysis and semi-permanent skin colouring	Section 16 Local Government (Miscellaneous Provisions) Act 1982	Council issues certificate of registration rather than licence. No grounds for refusing certificate. Council has statutory duty to issue. Model byelaws adopted in 2007 create offences. Magistrates' Court (not council) may suspend or cancel registration on conviction for breaches of byelaws. Council may not issue future consent except without consent of magistrates. Council cannot cancel.	Access to Children should be restricted, as the legislation required adult accompaniment and consent for body piercing activities and under 18's should not be accepted by the Tattooist. Any person carrying out these activities on adults, will have one to one access to individuals, including intimate areas. There is a risk of sexual or violent offenders being given access to individuals with particular additional risks where the registration for the activity is at the private address of the applicant.	Supply of drugs Sexual Offences Violence Offences	Legislation and Byelaws concentrate on Health and Hygiene, No provision to include Safeguarding until the legislation or byelaws are updated. Some Council's prefer not to issue certificate of registration at domestic premises. We cannot just walk in unlike retail premises. We would need a warrant first. Action: Possibly review the registration procedure and policy with regard to domestic premises.
Premises licence/club premises certificate for sale of alcohol or late night refreshment	Section 18/Section 72 Licensing Act 2003	Likely to promote licensing objectives of (i) prevention of crime & disorder (ii) public safety (iii) prevention of public nuisance and (iv) protection of children from harm. Sanctions if licensing objectives compromised to significant degree	The current licensing legislation provides safeguards through the licensing objectives. It is the Licensing Authorities responsible to ensure appropriate conditions are agreed with the Premises Licence Holder to meet those Licensing objectives and reduce risks at each individual premise.	Any convictions relating to the four licensing objectives	Currently, there is no fit and proper test permitted in the legislation so safeguarding policy cannot be applied to these licences. The Licensing Objectives form the basis of decisions and enforcement in relation to these licences. Action: None at this time
Licence for Gambling and Betting premises	Gambling Act 2005	Likely to promote licensing objectives	The current licensing legislation provides safeguards through the licensing objectives. It is the Licensing Authorities responsible to ensure appropriate conditions are agreed with the Licence Holder to meet those Licensing objectives and reduce risks at each individual premise.	Any offence relating to the licensing objectives in Gambling Act 2005	Currently, there is no fit and proper test permitted in the legislation so safeguarding policy cannot be applied to these licences. The Licensing Objectives in the Gambling Act 2005 form the basis of decisions and enforcement in relation to these licences. Action: None at this time

Licence to keep riding establishment	S.1 Riding Establishments Act 1964	Animal welfare only express criteria in 1964 Act. A vet report must be considered before grant. S.7(4) provides that licence may be withheld on any grounds but must have regard to (i) management skills of applicant (ii) condition, accommodation, fire safety, health & welfare of horses . Council has no power to cancel licence but court may cancel it and disqualify a person from keeping a riding establishment. only on welfare grounds. No power to suspend.	Access to Children and vulnerable adults, potentially on a regular basis- specifically unsupervised lessons for children both able bodies and disabled, and vulnerable adults- learning or physical disability. Physical contact required in order to assist with mounting and dismounting horses and rider positioning. Employment or voluntary work by young people, working as stable hands/grooms etc. Animal Welfare considerations- allegations or convictions for cruelty.	Cruelty/abuse/neglect of animals	Legislation does not currently support the application of a fit and proper test, safeguarding policy cannot be implemented at this time as the legislation only permits the consideration of health and safety and animal welfare issues. Any abuses in relation to employment are dealt with under employment law, not licensing. The Act exists to protect the animals, not employees or volunteers. Action: Encourage use of BHS safeguarding guidelines in establishments.
Licence for Animal Boarding	S.1(3) Animal Boarding Establishments Act 1963	Criteria for refusal relate to accommodation, feeding, health and fire safety. Court, not council may cancel licence and disqualify holder if convicted for animal welfare offences. No power to suspend.	Access to personal information of customers- holiday plans, address etc. any issues of dishonesty or links to burglary etc. Employment or voluntary work by young people, working as kennel/cattery hands etc. Animal Welfare considerations- allegations or convictions for cruelty.	Cruelty/abuse/neglect of animals	Legislation does not currently support the application of a fit and proper test, safeguarding policy cannot be implemented at this time as the legislation only permits the consideration of animal welfare issues. Any abuses in relation to employment are dealt with under employment law, not licensing. The Act exists to protect the animals, not employees or volunteers. Action: None at this time
Licence for Animal Breeding	S1(4) Breeding of Dogs Act 1973 and 1991	Only court, not council may cancel licence or order disqualification following conviction for offences of breaching licence conditions Disqualification may be ordered by court under 1991 Act for obstructing officer or vet with warrant.	Employment or voluntary work by young people, working as kennel/cattery hands etc . Animal Welfare considerations- allegations or convictions for cruelty.	Cruelty/abuse/neglect of animals	Legislation does not currently support the application of a fit and proper test, safeguarding policy cannot be implemented at this time Only conviction for offences under 1973 Act are grounds for cancellation. Any abuses are dealt with under employment law, not licensing. The 1973 Act exists to protect dogs, not employees or volunteers. Action: None at this time
Licence for a Pet Shop	S.1 Pet Animals Act 1951	Only court, not council may cancel licence or order disqualification following conviction for offences of breaching licence conditions or other	Employment of young people, working as assistants etc. Animal Welfare considerations-	Cruelty/abuse/neglect of animals	Legislation does not currently support the application of a fit and proper test, safeguarding policy cannot be implemented at this time as the

		animal welfare laws	allegations or convictions for cruelty.		legislation only permits the consideration of animal welfare issues. Any abuses in relation to employment are dealt with under employment law, not licensing. The Act exists to protect the animals, not employees or volunteers. Action: None at this time
Licence for Zoo	Zoo Licensing Act 1981	Council must take into account representations from police, local planning authority and others. Refusal on grounds of (i) adverse effect on health & safety of nearby residents (ii) law and order; (iii) poor conservation measures (iv) animal welfare or if applicant convicted of animal welfare offences (v) lack of planning permission . Zoo Closure Direction may be made if breach of conditions not addressed, nuisance caused, or if licence holder or keeper convicted of animal welfare offences.	Employment or voluntary work by young people, working with animals etc. Animal Welfare considerations- allegations or convictions for cruelty.	Cruelty/abuse of animals	Legislation does not currently support the application of a fit and proper test, safeguarding policy cannot be implemented at this time as the legislation only permits the consideration of animal welfare issues. Any abuses in relation to employment are dealt with under employment law, not licensing. The Act exists to protect the animals, not employees or volunteers. Action: None at this time