

**BOROUGH OF BARROW-IN-FURNESS**  
**LICENSING REGULATORY COMMITTEE**

Meeting: Thursday, 19th May, 2022  
at 2.00 pm. (Banqueting Hall)

**A G E N D A**

**PART ONE**

1. Apologies for Absence/Attendance of Substitute Members.

2. Urgent Items

To deal with any items which the Chair considers to be of an urgent nature.

3. Delegations

To receive notice from Members who may wish to move any delegated matter non-delegated and which will be decided by a majority of Members present and voting at the meeting.

4. Admission of Public and Press

To consider whether the public and press should be excluded from the meeting during consideration of any of the items on the agenda.

5. Declarations of Interest

To receive declarations by Members and/or co-optees of interests in respect of items on this Agenda.

Members are reminded that, in accordance with the revised Code of Conduct, they are required to declare any disclosable pecuniary interests or other registrable interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Members may however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests which they have already declared in the Register, as well as any other registrable or other interests.

6. Minutes

5 - 6

To confirm the Minutes of the meeting held on 20th April, 2022.

## 7. Public Participation

Any member of the public who wishes to ask a question, make representations or present a deputation or petition at this meeting should apply to do so by no later than 5pm two working days before the meeting. Information on how to make the application can be obtained by viewing the Council's website [www.barrowbc.gov.uk](http://www.barrowbc.gov.uk) or by contacting the Licensing Team at [commercial@barrowbc.gov.uk](mailto:commercial@barrowbc.gov.uk) or by telephone on 01229 876545.

- (1) Questions and Representations  
To receive any questions or representations which have been received from members of the public
- (2) Deputations and Petitions  
To receive any deputations or petitions which have been received from members of the public.

## 8. Terms of Reference 7 - 10

To note the Terms of Reference for the Licensing Regulatory and Licensing Committees.

### **FOR DECISION**

- |            |  |         |
|------------|--|---------|
| <b>(D)</b> | <b>9.</b> Annual Informal Inspection - Cumbria Zoo Company Limited<br><br>To consider a report on the Annual Informal Inspection of the Zoo.   | 11 - 46 |
| <b>(D)</b> | <b>10.</b> Appointment of Representatives to Working Groups<br><br>To agree the appointment of Members to the Taxi/Private Hire Liaison Group. | 47 - 48 |
| <b>(D)</b> | <b>11.</b> Licensing Delegated Decisions (February to April 2022)<br><br>To note the delegated decisions.                                      | 49 - 52 |

**NOTE**        **(D) – Delegated**  
                  **(R) – For Referral to Council**

### **Membership of Committee**

To be determined at Annual Council on 18th May, 2022.

**For queries regarding this agenda, please contact:**

Sandra Kemsley  
Democratic Services Officer  
01229 876336  
spkemsley@barrowbc.gov.uk

Published: Wednesday, 11 May 2022

This page is intentionally left blank

## LICENSING REGULATORY COMMITTEE

Meeting: Wednesday 20th April, 2022  
at 2.00 pm. (Drawing Room)

PRESENT:- Councillors Callister (Chairman), McEwan (Vice-Chair), Assouad, Biggins, Gawne, Maddox and Seward.

Officers Present:- Graham Barker (Head of Public Protection), Katherine Benson (Licensing Officer), Debbie Storr (Head of Legal and Governance & Monitoring Officer) and Sandra Kemsley (Democratic Services Officer).

### **27 – Apologies for Absence**

Apologies for absence had been received from Councillors Hall, McLeavy and Wall.

### **28 – Minutes**

The Minutes of the meeting held on 3rd March, 2022 were taken as read and confirmed.

### **29 – Public Participation**

RESOLVED:- To note that no questions, representations, deputations or petitions had been received in respect of the meeting.

### **30 – Street Trading – Jubilee Celebrations**

The Licensing Officer presented a report which set out a proposal to relax the need for individuals to apply for a street trading consent in the Barrow Borough area during the Queens Platinum Jubilee Bank Holiday. The celebrations were expected to take place between 2nd - 5th June, 2022.

As the Council had adopted all streets in the Borough as consent streets, a street trading consent was required where articles were sold or offered for sale in the street or on land to which the public had access without payment.

On 10th May 2019 the Council had adopted all streets in the Borough as consent streets with regard to the provisions of Part III and Schedule 4 the Local Government (Miscellaneous Provisions) Act 1982 - Street Trading.

Under the Act “street trading” meant the selling or exposing or offering for sale of any article in a street. A ‘street’ included any road, footway, beach, any part of a street or other area which the public had access without payment.

Applications for street trading consents are subject to a 7 day consultation process whereby the application was forwarded to: Cumbria Police; Barrow Borough Council – Health and Safety, Environmental Protection and Planning; Cumbria County Council – Highways Authority and Trading Standards.

Ahead of the celebrations, the Council had been in receipt of a number of enquiries specifically around the Platinum Jubilee bank holiday weekend. Most enquiries related to street parties and the playing of music, which were outside the scope of the street trading regime and this report. However, elements of these enquiries had enquired about having stalls to sell goods and/or food, including ice cream vans. They would generally meet the criteria for requiring a street trading consent, if they didn't already hold one.

The Council had also been in receipt of a letter from the Department for Levelling Up, Housing and Communities (attached as Appendix 1 to the report) requesting the Council support communities in celebrating the Platinum Jubilee. It was therefore proposed that the need to apply for a street trading consent be relaxed for 2nd, 3rd, 4th and 5th June 2022 only.

If this proposal was approved, the sale of alcohol would still be subject to the requirements of the Licensing Act 2003 and in most cases a Temporary Event Notice would be required. All other relevant legislation would also need to be complied with, including food safety legislation.

Although not directly related to street trading, the Government had relaxed the licensing hours for premises licensed under the Licensing Act 2003. It would apply to premises already licensed until 11.00 pm for the sale of alcohol for consumption on the premises, for the provision of late-night refreshment (only where there was also the sale of alcohol for consumption on the premises), and for the provision of regulated entertainment in England and Wales. The Order would extend the licensing hours for such premises from 11.00 pm to 1.00 am the following day, on Thursday 2nd June, Friday 3rd June, and Saturday 4th June.

The proposal in relation to street trading consents would strictly be for the 4 dates stated, any celebrations taking place outside of these dates would need a street trading consent if required.

It was moved by Councillor McEwan and seconded by Councillor Maddox, and

**RESOLVED:-** It was unanimously agreed to relax the need for individuals to obtain a street trading consent during the Queens Platinum Jubilee Celebrations only, on dates 2nd, 3rd, 4th and 5th June, 2022.

The meeting closed at 2.04 pm.

## Terms of Reference

<b><u>Licensing Regulatory Committee</u></b>		
<b>Membership</b>	<b>Terms of Reference</b>	<b>Delegation of Functions</b>
12 members of the authority	<p>To deal with private hire, hackney carriage and other licensing and registration functions (other than Licensing Act 2003 and Gambling Act 2005 functions designated to be the responsibility of the Licensing Committee by virtue of the implementation of relevant legislation). This will include all functions under all legislation details in Part B and FA of Schedule 1 to the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 as amended (other than the Licensing Act 2003 and Gambling Act 2005 functions) and all other Licensing functions for which the Council may be responsible. This includes all powers in respect of any approval, consent, licence, permission or registration for which the Committee is responsible including, but not limited to:-</p> <ol style="list-style-type: none"> <li>a) To grant, vary, alter, amend, suspend or revoke any approval, consent, licence, permission or registration;</li> <li>b) To impose any condition, limitation or other restriction or other terms on any approval, consent, licence, permission or registration;</li> <li>c) To determine whether and in what manner to enforce any failure to comply with any approval, consent, licence, permission or registration and;</li> <li>d) To amend, vary, modify or revoke any condition, limitation or term imposed on any approval, consent, licence, permission or registration.</li> <li>e) To set the amount of any associated fee or charge (unless prescribed by Central Government).</li> <li>f) To consider proposals to change policy under these Acts and make recommendations to the Executive Committee.</li> </ol>	<p>See Part 3(2) for delegations to:-</p> <ul style="list-style-type: none"> <li>• Section A – Director of People and Place</li> <li>• Section E – Head of Public Protection</li> </ul>

	<p>In respect of all the functions listed in Parts B and C of Schedule 1 of the functions regulations to hear and determine any matter where an applicant for a licence or permit or an existing licence/permit holder has a right to appear and be heard by the Committee.</p> <p><u>Health and Safety (Part C)</u></p> <p>Functions relating to Health and Safety under any relevant statutory provision within the meaning of Part I of the Health and Safety at Work Act 1974, to the extent that those functions are discharged otherwise than in the Council's capacity as employer.</p> <p><u>Other Functions</u></p> <p>Power to close food businesses.</p> <p><u>Business and Planning Act 2020</u></p> <p>All matters in relation to pavement licences.</p>	<p>Onward delegation to a 3 member sub-committee of Licensing Regulatory Committee.</p> <p>Onward delegation to Officers as detailed in Section E to this part of the Constitution.</p> <p>Onward delegation to Officers as detailed in Section E to this part of the Constitution.</p> <p>Onward delegation to a 3 member sub-committee of Licensing Regulatory Committee to consider internal reviews in accordance with process for Pavement Licences.</p>
--	---	---



## Terms of Reference

<b><u>Licensing Committee</u></b>		
<b>Membership</b>	<b>Terms of Reference</b>	<b>Delegation of Functions</b>
12 members of the authority	To deal with all functions relating to licensing and registration set out in the Licensing Act 2003 and Gambling Act 2005 and any amendments thereof or regulations made thereunder insofar as they are not specifically designated in the Act as being the function of the Council or some other body. For the avoidance of doubt this includes setting the amount of any charges to be made and to consider proposals to change policy under these Acts [with the exception of the making of the Statement of Licensing Policy] and make recommendations to the Executive Committee.	<p><b>Licensing Act 2003</b></p> <p>Licensing Sub-Committee with a membership of 3 members each and operate in accordance with the scheme of delegation contained in Schedule 1 below.</p> <p><b>Gambling Act 2005</b></p> <p>Licensing Sub-Committee with a membership of 3 members each and operate in accordance with the scheme of delegation contained in Schedule 2 below.</p> <p>See Part 3(2) for delegations to:-</p> <ul style="list-style-type: none"> <li>• Section A – Director of People and Place</li> <li>• Section E – Head of Public Protection</li> </ul>

This page is intentionally left blank

**PART ONE**

**Barrow Borough Council**  
**Licensing Regulatory Committee**  
**Thursday, 19 May 2022**  
**Annual Informal Inspection-Cumbria Zoo Company Limited**

---

**Report from:** Director of People and Place

**Report Author:** Ivor Churcher

**Wards:** All

---

**1.0 Summary and Conclusions**

- 1.1 Cumbria Zoo Company Limited (“CZCL”) hold a Zoo Licence issued on 29<sup>th</sup> April 2021 to operate a Zoo at premises known as South Lakes Safari Zoo, Melton Terrace, Lindal-in -Furness, Cumbria, LA12 0LU (“The Zoo”)
- 1.2 The Licence was granted for a period of six years with several conditions being placed on the Licence.(See **Appendix 1**)
- 1.3 On 28<sup>th</sup> February 2022 an Annual Informal Inspection of the Zoo was conducted by Dr Mathew Brash BVet Med Cert Zoo, Med MRCVS and Ivor Churcher Commercial Team Leader. The main focus of which was to ascertain compliance with conditions and directions placed on CZCL.

This report considers:

- a) The conditions found and the items raised with CZCL at the Annual Informal Inspection carried out on 28<sup>th</sup> February 2022.
- b) The improvements made at the Zoo following the Informal Inspection.
- c) Updates Members on the extent of compliance with licence conditions.

**2.0 Recommendation**

**It is recommended that:-**

1. members consider the content of the Inspection Report, Cumbria Zoo Company Limited’s response and the Officers findings; and
2. If after giving the licence holder an opportunity to be heard, are not satisfied that a condition attached to Cumbria Zoo Company Limited’s licence, granted by the Council under the Zoo Licensing Act 1981, is met in relation to the zoo or a section of it, determine whether to apply additional conditions to the licence or to instruct Officers to issue Directions under Section 16 of the Act.

### 3.0 Background

- 3.1 Cumbria Zoo Company Limited (“CZCL”) holds a zoo licence issued on 29<sup>th</sup> May 2021 (**APPENDIX 1**) to operate a zoo at premises known as South Lakes Safari Zoo, Melton Terrace, Lindal-in-Furness, Cumbria, LA12 0LU (“the Zoo”). This zoo licence will last for a period of six years.
- 3.2 Section 12(1) of the Act allows for an informal inspection to be carried out “*once in any calendar year*” but only where no other inspection type is due or anticipated i.e. periodical (s.10) or special inspections (s.11 ).
- 3.3 On the whole the Zoo continues to make progress. Since the formal inspection all of the conditions and most of the directions have been complied with.

### 4.0 Informal Inspection

- 4.1 The Local Authority appointed inspectors (s.10(4)(a)(i) comprised of:
- Dr Matthew Brash B.Vet.Med Cert Zoo Med MRCVS (the Council’s Professional Veterinary Advisor); and
  - Ivor Churcher (Commercial Team Leader)
- 4.2. S.10(4)(c) allows for representatives of the operator [CZCL] (not exceeding a total of 3 persons) to accompany the inspectors on the inspection. In addition the inspectors may require the presence of a veterinary surgeon or practitioner employed or retained by the zoo.
- 4.3. CZCL representatives were:-
- Karen Brewer, CEO;
  - Anna Gillard
  - Kim Banks, Deputy Animal Department Manager; and
  - Karen Archer MRCVS.

Kim Banks accompanied the inspection team during the inspection.

- 4.4 Dr Brash’s inspection report is attached at APPENDIX 2 and a summary of his recommendations are detailed below:

- 4.4.1 The perimeter fence was not being maintained as undergrowth was beginning to grow up and over the fence causing the electric fence to short. It is proposed that a Direction be made as the zoo licence holder had failed to comply with the following licence condition, giving 1 MONTH to comply:

*Accommodate and keep the animals in a manner consistent with the standards set out in the Secretary of State's Standards of Modern Zoo Practice.*

This licence condition is not met in relation to the whole of the zoo. In order to comply with Section 8.29 of the SSSMZP and Section 1A(c) of the ZLA and meet the requirements of this condition the zoo licence holder must ensure that the perimeter boundary fence must be maintained in such a way, so far as is reasonably practicable, to ensure the confinement of all animals within the zoo. All vegetation must be cut back from the perimeter fence so that the electric fencing is not compromised. This action must be completed within one month from the date on which this direction takes effect in accordance with section 18(9) of the Zoo Licensing Act 1981.

The zoo is not required to be closed to the public during the period in which the zoo must make the changes needed to comply with this direction.

- 4.4.2 The perimeter fence adjacent to the house at the top of the Zoo, poses a potential risk for someone to enter the Zoo illegally. This has come about by the occupants of the house raising the ground level within the garden presumably in order to provide a better unrestricted view of the Zoo. There is also potential for the occupants to make contact with the electric fence. It is proposed that a Direction be made as the zoo licence holder had failed to comply with the following licence condition, giving 1 MONTH to comply:

*Accommodate and keep the animals in a manner consistent with the standards set out in the Secretary of State's Standards of Modern Zoo Practice.*

This licence condition is not met in relation to the perimeter fence adjacent to the house called Furness View.

In order to comply with Section 8.29 of the SSSMZP and to meet the requirements of this condition, the zoo licence holder must raise the perimeter fence that runs adjacent to the Furness View garden to a sufficient height to ensure that, in all areas, it acts to discourage unauthorised entry, and the electric wiring is out of reach of all members of the public whether within or without the zoo. This action must be completed within one month from the date on which this direction takes effect in accordance with section 18(9) of the Zoo Licensing Act 1981.

The zoo is not required to be closed to the public during the period in which the zoo must make the changes needed to comply with this direction.

- 4.4.3 The Standoff Barrier on the pathway adjacent to the maned wolf enclosure is no longer present and could be a danger to the Public. It is proposed that a Direction be made as the zoo licence holder had failed to comply with the following licence condition, giving 1 MONTH to comply:

*Accommodate and keep the animals in a manner consistent with the standards set out in the Secretary of State's Standards of Modern Zoo Practice.*

In order to comply with Section 8.9 and 8.24 of the SSSMZP and Section 1A(c) of the ZLA and meet the requirements of this condition the zoo licence holder must replace the standoff barrier on the pathway adjacent to the maned wolf enclosure, so that it acts as a suitable preventative standoff barrier. This action must be completed within one month from the date on which this direction takes effect in accordance with section 18(9) of the Zoo Licensing Act 1981.

This licence condition is not met in relation to the pathway between the baboons and maned wolf enclosures.

This pathway is required to be closed to the public during the period in which the zoo must make the changes needed to comply with this direction.

- 4.4.4 The Baboon electric fencing was loose and was shorting on plants. This may lead to Baboons escaping. It is proposed that a Direction be made as the zoo licence holder had failed to comply with the following licence condition, giving 1 MONTH to comply:

*Accommodate and keep the animals in a manner consistent with the standards set out in the Secretary of State's Standards of Modern Zoo Practice.*

This licence condition is not met in relation to the electric fencing between the baboons and maned wolf enclosures.

In order to comply with Section 8.6 and 8.7 of the SSSMZP and Section 1A(c) of the ZLA and to meet the requirements of this condition, the zoo licence holder must repair or replace the electric fencing to ensure that it is constructed and maintained to contain animals within the enclosure. This action must be completed within one month from the date on which this direction takes effect in accordance with section 18(9) of the Zoo Licensing Act 1981.

The zoo is not required to be closed to the public during the period in which the zoo must make the changes needed to comply with this direction.

- 4.4.5 The electric fence at the Lemur walkthrough was not of sufficient height to prevent an adult person touching live "hot wires". It is proposed that a Direction be made as the zoo licence holder had failed to comply with the following licence condition, giving 1 MONTH to comply:

*Accommodate and keep the animals in a manner consistent with the standards set out in the Secretary of State's Standards of Modern Zoo Practice.*

This licence condition is not met in relation to the pathway within the Safari walk through and adjacent to the racoon house.

In order to comply with Section 8.13, 8.14 and 8.23 of the SSSMZP and to meet the requirements of this condition, the zoo licence holder must raise the electric wiring on enclosure fence of the lemur walk-through enclosure to a sufficient

height to ensure that, in all areas, it is out of reach of a member of the public. This action must be completed within one month from the date on which this direction takes effect in accordance with section 18(9) of the Zoo Licensing Act 1981.

The pathway adjacent to the fence in the area behind the racoons, is required to be closed to the public during the period in which the zoo must make the changes needed to comply with this direction.

- 4.4.6 A rodent was noted leaving the Ant Eaters accommodation and there is considerable evidence of rodents in other areas of the Zoo. It is proposed that a condition be placed on CZCL Licence to ensure that within a six month period that there is a safe and effective programme for the control or deterrence of pests and vermin:

In order to comply with section 3.25 of the SSSMZP, and Section 1A(c) of the ZLA and meet the requirements of this condition the zoo licence holder must ensure that a safe and effective programme for the control or deterrence of pest and vermin must be established and maintained throughout the whole of the zoo. The zoo licence holder must ensure that this programme has been established and implemented within six months from the date on which this condition takes effect in accordance with section 18(7) of the Zoo Licensing Act 1981.

## 5.0 Existing Directions:

### 5.1 Drainage at the Africa House and Service Area.

At the Zoo Licence inspection in March 2021 a direction to comply with their licence was issued to ensure that the Africa House was not flooded and the welfare of the animals was not compromised. A deadline of April 2022 has been given for this Direction to be complied with. At the Informal Inspection on 28<sup>th</sup> February 2022 it was noted that this direction had not been complied with. It should be noted that Karen Brewer CEO CZCL intends to request an extension as major excavation works are necessary.

### 5.2 The Africa Exhibit Paddock.

At the Zoo Licence inspection in March 2021 two directions were issued.  
(a) Ensure suitable grazing food stock and (b) Provision of adequate shelter when the animals are on the paddock.

Neither of these directions had been complied with at 28<sup>th</sup> February 2022.

## 6.0 Representations

- 6.1 S.14(7) of the Act requires that “*within one month of receiving the report of the inspection, the local authority shall send a copy to the operator of the zoo and give him the opportunity to comment on it.*” CZCL submitted their comments which are attached at APPENDIX 3.

6.2 CZCL have been invited to today's hearing.

## **7.0 Consultation**

7.1 None.

## **8.0 Alternative Options**

8.1 None.

## **9.0 Contribution to Council Plan Priorities**

9.1 Priority 2. Place. Creating a vibrant, safe and welcoming place where people want to live.

## **10.0 Implications**

### **10.1 Financial, Resources and Procurement**

The Council may be subject to an appeal against the Committee's decision in the Magistrates' Court under Section 18 of the Zoo Licensing Act 1981.

### **10.2 Legal**

The Zoo requires a licence to be able to open to the public and the Zoo Licensing Act 1981 makes the local authority responsible for administering the Licence. Anyone running a Zoo without a licence is guilty of an offence.

#### **Section 12 Informal inspections**

- (1) Without prejudice to sections [9A,] 10 and 11, the local authority shall make such arrangements as they think fit to ensure that any zoo for which a licence granted by that authority is in force is inspected informally by an inspector once in any calendar year in which no inspection is made under those sections.*
- (2) The inspector shall be appointed by the authority and shall be a person appearing to the authority to be competent for the purpose of the inspection.*

The Local Authority's power to alter a licence is contained within **Section 16** of the same Act

- (1) At any time after the grant of a licence under this Act, it may be altered by the local authority if in their opinion it is necessary or desirable to do so for ensuring the proper conduct of the zoo during the period of the licence (whether their opinion arises from an inspectors' report or an alteration of standards specified under section 9 or otherwise).*



- (4) allows the licence to be altered by varying, cancelling or attaching a condition to the licence (or a combination of any of those methods).

### **Section 16A Enforcement of licence conditions**

- (1) Subsection (2) applies where the local authority, after giving the licence holder an opportunity to be heard, are not satisfied that a condition attached to a licence granted by them under this Act is met in relation to the zoo or a section of it.
- (2) Unless subsection (3) applies, the authority shall make a direction specifying-
- (a) the licence condition which they are not satisfied is met;
  - (b) whether they are not satisfied that that condition is met in relation to--
    - (i) the zoo; or
    - (ii) a section of the zoo, and if so, which section;
  - (c) steps to be taken by the licence holder to ensure that that condition is met in relation to the zoo (or, if a section of the zoo is specified under paragraph (b)(ii), in relation to that section) within a period specified in the direction, which may not exceed two years from the date of the direction; and
  - (d) whether the zoo or a section of it is required to be closed to the public during that period or any part of it specified in the direction.
- (3) This subsection applies if the authority have power to make a zoo closure direction under section 16B(5) and they exercise that power.
- (4) The authority may, after giving the licence holder an opportunity to be heard, make a direction under this subsection varying a direction under subsection (2) (including such a direction as varied by a direction under this subsection).
- (5) A direction under subsection (4) may increase the period specified in the direction under subsection (2)(c) or (d), but the period as increased must not exceed two years beginning with the date of the direction under subsection (2).
- (6) A direction under subsection (2) (including such a direction as varied by a direction under subsection (4)) may be revoked by a further direction of the authority.

There is a right of appeal under **Section 18** to the Magistrate's Court if the holder of the licence wishes to challenge the decisions of the Committee.

### **18 Appeals**

- (1) A person aggrieved by--
- (a) the refusal to grant a licence;
  - (b) any condition attached to a licence;

- (c) any variation or cancellation of a condition;
  - (d) the refusal to approve the transfer of a licence;
  - (e) a direction under section 13(8)(c) or 16A(2) or any variation of such a direction;
  - (f) a zoo closure direction;
  - (g) the refusal to approve a plan prepared under section 16E(2);
  - (h) a direction under section 16E(6) or any variation of such a direction; or
  - (i) any arrangements under section 16E(7) or (8), may appeal to a magistrates' court.
- (2) Any such appeal shall be brought within [twenty-eight] days from the date on which the person wishing to appeal receives written notification of the authority's decision [as to the matter in question]; but an appeal may be brought under this section whether or not the authority's decision was made in pursuance of a direction of the Secretary of State under this Act.
- (3) On an appeal under this section to a magistrates' court, the court may confirm, vary or reverse the local authority's decision and generally give such directions as it thinks proper, having regard to the provisions of this Act.
- (5) The procedure on an appeal to a magistrates' court under this section shall be by way of complaint for an order, and the Magistrates' Courts Act 1980 shall apply to the proceedings.

The Council have the power to prosecute for a failure to meet a licence condition under Section 19 of the Act.

### 10.3 Local Government Reorganisation

None.

### 10.4 Equality and Diversity

10.4.1. The report has no direct equality and diversity implications.

#### Risk

Risk	Consequence	Controls required
------	-------------	-------------------

Risk	Consequence	Controls required
------	-------------	-------------------

#### Contact Officers

Ivor Churcher [ichurcher@barrowbc.gov.uk](mailto:ichurcher@barrowbc.gov.uk)

**Appendices Attached to this Report – *If none, please state none or delete section***

<b>Appendix No.</b>	<b>Name of Appendix</b>
1	Current Zoo Licence
2	Annual Informal Inspection Report
3	CZCL Response to issues raised at Annual Inspection

**Background Documents Available**

<b>Name of Background document</b>	<b>Where it is available</b>
1	<i>Add links where possible</i>
2	

This page is intentionally left blank

**Zoo Licensing Act 1981(as amended)****ZZ23203****LICENCE TO OPERATE A ZOO**

Barrow Borough Council, being a local authority responsible for licensing zoos under the Zoo Licensing Act 1981(as amended) ('the Act') HEREBY LICENCE

Name of licence applicant: **Cumbria Zoo Company Limited**

Office held: **South Lakes Safari Zoo, Zoo Offices, Melton Terrace, Lindal-in-Furness, Cumbria, LA12 0LU**

To operate the premises known as: **SOUTH LAKES SAFARI ZOO, Melton Terrace, Lindal-in-Furness, Cumbria, LA12 0LU** ('the Zoo')

Situated within the area of the said authority, subject to the conditions attached to this licence.

This licence is issued in accordance with the Act for a period of six years and shall remain in force from:

**Valid from: 11<sup>th</sup> May 2021****Expires: 10<sup>th</sup> May 2027****IMPORTANT NOTES**

- It is specifically brought to the licensees attention that the use of this licence does not imply that the requirements of any legislation relevant to the zoo, other than the above Act, have been met or complied with.

Signed:

Dated: 30<sup>th</sup> April 2021

**GRAHAM BARKER**  
**PUBLIC PROTECTION MANAGER**

On behalf of Barrow Borough Council

Zoo Licence Version Control Table		
Version 1	Issued 11/05/2017	Original zoo licence
Version 2	Issued 07/09/2018	Condition 15(a) and Condition 15(c) removed from licence following Licensing Regulatory Committee 6 <sup>th</sup> Sept 2018.
Version 3	Issued 30/04/2021	Licence Renewal (Licensing Regulatory Sub-Committee – 29 <sup>th</sup> April 2021). Conditions 14 and 15 varied. Condition 16 added.

**ZOO LICENCE - SOUTH LAKES SAFARI ZOO**

**LICENCE CONDITIONS**

**DIRECTIVE CONDITIONS**

**(IN ACCORDANCE WITH SECTION 1A OF THE AMENDED ACT)**

**The operator of the Zoo must ensure that the following measures are implemented in the Zoo:**

- 1.** Promote public education and awareness about biodiversity conservation. In particular, provide information about the species of wild animals kept in the zoo and their natural habitats.
- 2.** Accommodate and keep the animals in a manner consistent with the standards set out in the Secretary of State's Standards of Modern Zoo Practice.
- 3.** Prevent escapes and put in place measures to be taken in the event of any escape or unauthorised release of animals.
- 4.** Introduce practical measures designed to prevent the intrusion of pests and vermin into the premises of the zoo.
- 5.** Keep up-to-date records of the animals, including numbers of different animals, acquisitions, births, death, disposals and escapes, causes of deaths and the health of the animals.
- 6.** Participate in at least one of the following:-
  - Research which benefits the conservation of wild animals.
  - Training in relevant conservation skills.
  - Exchanging information about the conservation of wild animals.
  - Breeding of wild animals in captivity.
  - Repopulating an area with wild animals, or re-introducing wild animals.

The zoo must keep information to show how it has complied with this condition and supply it to the Local Authority upon request.

## **STANDARD CONDITIONS**

### **7. *Insurance***

Within one month of the date of the licence and one month of the date of renewal of the policy, where applicable, a copy of the zoo's current public liability insurance policy, and of subsequent renewals thereof, to be sent to the Licensing Authority.

### **8. *Stocklist***

A copy of the zoo's annual stocklist, as defined by the Secretary of State's standards of modern zoo practice, shall be forwarded to the Licensing Authority by 1st April of the year following that to which it relates.

### **9. *Hazardous animals***

The Licensing Authority shall be notified in writing at least one month in advance of the proposed addition of any animal listed in Category 1 of the Hazardous Animal categorisation (see Appendix 12 of the Secretary of State's Standards of Modern Zoo Practice) which is from a taxonomic family of which Category 1 species have not previously been kept in the zoo

Such notification shall include all plans and strategies necessary to safely contain any such animal. All such notifications, plans and strategies shall be approved by the Licensing Authority and fully implemented and in place prior to the arrival at the Zoo of any animal detailed in the notification.

### **10. *Temporary removal of Category one animals***

The licensees shall notify the Licensing Authority before the temporary removal from the zoo (other than for veterinary attention or inter-zoo movements) of any animal listed in the Category 1 of the Hazardous Animal categorisation of Secretary of States Standards of Modern Zoo Practice, as currently amended. Such notification shall be given as early as possible and, in any case, no later than 12 hours before the removal, unless the zoo operator and Licensing Authority mutually agree a shorter period. When giving notification, details of the destination and method of transportation of the animal and of the arrangements for its well-being, as well as for the safety of the public whilst it is away from the zoo, to be provided.

### **11. *Escapes***

In the event of any non-domestic animal escaping from the confines of the zoo, notification shall be made to the Licensing Authority as soon as possible and, in any case, not later than 24 hours following the escape.



## **ADDITIONAL CONDITIONS**

### **12. Animal Escapes**

If the policy / procedure relating to animal escapes changes a copy shall be sent to the Licensing Authority within one month of being made.

### **13. Firearms cover and Protocol regarding escapes**

- a) In accordance with 8.20 and 8.34 of the SSSMZP there must be an agreed and written protocol for liaison with the Cumbria Constabulary in response to the escape of an animal outside of the perimeter of the licensed premises and appropriate firearms cover for the premises. This must be reviewed on a yearly basis and be provided to the Licensing Authority upon review.
- b) A MINIMUM of two firearms 'users' shall be on-duty at all times during opening hours. At least one of these should be an established user with at least the initial training and the other user shall have at least one year/six 'range days' experience in the role, or as agreed between the Zoo and the Firearms Operation Unit at Cumbria Police.

***[Timescale – immediate and annually on 1<sup>st</sup> April]***

### **14. Animal / Visitor Interactions**

In accordance with 8.14 of the SSSMZP, all contact injuries to visitors from animals must be reported to the Local Authority within 14 days.

### **15. Management, Operational and Staffing Structure**

- a) The Animal Director (or equivalent) must have the ability to make decisions independent of the registered land owner; and
- b) To ensure the orderly management of the Zoo, the licensee shall at all times retain the legal right to occupy and operate from the premises known as South Lakes Safari Zoo, Melton Terrace, Lindal-in-Furness, Cumbria, LA12 0LU comprised in legal titles registered at HM Land Registry under CU269901, CU269902 and CU103199.

### **16. Walkthrough Exhibits**

In accordance with Appendix 6.5 and 6.11 of the SSSMZP; All walk through exhibits, whether for hazardous or non-hazardous species, should have clearly delineated areas distinguishing public areas from those for the animals. There should be appropriate signs, supervision and barriers to ensure that the public do not enter the animal-only areas. To comply with this section a suitably trained and

employed keeper must be present in each walk-through enclosure containing  
Category 1 species whenever the enclosure is open to the public.

**Appendix 2.**

**Veterinary report on the Annual Informal Inspection of South Lake Safari Zoo on 28<sup>th</sup> February 2022**

At the request of Barrow Borough Council I accompanied Ivor Churcher in an Annual Informal Inspection of South Lakes Safari Zoo. Present representing the zoo were Kim Zee Banks, Animal Manager, and for part of the inspection Karen Brewer CEO. Other members of staff were interviewed during the inspection.

**Overview.**

On the whole the zoo continues to make progress. Since the formal inspection all of the conditions and most of the directions have been complied with. Directions that have not been complied with to date are discussed at the end of this report.

A confidential update was provided regarding the on going discussions with their landlord ZIC.

Further work on the zoo itself has been undertaken including;

1. A complete reworking of the indoor bear accommodation.
2. The provision of new macropod accommodation.
3. The development of new howler monkey accommodation.
4. The completion of a new red panda enclosure.
5. The completion of the maned wolf enclosure.
6. A renovation of the keepers kitchen. There are now new walk in fridges and freezers, and the preparation area has been altered. This aim is that one area will be preparation, whilst the second area will be filled with fridges with the days prepared food, ready for collection.
7. The penguin pool has been renovated, and filtration improved.

There are plans to improve the drainage in the wolf enclosure and improve the baboon indoor housing and create a new squirrel monkey enclosure.

Visitor numbers have remained good, and the zoo is 25% up on where they expected to be at this time of the year.

At present there are seventeen keepers, plus the head keeper and Mr Armitage.

It was noted that the zoo now has only four staff members qualified and trained on their firearms team, although regular training is undertaken and recorded. There are at least two suitably qualified people on site every day. However should a member of staff be absent, then the remaining members of the team could be under pressure to ensure that the condition on their licence is complied with at all times. It is recommended that more members of staff are trained and added to their fire arms team.

No animal escapes have occurred since the formal inspection, and three animal escape drills have been undertaken and documented.

A new eating area has been placed within the house that also accommodates the bears, howler monkeys etc. The catering operation within this area does not comply with Food Safety requirements.

Conservation, Education, research and Veterinary services were not inspected.

A brief walk round of the zoo was undertaken and all animals appeared healthy. The collection veterinary surgeon was present on site during the visit but was occupied operating on an animal. She continues to make weekly visits.

There were a number of areas of concern that as they are a breach of their licence must be dealt with issuing a Direction to comply with their licence.

### **1. Perimeter fence.**

It was noted that in areas the undergrowth is beginning to grow up and over the perimeter fence. In the area of the old entrance, the electric fence could be heard shorting on ivy. The overgrowth of shrubs and climbing plants has been a historic problem, and it is essential that the zoo operator ensures that the integrity of the perimeter fence is maintained properly.

The inspection on 28<sup>th</sup> February 2022 highlighted that the zoo licence holder had failed to comply with the following licence condition:

*Accommodate and keep the animals in a manner consistent with the standards set out in the Secretary of State's Standards of Modern Zoo Practice.*

This licence condition is not met in relation to the whole of the zoo.

In order to comply with Section 8.29 of the SSSMZP and Section 1A(c) of the ZLA and meet the requirements of this condition the zoo licence holder must ensure that the perimeter boundary fence must be maintained in such a way, so far as is reasonably practicable, to ensure the confinement of all animals within the zoo. All vegetation must be cut back from the perimeter fence so that the electric fencing is not compromised. This action must be completed within one month from the date on which this direction takes effect in accordance with section 18(9) of the Zoo Licensing Act 1981.

The zoo is not required to be closed to the public during the period in which the zoo must make the changes needed to comply with this direction.

### **2. The perimeter fence adjacent to the House**

The perimeter fence, adjacent to the Illescas aviary abuts a privately owned house, called Furness View. The house and its garden overlooks the zoo, being at a higher level. Garden ground level was raised to allow a better view of the zoo, without the perimeter fence being a visual obstruction. This was achieved with a retaining wall and back filled.

At a previous inspection it was requested that this ground level be lowered, this has only been undertaken in one area. As a result, ground level in the garden is the close to the height of the perimeter fence in some areas. This is of concern for two reasons.

Firstly, the raised ground level provides potential access for someone to enter the zoo illegally and is no longer a reasonable deterrent preventing public access, as required in the SSSMZP. Secondly, the raised area is a potential hazard to a member of the public outside the zoo, as it they could contact the electric wiring which sits on top of the perimeter fence. This is a potential hazard for anyone staying within the bungalow, and of particular concern would be the potential for a child to come into contact with the electric wires.

The zoo has a duty to ensure that they are complying with the SSSMZP, and for this reason a suitable perimeter fence must be established in this area.

The inspection on 28<sup>th</sup> February 2022 highlighted that the zoo licence holder had failed to comply with the following licence condition:

*Accommodate and keep the animals in a manner consistent with the standards set out in the Secretary of State's Standards of Modern Zoo Practice.*

This licence condition is not met in relation to the perimeter fence adjacent to the house called Furness View.

In order to comply with Section 8.29 of the SSSMZP and to meet the requirements of this condition, the zoo licence holder must raise the perimeter fence that runs adjacent to the Furness View garden to a sufficient height to ensure that, in all areas, it acts to discourage unauthorised entry, and the electric wiring is out of reach of all members of the public whether within or without the zoo. This action must be completed within one month from the date on which this direction takes effect in accordance with section 18(9) of the Zoo Licensing Act 1981.

The zoo is not required to be closed to the public during the period in which the zoo must make the changes needed to comply with this direction.

### **3. Standoff barrier**

It was noted that the standoff barrier on the pathway adjacent to the maned wolf enclosure is no longer present. This was possibly previously provided by shrubbery that has now been removed. It is now possible for members of the public to access the fencing of the maned wolf enclosure, which could be a danger to the public.

The inspection on 28<sup>th</sup> February 2022 highlighted that the zoo licence holder had failed to comply with the following licence condition:

*Accommodate and keep the animals in a manner consistent with the standards set out in the Secretary of State's Standards of Modern Zoo Practice.*

In order to comply with Section 8.9 and 8.24 of the SSSMZP and Section 1A(c) of the ZLA and meet the requirements of this condition the zoo licence holder must replace the standoff barrier on the pathway adjacent to the maned wolf enclosure, so that it acts as a suitable preventative standoff barrier. This action must be completed within one month from the date

on which this direction takes effect in accordance with section 18(9) of the Zoo Licensing Act 1981.

This licence condition is not met in relation to the pathway between the baboons and maned wolf enclosures.

This pathway is required to be closed to the public during the period in which the zoo must make the changes needed to comply with this direction.

#### **4. Baboon Electric fencing**

It was noted that the electric fencing designed to keep the baboons within their outdoor paddock is loose and was shorting on the plants. If this electric fence fails, then the baboons might escape.

The inspection on 28<sup>th</sup> February 2022 highlighted that the zoo licence holder had failed to comply with the following licence condition:

*Accommodate and keep the animals in a manner consistent with the standards set out in the Secretary of State's Standards of Modern Zoo Practice.*

This licence condition is not met in relation to the electric fencing between the baboons and maned wolf enclosures.

In order to comply with Section 8.6 and 8.7 of the SSSMZP and Section 1A(c) of the ZLA and to meet the requirements of this condition, the zoo licence holder must repair or replace the electric fencing to ensure that it is constructed and maintained to contain animals within the enclosure. This action must be completed within one month from the date on which this direction takes effect in accordance with section 18(9) of the Zoo Licensing Act 1981.

The zoo is not required to be closed to the public during the period in which the zoo must make the changes needed to comply with this direction.

#### **5. Lemur Walk through electric fencing**

It was noted that the electric wiring along the top of the enclosure fence, designed to keep the ring-tailed lemurs within their enclosure, (the Safari Walk through), in the area adjacent to the racoon house, is within easy reach of the public. This potential public safety issue has been raised at earlier inspections, and perhaps due to a misunderstanding has not been resolved. Whilst the two lower wires have been turned off and are no longer live, 'hot wires' are still within reach of an adult person, and certainly within very easy reach of a child sitting on an adults back.

The inspection on 28<sup>th</sup> February 2022 highlighted that the zoo licence holder had failed to comply with the following licence condition:

*Accommodate and keep the animals in a manner consistent with the standards set out in the Secretary of State's Standards of Modern Zoo Practice.*

This licence condition is not met in relation to the pathway within the Safari walk through and adjacent to the racoon house.

In order to comply with Section 8.13, 8.14 and 8.23 of the SSSMZP and to meet the requirements of this condition, the zoo licence holder must raise the electric wiring on enclosure fence of the lemur walk-through enclosure to a sufficient height to ensure that, in all areas, it is out of reach of a member of the public. This action must be completed within one month from the date on which this direction takes effect in accordance with section 18(9) of the Zoo Licensing Act 1981.

The pathway adjacent to the fence in the area behind the racoons, is required to be closed to the public during the period in which the zoo must make the changes needed to comply with this direction.

## **6. Rodent control**

A rat was noted leaving the ant eater's accommodation, and there is considerable evidence of rodent problems behind this house and other areas of the zoo, especially the Africa house. At present rodent control is being managed by Marcus Butcher, with visits from professional companies to advice. Mr Butcher informed the inspection team that whilst he did use rat bait boxes, he was also shooting rats with an air rifle. The evidence seen during the inspection shows that there is a considerable rodent pest problem.

The inspection on 28<sup>th</sup> February 2022 highlighted that the zoo licence holder had failed to comply with the following licence condition:

*Accommodate and keep the animals in a manner consistent with the standards set out in the Secretary of State's Standards of Modern Zoo Practice.*

This licence condition is not met in relation to the whole of the zoo.

In order to comply with section 3.25 of the SSSMZP, and Section 1A(c) of the ZLA and meet the requirements of this condition the zoo licence holder must ensure that a safe and effective programme for the control or deterrence of pest and vermin must be established and maintained throughout the whole of the zoo. The zoo licence holder must ensure that this programme has been established and implemented within six months from the date on which this condition takes effect in accordance with section 18(7) of the Zoo Licensing Act 1981.

The zoo is not required to be closed to the public during the period in which the zoo must make the changes needed to comply with this direction.

## **Existing Directions.**

There are a number of outstanding Directions from the formal inspection undertaken in 2021 that have not been fully complied with.

### **1. Drainage at the Africa house and service area**

The Africa house is poorly positioned in a dip below the Africa paddock, but also below the level of the adjacent farmers field. This means that surplus rain water runs off into the area of the house, especially at the front of the Africa house, and at the side below the midden.

At the Zoo Licence Inspection in March 2021 a direction to comply with their Licence was issued to ensure that the zoo put in place suitable drainage to carry away surplus rain water, and ensure that the Africa house was not flooded and the welfare of the animals not compromised.

Considerable work has been undertaken, however the area adjacent to the Africa house still has large pools of standing water and the water coming off the roof, being collected in a large water butt, then just runs straight out onto the ground. This standing water needs to be removed.

Whilst it is acknowledged that the zoo does recognise that there is a drainage problem in this area, the remedial work required is making slow progress. Ms. Brewer informed the inspection team that they needed major excavation works and remove a large amount of rubble to allow access to complete the work. Whilst this may be the case, the work to carry this surface water away from the building has still not been completed and according to the Direction issued at the last formal inspection, this work requires completion by April.

Failure to comply with this Direction means that the Africa house must be closed off to the public until it is completed, unless the operator applies for, and is granted an extension to this direction.

### **2. The Africa exhibit paddock**

The Africa exhibit is a mixed species enclosure, with White Rhino, Zebra, Nyala, Wildebeest and Giraffe. The White Rhino, Zebra and Wildebeest are all grazing animals, whilst the Nyala and Giraffe are browsers although Nyala will also graze. Two Directions to comply with their Licence relating to this exhibit resulted from the formal inspection in 2021. The first was to ensure the provision of suitable grazing for most of the year for grazing footstock, and the second was the provision of shelter when the animals are on the paddock.

Grazing for these animals is provided via a paddock placed at the top of a slope. It has poor drainage, meaning that it becomes easily poached, and mud is a problem. One area of the paddock has now had the top soil removed, land drains have been put in place, and the area covered with hard core. This has now been fenced off from the grass the paddock. This provides a larger outdoor area for the animals that is mud free, and prevents the Rhino from accessing the grass when the ground is too wet. However it also decreases the area of potential grazing for these animals.



The zebra, wildebeest and Nyala still have access to the grass paddock and as a result the grazing area appears badly poached.

A single tall 'shelter' has been constructed. However this is not fit for purpose and does not provide any of the animals kept in this exhibit with suitable shelter, unless there is vertical rain and no wind. At the time of the inspection, the Rhino had been shut out of their house, but had no access to suitable shelter. The other animals had all been shut into their house.

In the light of these findings, it is my opinion, that neither of these two Directions to comply with their Licence have been complied with to date.

Signed

A handwritten signature in black ink, appearing to read 'ma', is written over a light grey rectangular background.

11<sup>th</sup> March 2022

**Dr M G I Brash B Vet Med Cert Zoo Med MRCVS**

This page is intentionally left blank

Morning please find our response as below:

Cumbria Zoo thank the Council and Inspector for recognising the continued progress of the zoo and thank them for their time and input.

**1. Perimeter fence.**

**Response:**

Complete – Since lockdown

A reading from the zoo perimeter is recorded morning and night by the office – via radio calls to keepers (Appendix 1) there are differing acceptance levels and the office are trained to flag to maintenance any issues. Maintenance also held a staff training session with all staff – keeping team, clean team, retail and managers to ensure they understand to report any shorting - “clicking”. There was very limited damage from the storms despite winds reaching 60/70 mph fairly consistently over the 2 weeks, apart from branch fall but the wind did took out the old entrance side “old perimeter wooden fence ” Ahmed and his team relocated the fence and have sent these photos of the entire perimeter for your confirmation. You can see the fence was fully operational on the day however the training should result in a more proactive approach.

Date	Anteaters		Triangle		Bears		Africa		Entrance		Rhino Shelter	
	Reading	Reported By	Reading	Reported By	Reading	Reported By	Reading	Reported By	Reading	Reported By	Reading	Reported By
10/02	6.2 6.6	Becy Becy	6.5 6.1	Becy Becy	5.2 7.7	Georgia Belle	6.4 7.7	Connor Connor	6.2 7.4	Connor Connor	5.2	Connor
11/03	8.3	Georgia Georgia	7.9 7.7	Becy Georgia	6.8 9.9	Belle Belle	7.9 8.5	Georgia Emily	6.9	Becy	6.7	Emily
02/03	9.4	Georgia Georgia	7.9 6.5	Georgia Georgia	8.2 8	Belle Belle	8.9 8.8	Kim Kim	9.1	Kim	6.8	Kim
03/03	7.9	Georgia Belle	8 8.5	Georgia Belle	8 8.4	Georgia Georgia	8.2 7.5	Connor Connor	8.4 7.4	Connor Connor	7.1	Connor
04/03	8.8 8.6	Georgia Lucy	6.7 8.8	Georgia Lucy	8.8 7.8	Belle Georgia	8.4 8.4	Connor Connor	8.4 8.7	Connor Connor	7.4	Connor
5/3/22	9.1 8.7	Georgia Connor	7.9 7.6	Georgia Connor	8.8 8	Georgia Georgia	8.7 9	Connor Connor	8.2 8.7	Connor Connor	7.6	Connor
6/3/22	8.5 9.7	Becy Becy	7.9 8.5	Becy Becy	9 9.1	Georgia Lucy	8.8 8.3	Connor Connor	8.5 8.4	Connor Connor	8.6	Connor
WEEKLY COUNT:	Straw		10.5	Hay	54		Lucerne		84			
Date	Anteaters		Triangle		Bears		Africa		Entrance		Rhino Shelter	
7/3/22	4.8 8.4	Becy Becy	8.4 8.7	Becy Becy	9.7 8.7	Belle Belle	8.7 9.2	Connor Connor	7.2 9.5	Connor Connor	6.2	Connor
8/3/22	8.4 8.8	Becy Becy	8.2 8.4	Becy Becy	8.4 8.8	Belle Belle	8.3 8.1	Emily Connor	9.1 8.7	Emily Connor	8	Emily
9/3/22	8.5 9.9	Callum Callum	7 7.4	Callum Callum	8.7 8.6	Belle Belle	8.1 6.4	Connor Connor	8.2 8.3	Connor Connor	6.9	Connor
10/3/22	8.8	Callum	8.2	Callum	8.7	Georgia	9.1	Connor	8.4	Connor		
11/3/22	7.5 8	Becy Becy	8 7.4	Becy Becy	7.3 8.1	Georgia Belle	8.1 7.8	Connor Connor	8.1 8.5	Connor Connor	6.9	Connor
12/3/22	8.1 8.3	Becy Becy	7.3 7.6	Becy Becy	8.1 8.1	Belle Belle	7.8 8.2	Connor Emily	8.5	Connor	8.7	Connor
13/3/22	8.7 8.3	Becy Becy	8.1 8.6	Becy Becy	9.2 8.3	Belle Belle	7.5 8.8	Connor Connor	8.7 8.3	Connor Connor		
WEEKLY COUNT:	Straw			Hay	50		Lucerne		624			

## 2. The perimeter fence adjacent to the House

**Response:** It is unknown at this time who the legal owner of Furness View actually is. We have over the last 12 months been conversing with who we initially believed to be the purchaser. There have been a number of issues over the last 12 months broadly:

As councillors are aware the house has an access route over the old overspill car park which the neighbour is using to store building materials and rubble.

The neighbour built a 2m wall without which they then have backfilled an area to that height which is adjacent to our perimeter fence and adjacent to an internal path. They in essence have raised their garden 2m so they have a view over the fence. They have also built pod style accommodation units on that ground. (sentence redacted) As there has been no permissions we pursued the issue originally by phone, and texts, and then through legal letters. Originally the contact was helpful and stated they would remove the wall and works. What they have done is taken the works down by approximately 1m this means from their side our 2.5m perimeter now becomes a 1.5 fence and reachable and at some places the wall still stands at 2m next to our 2.5m fence.

We have also instructed our legal team to investigate potential breaches of Party Wall Act, Planning etc but we will proceed as soon as supplies arrive.

Since the inspection we have ascertained raising the fence is impossible, certainly in a timely manner, to create a new perimeter 4ft inside the existing boundary that wall -- thus creating " a no mans land" . As Council Officers have to sign off on the proposed perimeter we sent the proposals together with a sketch to Officers and we just await materials which are on order with a 4 week delivery.

- The fence will be wooden posts - to speed up supply
  - chain link mesh as the current exterior
  - the fence will stand the same height as the current perimeter - 2m plus overhang
  - we will remove the electrics off the back (current fence) to remove the electrical issue and run it along the new fence so maintaining the same fence all the way around the perimeter of the zoo
1. The house has an access drive over our leased land to their property they have over the last few months continued to store building materials which have become more and more - culminating in the photos you see today.



It is safe to say the relationship with our landlord is not the best, ZIC initially took on dealings with the neighbours, but then once they seemed to ascertain we were in fact correct they then refused to implement or push/ continue. It seems clear there is an absolute barrier by either party to come to an amicable position, restore our leased site to what it should be but more a goal to make life as difficult as possible. The fence has been requested to be moved, has been requested to have the badly built wall removed and even issuing of legal letters has fallen on deaf ears. We yet are still to ascertain the buyers of the house, if indeed it has ever been sold, as much as it pains that a flagrant disregard for planning rules or land ownership has resulted in this issue we did say to the inspectors during the visit that we would if it became an issue for our licence we would go on to rectify.

### **3. Standoff barrier**

**Response:** Complete - A stand off barrier is in place of the dead shrubbery and bramble that had been stripped out. Photos:





#### **4. Baboon Electric fencing**

**Response:** Complete - Our Maintenance manager jumped in there was a loose tensioning wheel that he re-tensioned. The daily fence reading taken by keepers in a morning and minimum reads checked prior to animals being allowed out into the paddock ensure the fence is operational and reading correctly, these readings are recorded on their daily observational sheets and transferred onto the online ZIMS animal information system.

Enclosure Basic Info	
Name / Identifier	Baboon House / -
Parent Enclosure	Primate Section
Category / Type	Terrestrial / Exhibit
Responsible Party	
Permit List	-
Location	
Latitude	-
Longitude	-
Movable	✘
Walkthrough	✘
Active	✔

Environmental Measurement List				
Date/Time	Measurement	Measurement Value	Measured By	
Mar 17, 2022 10:35	Barrier Voltage	7.9am 8.2pm KiloVolts	Primate	
Mar 16, 2022 10:28	Barrier Voltage	7.9am 8.2pm KiloVolts	Primate	
Mar 15, 2022 10:27	Barrier Voltage	6.4am 6.9pm KiloVolts	Primate	
Mar 14, 2022 14:24	Barrier Voltage	6.5am 7.1pm KiloVolts	Primate	
Mar 13, 2022 14:31	Barrier Voltage	6.3am 7.3pm KiloVolts	Primate	
Mar 12, 2022 14:30	Barrier Voltage	5.0am 6.0pm KiloVolts	Primate	
Mar 11, 2022 14:29	Barrier Voltage	7.1am 5.7pm KiloVolts	Primate	
Mar 10, 2022 11:25	Barrier Voltage	7.0am 7.1pm KiloVolts	Primate	
Mar 09, 2022 11:24	Barrier Voltage	6.9am 7.4pm KiloVolts	Primate	
Mar 07, 2022 15:39	Barrier Voltage	6.8pm KiloVolts	Primate	
Mar 06, 2022 16:21	Barrier Voltage	6.8am 7.0pm KiloVolts	Primate	
Mar 05, 2022 15:38	Barrier Voltage	8.8am 6.9pm KiloVolts	Primate	
Mar 04, 2022 15:37	Barrier Voltage	8.5am 8.8pm KiloVolts	Primate	
Mar 03, 2022 10:06	Barrier Voltage	8.0am 8.2pm KiloVolts	Primate	
Mar 02, 2022 11:23	Barrier Voltage	8.2am 7.6pm KiloVolts	Primate	
Mar 01, 2022 11:22	Barrier Voltage	6.2am 8.6pm KiloVolts	Primate	
Feb 28, 2022 14:54	Barrier Voltage	5.2am 6.0pm KiloVolts	Primate	
Feb 28, 2022 14:54	Barrier Voltage	5.2am 6.0pm KiloVolts	Primate	
Feb 27, 2022 14:53	Barrier Voltage	7.7am 7.1pm KiloVolts	Primate	
Feb 27, 2022 14:53	Barrier Voltage	7.7am 7.1pm KiloVolts	Primate	
Feb 26, 2022 14:52	Barrier Voltage	7.6am KiloVolts	Primate	
Feb 26, 2022 14:52	Barrier Voltage	7.6am KiloVolts	Primate	
Feb 25, 2022 14:51	Barrier Voltage	6.4am KiloVolts	Primate	
Feb 25, 2022 14:51	Barrier Voltage	6.4am KiloVolts	Primate	
Feb 24, 2022 14:26	Barrier Voltage	7.5am 7.6pm KiloVolts	Primate	
Feb 23, 2022 14:25	Barrier Voltage	7.4am 7.5pm KiloVolts	Primate	
Feb 22, 2022 14:24	Barrier Voltage	5.8am 6.3pm KiloVolts	Primate	
Feb 20, 2022 15:02	Barrier Voltage	6.5am 6.7pm KiloVolts	Primate	

## 5. Lemur Walk through electric fencing

**Response: Complete** – There was a misunderstanding managers understood the height of the electric fence to be the problem – and so disabled the bottom 2 wires, however upon discussion the fence has been raised and as can you can see – MB is one of our tallest members of staff his hand reaches the old position of the bottom wire and you can see how the fence has been extended and meshed - the bottom wire of fence sits now at 3m high



## 6. Rodent control

**Response:** The zoo employs 3 Lantra qualified pest control staff who have daily rounds, trained in baiting, shooting and dealing with issues.

We have had a longstanding contract with a pest control company who audit the premises twice a year the last audit being October 2021. We had seen increased activity over the last 12 months which led us to employ and train a third pest control member of the team who gained his qualification beginning of February 2022. We have now appointed external consultants on a service agreement for a 12 month period (a rolling contract) currently our team are on stand down at the contractors request but continue to shoot. They have made 2 visits since the inspectors visit on 10.3 and 17.3 to initially scope the site and then implement a plan, on their visit they provide an up date report.



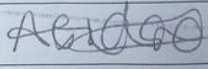
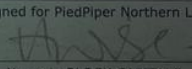
Office Use Only Contract Number <span style="border: 1px solid black; padding: 2px;">■■■■■■</span>		57, Lightburn Avenue Ulverston Cumbria. LA12 0DL e: info@ppnl.co.uk w: www.ppnl.co.uk	
START DATE <span style="border: 1px solid black; padding: 2px;">10 03 22</span>		Client Email <span style="border: 1px solid black; padding: 2px;">accounts@cumbria200.co.uk</span>	
Service Address <span style="border: 1px solid black; padding: 2px;">SOUTH LAKES SAFARI 200 MELTON TERR LINDAL IN FORESS CUMBRIA</span>		Client Contact <span style="border: 1px solid black; padding: 2px;">ANNA GILLARD</span>	
Post Code <span style="border: 1px solid black; padding: 2px;">LA12-0DU</span>		Client Telephone No. <span style="border: 1px solid black; padding: 2px;">01229 466086 09907 066436</span>	
Service Address if different <span style="border: 1px solid black; padding: 2px;">AS ABOVE</span>		Client Home No. <span style="border: 1px solid black; padding: 2px;"></span>	
Post Code <span style="border: 1px solid black; padding: 2px;"></span>		Client Fax No. <span style="border: 1px solid black; padding: 2px;"></span>	
		Client Order No. <span style="border: 1px solid black; padding: 2px;"></span>	
		Service Contact <span style="border: 1px solid black; padding: 2px;"></span>	
		Service Telephone No. <span style="border: 1px solid black; padding: 2px;"></span>	
		Service Fax No. <span style="border: 1px solid black; padding: 2px;"></span>	
		Pest Protection Service <input checked="" type="checkbox"/>	
		Pest Shield (ISO9002) <input type="checkbox"/>	


**SERVICE AGREEMENT**

Pied Piper Northern agrees to make 12 treatments and inspections during the course of twelve months from the contract start date for BATS + MICE at the service address shown above.

The customer agrees to pay for the above quoted services at the rate of £700 quarterly plus VAT at the current rate. The first payment falls due at the start of this contract and thereafter every quarter payable in advance. All payments are made to PiedPiper Northern Limited at Tower House, 57, Lightburn Avenue, Ulverston, Cumbria. LA12 0DL (Registered Office).

This agreement is binding for one year from the start date and shall continue unless terminated at the end of the first year or any subsequent invoicing quarter. In both cases all terminations are subject to **one quarter's notice in writing.**

Client's Authorised Signatory		Signed for PiedPiper Northern Ltd	
Name in BLOCK CAPITALS	ANNA GILLARD	Name in BLOCK CAPITALS	H. WISE
Position	DIRECTOR	Processed by	
Date	10/3/22		



**Pied Piper Northern Ltd**

Tower House  
 57 Lightburn Avenue  
 Ulverston  
 Cumbria  
 LA12 0DL

t/f: 01229 480463  
 e: info@ppnl.co.uk

## Pest Inspection Report

Report No. 1 of 2022

Date 10/03/22

**Customer Name & Treatment Address:**

SOUTH LAKES SAFARI ZOO  
 MELTON TERR,  
 LINDAL IN DENESS  
 CUMBRIA  
 Post Code: LA12 0LU

**Type of Visit:** INITIAL ROUTINE

**Client Contact:** ANNA

**Report: (Include all pests and areas where located)** See Customer Action Report

Initial routine inspection and pest management has been carried out today.

Evidence of rodent activity has been noted on several areas of the site. Tamper resistant monitoring points have been installed as per checklist (to be supplied)

Will follow up in due course.

Preparation	Quantity	Units	Date
DETEX BLOCKS	68	BLOCKS	10/3/22

Follow Up Visits		
Date	Number	Report

**PPN Sig:** *thoise*

**Customer Sig:** *Anna*

©PiedPiper Northern. Form PPN 3



Pied Piper  
Northern Ltd

Tower House  
57 Lightburn Avenue  
Ulverston  
Cumbria  
LA12 0DL

t/f: 01229 480463  
e: info@ppnl.co.uk

# Pest Inspection Report

Report No. 2 of

Date 170322

**Customer Name & Treatment Address:**

SOUTH LACES SAFARI ZOO  
MELTON TERRACE  
DALTON-IN-GENESS  
CUMBRIA

Post Code: LA12-0LU

Type of Visit: Follow up

Client Contact:

**Report: (include all pests and areas where located)**

See Customer  
Action Report

A follow up inspection has been carried out today. All bait boxes have been checked and remain unblocked apart from the box behind the kennel house. This showed evidence of mouse activity, box replenished with non toxic blocks today.

Will follow up in due course.

Thank you.

Preparation	Quantity	Units	Date
NON TOXIC	2	Blocks	17/03/22

Follow Up Visits		
Date	Number	Report

PPN Sig: Awise.

Customer Sig: [Signature]

**Existing Directions.**

**1. Drainage at the Africa house and service area**

**Response:** We would like to seek an extension to the Direction. All the works ensuring the drainage of the house and paddock have been completed and is operational - there has been no water in the Africa throughout winter. There are a series of pipes which have been installed by the previous owner under the midden which lies adjacent to the Africa house, those pipes end at the corner of the front of the building and do not connect with the pipes which drain in that area – they just stop. As part of the works a big sump has been built at that point however it has become apparent over winter the water coming off the farmers field runs not just under but through the midden meaning the water in that area can be fouled – therefore we need to move the midden. To move the midden we have to move the hundreds of tons of rocks that has been deposited as a result of the expansion which hence needs the heavy machinery to do so.

That means we can then safely divert the clean water in the pipes and into the sump/ soak away and into the current drainage channels. Utilico unfortunately (well fortunately for them) have been working on the roundabout works on the A590 at Ulverston, so we are booked in as that job finishes we have a start date of June but sooner if time permits. The works is estimated to take 2-4 weeks dependent upon ground conditions. Our maintenance manager had a good working relation ship with the Utilico owners and if any gaps appear in their work calendar we will be the next job therefore we just seek a small extension onto the order.

**2. The Africa exhibit paddock**

**Response:** The area has been seeded at the end of last season and this, but we also await the weather to warm a little for the next but there is good growth on 2/3rds of the area. Next year the Animal Manager expects to keep all animals off it from October – Feb.

Shelter there is a suitable rhino shelter please see photos





We would be prepared to update councillors on re ongoing discussions with the landlord as a Part2 element in council.

This page is intentionally left blank

**PART ONE**

**Barrow Borough Council  
Licensing Regulatory Committee**

**19 May 2022**

**Appointment of Representatives to Working Groups**

---

**Report from:** Chief Executive  
**Report Author:** Democratic Services Officer  
**Wards:** All

---

**1.0 Summary and Conclusions**

1.1 This report seeks the appointment of Members to the Taxi/Private Hire Liaison Group.

**2.0 Recommendation**

2.1 It is recommended that Members determine the appointment of Members to the Taxi/Private Hire Liaison Group.

**3.0 Background and Proposals**

3.1 At the Annual Council meeting on 18th May, 2022 the allocation of seats in respect of Forums, Panels, Working Groups etc. will be agreed.

Members are requested to appoint Members to the Taxi/Private Hire Liaison Group in accordance with the notional seat allocations for 2022/2023 which have been agreed as follows:-

Three Seats (2 Labour: 1 Conservative)

3.2 Membership for 2021/2022 was the Chairman (Councillor Callister) and Councillors McEwan and Hall.

**4.0 Consultation**

Not relevant.

**5.0 Alternative Options**

5.1 Not relevant.

**6.0 Contribution to Council Priorities**

6.1 Not relevant.

**7.0 Implications****7.1 Financial, Resources and Procurement**

7.1.1 None.

**7.2 Legal**

7.2.1 None.

**7.3 Local Government Reorganisation**

7.3.1 None.

**7.4 Equality and Diversity**

7.4.1 The report has no direct Equality and Diversity implications.

**Risk**

Risk	Consequence	Controls required
N/A	N/A	N/A

**Contact Officers**

[ctteadmin@barrowbc.gov.uk](mailto:ctteadmin@barrowbc.gov.uk)

Appendix No.	Name of Appendix
N/A	N/A



**PART ONE**

**Barrow Borough Council**  
**Licensing Regulatory Committee**  
**19 May 2022**  
**Licensing Delegated Decisions**

---

**Report from:** Director of People and Place

**Report Author:** Graham Barker

**Wards:** (All Wards);

---

### **1.0 Summary and Conclusions**

1.1 This report summarises the decisions made under Part 3(2), Section E of the Constitution, Scheme of Delegations to Officers with regard to the Councils Licensing functions.

### **2.0 Recommendation**

2.1 **That members note the report and summary of decisions.**

### **3.0 Background and Proposals**

3.1 Below is a summary of the delegated decisions made between 1st February 2022 and 30<sup>th</sup> April 2022 and include those already reviewed by the Director of People & Place, the Head of Legal & Governance and the Chair of Licensing Regulatory Committee.

3.2

Hackney Carriage and Private Hire Driver Licences (Granted / Renewed):	17
Revoked	1
Suspended (DBS Expired)	3
Suspended (Licence Expired)	3
Hackney Carriage and Private Hire Vehicle Licences (Granted / Renewed inc' Change of Vehicles and Transfers):	66
Suspended (Missed Vehicle Test):	46
Suspended (Licence Expired):	16
Animal Welfare (Granted / Renewed)	

Providing Day Care for Dogs	1
Providing Boarding in Catteries for Cats	1
House to House / Pub to Pub Collections & Street Collections Permits (Granted):	2
Registered Lottery (Granted/Renewed):	4
Personal Licence (Licensing Act 2003) (Granted):	11
Premises Licence (Licensing Act 2003) (Granted):	1
Immediate Suspension Notices (Non-payment of annual fee)	3
Temporary Event Notices (Licensing Act 2003) (Acknowledged):	12
Pavement Licences (Granted / Renewed):	1
Treatment Registrations (Personal)	4
Treatment Registrations (Premises)	2

3.3 In most cases where licences have been suspended or revoked there is a legal provision enabling applicants to appeal those decisions. I can report, that of those delegated decisions above, no appeals have been received.

#### 4.0 Consultation

*None*

#### 5.0 Alternative Options

5.1 None – the report is to note

#### 6.0 Contribution to Council Plan Priorities

6.1 Priority 2. Place. Creating a vibrant, safe & welcoming place where people want to live.

#### 7.0 Implications

##### Financial, Resources and Procurement

7.1.1 If a successful legal challenge is made against the Council, costs and compensation might be payable.

##### Legal

7.1.2 There is a need to ensure that the policies and procedures for determining licences are consistent and fair to avoid legal challenge. The decision must be

taken in the interests of public safety and should be fair, reasonable, proportionate and in accordance with human rights and natural justice principles.

In particular, Sections 51(1) and 59(1) of the Local Government (Misc. Provisions) Act 1976 provides that the Council must assess whether individuals' are suitable persons to hold a drivers' licence be it hackney carriage or private hire.

## **Equality and Diversity**

7.2.1 Have you completed an Equality Impact Analysis? *No*

### **Risk**

<b>Risk</b>	<b>Consequence</b>	<b>Controls required</b>
-------------	--------------------	--------------------------

## **7.3 Local Government Reorganisation**

7.3.1 No impacts on Local Government Reorganisation

### **Contact Officers**

*Graham Barker*     [gebarker@barrowbc.gov.uk](mailto:gebarker@barrowbc.gov.uk)

**Appendices Attached to this Report – None**

**Background Documents Available – None**

This page is intentionally left blank