

NORTH LINCOLNSHIRE COUNCIL

LICENSING COMMITTEE

ZOO LICENSING ACT 1981

DISPENSATION FOR SPECIFIC ZOO'S

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To seek approval from the Licensing Committee to make an application to the Secretary of State for Dispensation for a Zoo Licence.
- 1.2 To request that the Licensing Committee determines whether to support the application for a Zoo dispensation in regard to Normanby Hall, Scunthorpe.

2. BACKGROUND INFORMATION

- 2.1 Section 14 of the Zoo Licensing Act 1981 provides the Secretary of State with powers to relax the requirements of the Act for a small zoo or for a zoo exhibiting only a small number of different kinds of animals. Each case will be treated on its individual merits.
- 2.2 It is for the local authority to seek the section 14(1)(b) direction, which should be supported by a letter from a veterinary surgeon or practitioner (not used by the zoo in question) confirming that the collection appears to be run properly and the animals properly cared for.
- 2.3 Under section 14(1)(b), the Secretary of State may issue a direction to the effect that either a periodical or special inspection or both (but not an informal or licence inspection) shall not be required. The Secretary of State will take account of the health, safety or welfare of the animals and visitors to the zoo. Consideration will also be given to the conservation status of the animals as well as how hazardous they are.
- 2.4 In reaching a decision on any request for a direction under section 14, the Secretary of State will consult such persons on the list referred to in section 8 of the Act as she sees fit. Account will also be taken of the Zoo Guidance at Annex C, although it should be noted that each case is treated on its individual merits.

- 2.5 Any direction made under section 14 of the Act may be varied or revoked by the Secretary of State on having consulted the local authority and such persons on the list as she thinks fit, and only where he is satisfied that doing so is not prejudicial to the protection of wild animals and the conservation of biodiversity. The Secretary of State will notify the local authority and the zoo operator in writing of any direction made or of any revocation or variation to such a direction.
- 2.6 A 14(1)(b) dispensation means the zoo does not require periodical inspections under s.10 and/or special inspection under s.11, and requires only annual informal inspections under s.12 which is carried out by the Local Authority. In addition no conditions need to be attached, which means they don't have to meet conservation requirements.
- 2.7 Under section 14(1)(a), the Secretary of State may issue a direction to the effect that the Act shall not apply to a particular zoo. Prior to May 2014, Normanby Hall had a direction from the Secretary of State stating the Act did not apply due to its size.
- 2.8 When the estate reduced the sites acreage, it meant they now required a Zoo Licence.
- 2.9 On 14 July 2016 an inspection was carried out by an inspector allocated by the Secretary of State. The inspection report is attached at Appendix A; on page 2 the inspector believes consideration should be given to full dispensation due the premises being 'just a deer park'.

3 OPTIONS FOR CONSIDERATION

- 3.1 The options available to the Licensing Committee when considering such an application:

Option 1 – To apply for the direction.

Option 2 – To dismiss the application to be made.

4. ANALYSIS OF OPTIONS

- 4.1 Option 1 – To apply for the direction and be successful would lift the burden on the premises and the licensing authority for additional inspections. See Appendix B for the inspection process.
- 4.2 Option 2 – To dismiss the application would require the premises be inspected as per Appendix C increasing the time and financial burden on the local authority and the premises.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

5.1 There are no resource implications.

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)

6.1 There are no other relevant resource implications.

7. OUTCOMES OF CONSULTATION

7.1 Not applicable.

8. RECOMMENDATIONS

8.1 That the application be determined in accordance with the options outlined at paragraph 3 above.

DIRECTOR OF PLACES

Civic Centre
SCUNTHORPE
North Lincolnshire
DN16 1AB

Author: Nicola Ellis
Date: 28 July 2016

Background Papers used in the preparation of this report: -
Application file- except information protected by the Data Protection Act.



Inspection Report

Date of inspection: Date report completed:

Name of applicant or current licence holder:

Name and address of zoo:
 Postcode:

Tel no: Licence Number:

Date of last formal inspection: Type of last formal inspection:

Timing of next formal inspection: Type of next formal inspection:

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

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

Section 11 Special: Any number of competent LA authorised appointees

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

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

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

Name and designation of inspector(s)	Name of zoo representative(s)
Dr M G I Brash (MRCVS) S of S List 1 Inspector	Susan Hopkinson (Museum Manager)
Nicola Ellis (LA Licensing Officer)	Adrian O'Neill (Ranger)
Stacey Wilson (LA Trading Standards)	Ian Corby (Ranger)

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

Preamble to inspectors' report

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

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

Normanby Hall Country Park is a privately owned country estate that, since 1965, has been leased to the Local Authority, on a pepper corn rent, with a 100 year tenancy.

The Estate grounds has housed a collection of fallow and red deer for approximately 250 years. However recently, during a review of the Estates dispensation it was noted that the area that housed the deer was less than 50 hectares, thus dropping the collection into the classification of a zoo.

However in reality this is, in the inspectors opinion, just a deer park, albeit a small one. If the whole Park's acreage was taken into consideration then it might be considered of sufficient size to be given a full dispensation.

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

Findings at inspection

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

1. Provision of food and water	Marking Yes No N/A	Comments/clarification
Section 1A(c)(ii) ZLA 1981:		
1.1. Are animals provided with a high standard of nutrition?	Yes	The deer graze all year, and are only provided with suger beet during the harder parts of winter. Deer nuts would be provided if the weather became extreme.
1.2. Is food and drink that is supplied appropriate for the species/individual?	Yes	
1.3. Are supplies of food and water: (a) kept hygienically?	N/A	
(b) prepared hygienically?	N/A	
(c) supplied to the animal hygienically?	N/A	
1.4. Has natural feeding behaviour been adequately considered to ensure that all animals have access to food and drink?	Yes	
1.5. Are feeding methods safe for staff and animals?	Yes	However risk assessments must be reviewed by the LA
1.6. Is feeding by visitors permitted?	Yes	There are also four peacocks and a number of wild ducks that are fed mixed corn by the public. This is sold in small bags at the front gate.
(a) if 'yes', is it properly controlled?	Yes	
2. Provision of suitable environment		
Section 1A(c)(i) ZLA 1981:		
2.1. Are the animals provided with an environment well adapted to meet the physical, psychological and social needs of the species to which they belong?	Yes	
2.2. Are the following environmental parameters appropriate:	N/A	The deer reside permanently in the park. Shelter is provided by the park land trees, and also by bracken that is allowed to grow longer in certain areas as cover during the summer months.
(a) temperature?		
(b) ventilation?		
(c) lighting?		
(d) noise levels?		
(e) any other environmental parameters?	Yes	There is no accomodation required.

2. Provision of suitable environment (contd.)	Marking Yes No N/A	Comments/clarification
2.3. Are there satisfactory measures in place to safely confine the animals?	Yes	But the perimeter fence is looking tired in places. Consideration should be given to a smaller coralling area for the deer.
2.4. Do animal enclosures have sufficient shelter and refuge areas?	Yes	There is sufficient shelter provided by the trees for the number of deer
2.5. Do animal enclosures provide sufficient space?	Yes	
2.6. Are backup facilities for life support systems adequate?	N/A	
2.7. Is the cleaning of the accommodation satisfactory?	N/A	
2.8. Is the standard of maintenance adequate for: (a) the buildings?	N/A	Although the fencing that was examined is deer proof, in some areas the fence needs repairing
(b) the fences?	Yes	
2.9. Is all drainage effective and safe?	Yes	
3. Provision of animal health care		
Section 1A(c)(ii) ZLA 1981: 3.1. Are the animals provided with a high standard of animal husbandry?	Yes	Three rangers with a good level of knowledge look after the deer.
3.2. Do animals on display to the public appear in good health?	Yes	All animals observed appeared healthy.
3.3. Are observations of condition and health made and recorded?	Yes	Recorded in a daily diary. More detailed records post initial observation would be useful.
3.4. Do animals receive prompt and appropriate attention when problems are noted?	Yes	
3.5. Are enclosures designed and operated in such a way that social interaction problems are avoided?	Yes	
On-site facilities 3.6. Are catch-up and restraint facilities adequate?	N/A	None are present.
3.7. Is darting equipment satisfactory?	N/A	The collection has a number of contacts who possess dart guns, should one be needed.
3.8. Are on-site veterinary facilities adequate?	N/A	There are no veterinary treatment rooms, and none are required for the present stock.

3. Provision of animal health care (contd.)	Marking Yes No N/A	Comments/clarification
Veterinary care Section 1A(c)(ii) ZLA 1981: 3.9. Are the animals provided with a documented and maintained programme of preventative and curative veterinary care and nutrition?	No	Although this was discussed at the pre license inspection, a program still has not been put in place. However the vet does attend on a regular, albeit unrecorded, basis.
3.10. Is there a system for the regular review of clinical and pathological records?	No	This needs to be established.
3.11. Are appropriate veterinary records kept?	No	At present none are kept
3.12. Are medicines kept and disposed of correctly?	N/A	There are none kept on site.
3.13. Are controlled drugs used and recorded satisfactorily?	N/A	
3.14. Are appropriate antidotes available?	N/A	
3.15. Are <i>post mortem</i> examination arrangements satisfactory?	Yes	All animals are post mortemed.
Isolation and containment 3.16. Is adequate reserve accommodation available for isolation of animals for: (a) assessment?	N/A	As the deer are managed as an extensive deer farm, any poorly animals would be culled.
(b) treatment?	N/A	
(c) recovery?	N/A	
(d) quarantine (where required)?	No	
Sanitation and control of disease Section 1A(e) ZLA 1981: 3.17. Are satisfactory measures in place to prevent the intrusion of pests and vermin into the zoo premises?	Yes	
3.18. Does it appear that general sanitation and pest control are effective?	Yes	

4. Provision of an opportunity to express most normal behaviour	Marking Yes No N/A	Comments/clarification
4.1. Do the accommodation and management regimes encourage normal behaviour patterns and minimise any abnormal behaviour, taking into account current enrichment and husbandry guidelines?	Yes	But the inspector would encourage the rangers to visit other deer parks, to ensure that they stay as up to date as possible with the most current and up to date husbandry practices.
4.2. Are animals of social species normally maintained in compatible social groups?	Yes	
5. Provision of protection from fear and distress		
5.1. Are the animals handled only by or under the supervision of appropriately experienced staff?	Yes	
5.2. Is physical contact between animals and the public consistent with the animals' welfare?	N/A	The public are separated from the deer by a ditch, and suitable signage.
5.3. Are interactions between the animals such that they are not excessively stressful?	Yes	
6. Transportation and movement of live animals		
6.1. Can the zoo demonstrate a knowledge of, and compliance with, the regulations covering transportation of animals, and provide copies of certificates to show compliance when transportation has occurred?	N/A	
6.2. Can the zoo demonstrate that: i) transport and movement equipment is in good order?	N/A	No animals are moved off site, or even within the zoo grounds.
ii) facilities suitable for lifting, crating and transportation of all the types of animals kept within the zoo to destinations both inside and outside the zoo are readily available?	N/A	
iii) catching and transportation techniques take account of the animal's temperament and escape behaviour in order to minimise injury, damage and distress?	N/A	
iv) adequate provision is made for the animal's and the public's safety and well-being while the animal is being transported or kept away from the zoo?	N/A	

7. Conservation, education and research	Marking Yes No N/A	Comments/clarification
<p>Section 1A(a) ZLA 1981:</p> <p>7.1. Is the zoo participating in at least one of the following:</p> <p>(i) research from which conservation benefits accrue to species of wild animals?</p> <p>(ii) training in relevant conservation skills?</p> <p>(iii) the exchange of information relating to the conservation of species of wild animals?</p> <p>iv) where appropriate, breeding of wild animals in captivity?</p> <p>(v) where appropriate, the repopulation of an area with, or the reintroduction into the wild of, wild animals?</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>No</p>	<p>The zoo undertakes considerable research into the natural capital of the grounds of the estate. This is added to the national data base.</p> <p>The zoo also has multiple smaller projects with local groups, such as bat groups.</p>
<p>Section 1A(b) ZLA 1981:</p> <p>7.2. Is the zoo promoting public education and awareness in relation to the conservation of biodiversity, in particular by providing information about the species of wild animals kept in the zoo and their natural habitats?</p>	<p>Yes</p>	<p>They have a very good and effective education department.</p>
<p>7.3. Where appropriate are animals managed in a way consistent with the conservation needs of the species, (such as exchange between zoos, accommodation to encourage natural behaviour and breeding etc)?</p>	<p>Yes</p>	
<p>7.4. Are on-site education facilities adequate for the resources of the collection?</p>	<p>Yes</p>	
<p>7.5. Are the conservation efforts adequate for the resources of the collection?</p>	<p>Yes</p>	
<p>7.6. Are the research efforts adequate for the resources of the collection?</p>	<p>Yes</p>	
<p>7.7. Is captive breeding properly managed?</p>	<p>Yes</p>	

8. Public safety	Marking Yes No N/A	Comments/clarification
Section 1A(d) ZLA 1981: 8.1. Are there satisfactory measures in place to prevent the escape of animals?	Yes	But see comments regarding the perimeter fence.
8.2. Are there satisfactory measures in place to be taken in the event of any escape or unauthorised release of animals?	Yes	But the escape policy would benefit from having appropriate contact numbers more easily accessible. The LA must be contacted in case of an escape.
8.3. Are escape drills carried out four times a year, recorded and regularly reviewed (at least two drills should include the escape of a Category 1 animal where present)?	No	Only 'table top' exercises have been carried out to date.
8.4. Will the perimeter deter unauthorised entry and aid the confinement of zoo stock?	Yes	
8.5. Do stand-off barriers appear adequate?	Yes	A ditch is used to keep the public away from the deer.
8.6. Are adequate warning signs provided?	Yes	
8.7. Are prohibited areas appropriately signed?	Yes	
8.8. Are exits clearly marked and accessible?	Yes	
8.9. Do public areas, walkways and buildings appear safe?	Yes	
8.10. Are trees regularly inspected and appropriate remedial action taken?	Yes	
8.11. Have appropriate risk assessments for direct contact by the public with animals been carried out?	N/A	
8.12. Are the special safety requirements for walk-through or drive-through exhibits adequately met?	Yes	But the LA must review these.

9. Records	Marking Yes No N/A	Comments/clarification
Section 1A(f) ZLA 1981:		But the peacocks should be on the stock list.
9.1. Are there up-to-date records of the zoo's collection, including records of:		
(i) the numbers of different animals?	Yes	
(ii) acquisitions, births, deaths, disposals and escapes of animals?	Yes	
(iii) the causes of any such deaths?	Yes	
(iv) the health of the animals?	Yes	
9.2. Are daily diaries maintained, and do they contain appropriate information?	Yes	
9.3. Are animal stock records clear and up-to-date?	Yes	
9.4. Are annual stock records completed in the correct format and submitted to the local authority?	Yes	
9.5. Are animal source and destination records kept?	Yes	
9.6. Are archived records secure?	Yes	
10. Miscellaneous		
10.1. Do staff numbers and training of staff appear adequate?	Yes	
10.2. Is the management structure and organisation of staff adequate to ensure compliance with the Standards at all times?	Yes	
10.3. Are effective risk assessments carried out where appropriate?	Yes	But LA must review these.
10.4. Has an ethical review process been established and implemented?	No	
10.5. Are public toilet facilities adequate and serviced?	Yes	
10.6. Are parking facilities adequate?	Yes	
10.7. Is a First Aid policy and accident reporting and recording system in place?	Yes	

11. Associated legislation	Marking Yes No N/A	Comments/clarification
11.1. Is electrical equipment routinely serviced?	Yes	
11.2. Have fire precautions been agreed and implemented?	Yes	
11.3. Is refuse and clinical waste disposed of correctly?	Yes	
11.4. Are the required needs of disabled visitors met?	Yes	
12. Compliance check including licence conditions		
12.1. Is the current licence or a copy on public display at each public entrance?	Yes	
12.2. Is adequate Public Liability Insurance current?	Yes	
12.3. Have any Additional licence conditions been met?	No	The initial condition regarding the program of veterinary care has not been complied with, and must be elevated to a direction order.

Additional space

The following space is provided for:

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

This small collection is very well run.

Inspecting team's recommendation to the local authority

Having inspected (name of zoo) Normanby Hall Country Park Zoo

on: 8th July 2016

the inspecting team make the following recommendation: *Please tick appropriate box*

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

Additional Conditions (if appropriate)

1. In accordance with section 3.9(f) and Appendix 9 of the SSSMZP information regarding potential zoonotic diseases must be included in the induction booklet. This must be regularly reviewed and maintained, with all members of staff signing that they have read and understood it. (6 months)

2. In accordance with 8.29 of the SSSMZP the perimeter boundary fence must be repaired or replaced to discourage unauthorised entry and aid in the confinement of animals within the zoo (two year).

3. The zoo must ensure a minimum of four animal escape drills are carried out annually, with at least two of these involving category one hazardous animals as per 8.38 of the SSSMZP. These must be recorded and regularly reviewed with any failings noted addressed in the written escape policy. (one year)

The following condition regarding the veterinary care has been expanded and must now be elevated to a Direction order.

As per section 3.7 (and 3.9) a documented veterinary health programme must be produced, in conjunction with the veterinarian, that reviews the practices undertaken on site and reflects what is appropriate best practice for the collection. This must include, but is not limited to: (i) a routine health surveillance programme including vaccination, parasite and microbiology screening, including anthelmintic selection and parasite management options where appropriate; (ii) quarantine, isolation and import policies and procedures where necessary; (iii) a process of documented review of clinicopathological records; (iv) post mortem examination (PME) procedures and rational when it is not carried out; (v) nutritional and dietary review processes; (vi) pharmaceutical dispensing, storage and management policies, and (vii) a documented zoonosis policy that includes a review of zoonotic pathogens considered a risk in the collection, surveillance programmes in place to monitor for such pathogens, risk assessments specific to zoonosis management and the mitigation strategies deployed to reduce risk to staff and visitors, including hand washing and sanitation strategies (6 months).

Inspector(s) signature(s)

Date signed

M. G. C. BRASH
M. G. C. BRASH B.V.E.T. M.B. VET. CERT. ZOO M.B. VET. M.R.C.V.S.

14th July 2016.

The Data Protection Act 1998 – Fair Processing Notice

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

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

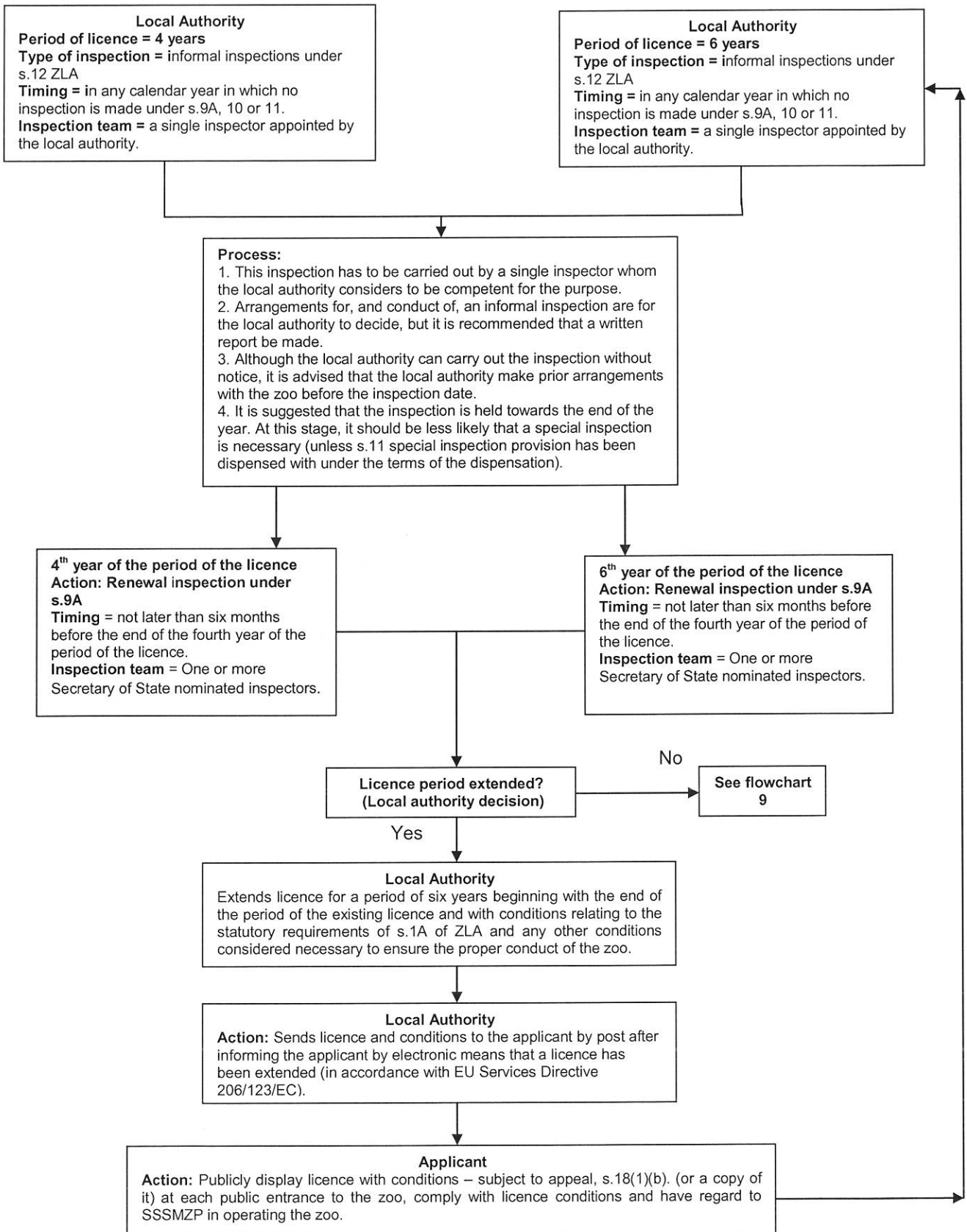
Where the zoo, to which this inspection report applies, is owned by the local authority, the local authority must send a copy of the completed form to Defra (in accordance with section 13(2) of the ZLA) where the zoo is situated in England, or to the Welsh Government where the zoo is situated in Wales.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

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

6. Inspection process for zoo with a 14(1)(b) dispensation

New zoo

Existing zoo



7. Inspection process for zoo with a 14(2) dispensation

