

DANGEROUS WILD ANIMALS LICENSING POLICY 2021-2026

I. Introduction

I.1 The primary aim of the Dangerous Wild Animals Act 1976 and the licensing policy is to protect the public from risks associated with the keeping of dangerous wild animals.

I.2 Licences are lawfully required for any animal that is listed on the dangerous wild animal (DWA) schedule list. The authority recognises that the schedule is subject to change, and will always work to the current schedule associated with the Dangerous Wild Animals Act 1976 at any time when making a decision. The most current list of DWA species can be found on the Government website using the below link.

<https://www.legislation.gov.uk/ukxi/2007/2465/schedule/made>

I.3 The Authority will carefully balance the needs of those individuals wishing to carry out their hobby or for rescue/educational purposes against the need to ensure the safety of the residents in its area. There is no right to grant of a DWA licence, it is a discretionary grant by the Authority.

I.4 Licences will only be granted when the authority is **fully satisfied** that it would not be contrary to public interest, on the grounds of public safety or nuisance and that the animal's needs can be met, that the accommodation is suitable and secure and the individual/s are suitably qualified and experienced to keep the species subject of the application, which does not place themselves at risk particularly if working alone with the dangerous wild animal.

I.5 If a licence is granted then the Council will impose conditions on the licence shown in **Appendix A** covering issues such as:

- a requirement that the animal be kept only by a person or persons named on the licence;
- restrictions on the movement of the animal from the premises as specified on the licence;
- a requirement that the licence holder has a current insurance policy which ensures both licence holder/s and others against any liability caused by the animal and in some cases covers any private health medical costs (where the cost of such treatment is unusual and provided at significant cost to the health service) and that;
- arrangements for emergency response are reasonable.
- a requirement that the licence holder provides a good standard of animal welfare to maintain the health and well-being of animals kept in accordance with the five freedoms that underpin the Animal Welfare Act 2006.

I.6 If a licence is granted for a venomous species then the Council will impose additional conditions on the licence shown in **Appendix B**.

- 1.7 The Council would only look to issue a licence for venomous species in exceptional circumstances where these animals are being kept for medical or educational purposes, all application would be assessed on their own merits.
- 1.8 In addition to general licence conditions, additional conditions may be added to the licence where the Authority considers it necessary to each application based on the species. These conditions will be drawn together using the experience and knowledge of the Licensing Manager, and in consultation with other relevant persons (eg Zoo keepers, DEFRA, Zoo vets) who have expertise in relation to the specific species subject of the application.
- 1.9 Existing licence holders will be required to comply with the updated licence conditions attached to the policy within three months of its implementation,

2. Applications for a DWA Licence

- 2.1 To make an application with this Authority you must be the person/s who proposes to own or possess the animal (unless there are exceptional circumstances which would need agreement with the Licensing Authority).
- 2.2 You will be expected to demonstrate to the satisfaction of the Licensing Authority that you are a suitable person to hold a licence by evidencing the following:
 - Qualifications and training relating to the species you are wishing to keep.
 - Relevant experience of working with or keeping the species concerned.
 - Criminal record check at basic standard to ensure that you have no relevant convictions which may disqualify you from holding a licence.
 - Criminal record check on any person identified as a carer for the species in your absence; who must also be fully qualified, trained and experienced in the species concerned.
- 2.3 An applicant may not be granted a DWA licence if the individual has been convicted of an offence under the Dangerous Wild Animals Act 1976 or for any offences under the following Acts:
 - Protection of Animals Act 1911- 1964
 - Protection of Animals Scotland Act 1912-1964
 - Pet Animals Act 1951
 - Animal Boarding Establishments Act 1963
 - Riding Establishment Act 1964- 1970
 - Breeding of Dogs Act 1973
 - Animal Welfare Act 2006
 - The Animal Welfare (Licensing of Activities Involving Animals)(England) Regulations 2018
 - The Control of Trade in Endangered Species Regulations 2018
 - Any new animal welfare legislation enacted in the period between 2021-2026.
- 2.4 The application must specify:
 - (a) the species (whether one or more) of animal, and the number of animals of each species, proposed to be kept under the authority of the licence;

- (b) the premises where any animal concerned will normally be held; and must be
- (c) made to the local authority in whose area those premises are situated; and
- (d) made by a person who is neither under the age of 18 nor disqualified under this Act from keeping any dangerous wild animal; and
- (e) is accompanied by a fee determined by the Authority as sufficient to meet the direct and indirect costs which it may incur as a result of the application.

2.5 The Authority does not support the licensing of primates under the DWA as 'pets' to live in the domestic premises. The Authority recognises that primates are dangerous and highly intelligent animals with complex needs that cannot be met in a home environment. Consideration will be given to applications for animal sanctuaries where it can be evidenced that there is no intention to breed or allow the primates into the home environment and the standards of accommodation are set at Zoo level. The Licensing Authority notes the Governments future proposals to ban the keeping of primates as pets in England, and is supportive of this position.

3. Appointment of Qualified Veterinary Surgeon

3.1 Before granting any licence the Licensing Authority must satisfy itself on the suitability of an applicant, the ability to provide for all the animal's needs, and the safety of the public.

3.2 East Riding of Yorkshire Council will require an inspection to be carried out by a relevant vet listed on the Secretary of States List for Inspections under the Zoo Licensing Act 1981. This visit will be carried out as a joint visit with an officer of the Licensing Authority who must be fully trained under the Dangerous Wild Animals Act 1976 and Zoo Licensing Act 1981 legislation.

3.3 The vet must be suitably qualified with relevant knowledge and experience of the dangerous species to be licensed and extensive knowledge of the Dangerous Wild Animals Act legislation.

3.4 The nominated vet will be instructed to look at issues based on the five animal welfare freedoms for the proposed animals and the suitability of the applicant in terms of assessing their relevant experience and qualifications relating to the species, subject of the application.

3.5 An inspection report will be completed and submitted to the Licensing Authority for its consideration. The veterinary surgeon will make a recommendation to the Licensing Authority in relation to the matters they have witnessed during the inspection.

3.6 However the final decision in relation to grant/refusal of a licence rests with the Licensing Authority who must be satisfied with all aspects of the application, the Act and its responsibility for the duty of care to the public.

3.7 The Licensing Authority may ask for additional information from the veterinary surgeon if there are any issues which the Authority feels needs further consideration or they are not fully satisfied on parts of the inspection carried out.

3.8 The veterinary report is for the specific use of the Licensing Authority to assist with determination of an application. A copy will be made available to the applicant on

request. If issues have been raised as recommendations or conditions in the vets report then these must be addressed before the application is processed further.

- 3.9 The responsibility for payment of the veterinary inspection report lies solely with the applicant and this payment must be made and the nominated vet's inspection report submitted to the Authority before an application is considered to be complete.
- 3.10 If the vet recommends refusal of the application as the applicant/accommodation is not suitable then the applicant will be advised that the application will be refused.

Advertising of the Application

- 3.11 Following receipt of the report of the veterinary surgeon and a positive recommendation, the Council will seek to satisfy itself that all the aims of the Act are met before determining the application.
- 3.12 In order to satisfy itself on the application being in the interest of the public and on the suitability of the applicant to hold a licence, the application will be publicly advertised in full on the Council's website www.eastriding.gov.uk for a period of 28 days. Comments will be invited by letter or email from those individuals or businesses/public services living or working in the immediate vicinity of the premises which will accommodate the dangerous wild animal. The extent of the wider consultation will be determined on a case by case basis. It is recognised that those in the immediate vicinity of the premises where the animal will be kept, may have information which is relevant to the application or suitability of the applicant.

4. Determination of Application

- 4.1 When determining an application the Licensing Authority will consider the following matters as set out in the legislation:

- That it is not contrary to the public interest to grant the application, on the grounds of safety, nuisance or other grounds.
- The applicant is a suitable person to hold a Licence to keep the animals listed on the application.
- The animal(s) will be kept in accommodation that prevents escape and is suitable in respect the five freedoms including suitable environment and the construction, size, temperature, drainage and cleanliness of the accommodation.
- That the animal(s) will be supplied with adequate and suitable food drink and bedding material and be visited at suitable intervals.
- Appropriate steps will be taken to ensure the protection of the animal(s) and also the licence holder particularly in case of fire or other emergency if working alone with the dangerous wild animal.
- All reasonable precautions are taken to prevent pain, suffering and the spread of infectious diseases.
- The animal(s) accommodation is such that it can take adequate exercise, and fully meet its welfare needs.

- 4.2 To assist with determination of the above the Authority will consider the following:

- The nominated vet's inspection report
- The application made and associated documents

- The qualifications provided and relevant experience of the applicant/s (which can be demonstrated)
- The Disclosure and Barring standard check/s
- The location of the premises and its surroundings
- The supporting documentation with the application including emergency arrangements and accessibility of these arrangements
- The interests of the public in relation to safety and nuisance issues
- Comments or objections received in relation to the application which are relevant to safety, nuisance or the suitability of the applicant or any other person who will be involved with the care of the animals/s.
- The welfare of the animals and whether their needs can be fully met.

4.3 Due to the significant nature of these applications in relation to potential impact on the public it is likely that many cases will be determined by the Licensing Committee rather than at officer level. This decision to refer to the Committee will be made by the Licensing Manager/Public Protection Group Manager, where there are officer concerns around the impact of the application on one or more of the aims of the legislation or where concerns have been raised by those consulted as to the impact on their safety or likely nuisance.

4.4 A decision notice will be sent to the applicant once the matter has been formally determined.

4.5 Where a licence is granted it will be valid for a period of **two years**.

5. Refusal of an Application

5.1 If the decision is made to refuse an application by the Licensing Authority, or conditions are added to a licence, any person unhappy with the refusal or by any conditions to which the licence is subject, may appeal to the Magistrates Court within 21 days of the decision being notified to the applicant in writing.

6 Variation of a licence

6.1 The authority may exercise its discretion to vary a granted DWA licence, to add or remove licence conditions. If a variation is either undertaken following a request from a licence holder or with consent by the licensing authority, it will take immediate effect.

6.2 A variation undertaken by the licensing authority without consent, will be subject to a 14-day period of adjustment for the licence holder to allow for compliance with the requirements of any such variation.

7. Scheme of Delegation

7.1 The Authority has existing delegated powers to manage Dangerous Wild Animals Applications and licences as shown below:

	Full Council	Licensing Committee	Director of Communities and Environment	Officers
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Determination of an application for a new or renewal Dangerous Wild Animals licence		X Where officers have concerns or the application is unusual or significant in respect of the number /type of species	X	X Where there are no concerns in relation to the application.
Renewal of a DWA licence		X Where there is a significant change to the previous licence granted		X Where there is no change to the previous licence and after full consideration of the nominated Vets report
Variation of a licence				X Licensing Manager or Public Protection Group Manager
Policy	X	X	X Minor amendments as a result of legislative changes or to correct administrative errors	
Fee Setting			X (in consultation with the portfolio holder)	

8. Fees

- 8.1 Fees will be set at a level which ensures the full recovery of the cost of the licensing service provided, both administration and compliance checks.

9. Offences

- 9.1 It is an offence to keep an animal covered by the Dangerous Wild Animals Act 1976 without a licence to do so. Any conviction is subject to the fines outlined within the provisions of the Act.

- 9.2 It is an offence to obstruct or delay an Inspector or Authorised Veterinary Practitioner or Veterinary Surgeon. Any conviction is subject to the fines outlined within the provisions of the Act.

10. Power of Entry

- 10.1 Upon receipt of an application or a request to vary a licence, authorised officers have a right of entry to inspect the premises under the Act. Officers do not have an immediate right of entry to inspect unlicensed premises, however a warrant can be granted by the Magistrates Court under the Animal Welfare Act 2006. The Officers concerned will be trained and have experience of working with the Dangerous Wild Animals Act 1976
- 10.2 Where a person is found to be keeping an animal without a licence, or where a person fails to comply with a licence condition, officers from the Council may seize the animal and may either retain it or have it destroyed or disposed of (to a zoo or elsewhere) without compensation to the owner.
- 10.3 Where the Council incurs any expense in seizing, retaining or disposing of the animal it is entitled to recover the amount of the expenditure as a civil debt from any person who was at the time of the seizure, a keeper of the animal concerned.

11. The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

- 11.1 Individuals that hold a licence under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 for the activity of selling animals as pets are exempt from holding a DWA licence.
- 11.2 The Authority in considering an application for an animal activities licence for the activity of selling animals as pets that contains DWA species will have regard to the DWA policy, so far as it is relevant to satisfying itself that the applicant is able to meet the licensing conditions and taking into account the guidance issued under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018. Consideration will be given to any special requirements outlined in Appendix C of the policy that may be considered relevant to the specific DWA species that is subject of the application.
- 11.3 Individual that hold or apply for a licence under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 for the activity of selling animals as pets with DWA species listed will be required to be inspected by a veterinary surgeon in support of the a member of the Licensing Team. The inspection frequency is dependant on the risk and star rating. All fees for this inspection will be fully met by the licence holder/applicant.

12. Changes to this Policy

- 12.1 This policy comes into effect on 15th December 2021 and will be reviewed before 15th December 2026 .
- 12.2 This policy remains a live document and maybe subject to change at any stage earlier than 2026. Minor administrative changes (changes that will not directly affect licence

holders or the public) or changes to legislation that supersede the policy will be made as a policy revision by the Licensing Manager or Public Protection Group Manager. A full record will be kept of any policy amendments made and the reason for that decision.

- 12.3 Any significant changes that may impact on licence holders, current applicants or the general public and any significant change on renewal of this policy in 2026, will be subject to a full 28 day public consultation process, which will be advertised on the Councils website www.eastriding.gov.uk, and sent to all relevant persons for comment that the authority deems appropriate. A significant change is one that impacts financially or procedurally on existing licence holders or increases risk to the public.

DANGEROUS WILD ANIMALS LICENCE CONDITIONS

The licence granted for a dangerous wild animal licence will be subject to standard conditions and in each case these conditions will specify that:

1. A copy of the licence must be clearly and prominently displayed on the premises and entrance to any room or area used for the licensable activity.
2. Only the person/s named on the licence shall be entitled to keep the animal/s.
3. The animal/s shall only be kept on the premises named and the address specified on the licence.
4. Only the species and number of animals listed on the licence may be kept.
5. The animals will not be used for breeding purposes. No breeding of any of the animals on the licence will be permitted at any time. (With the exception of where it can be evidenced breeding is necessary for conservation purposes and written authority has been given by the licensing authority)
6. The animal shall not be moved from the premises at anytime without the written consent of the Licensing Authority, all request must be made at least 72 hours in advance unless exceptional circumstances but written consent is still required.
7. Any request in accordance with licence condition 6 must include:
 - (a) the destination;
 - (b) the Local Authority is whose area the animals will be staying;
 - (c) the duration of the stay; and
 - (d) the transport and vehicle registration number and
 - (e) the specific number of animals concerned.
8. The licence holder must hold a current public insurance policy approved with up to a minimum of £10,000,000 cover which insures against liability for damage and/or injury caused by the animal.
9. If an animal covered by the DWA Licence escapes then the Licence holder shall inform the Council's Licensing Team and Humberside Police immediately (i.e. by telephone or email licensing@eastriding.gov.uk). This condition applies even if the animal is recaptured. Immediate neighbours and relevant public buildings nearby must also be made immediately aware of this escape.
10. The licence holder and keepers shall comply with any reasonable instructions in respect of any DWA animal, given by an authorised officer of this Council or the Council in whose area that animal is and shall provide a copy of this licence for the information of the said authorisation officer.
11. Notification should be given to the Licensing Team within 48 hours if:
 - (a) one of the animals on the licence dies; or
 - (b) One of the animals is removed for medical intervention: or
 - (c) if any breaches of the conditions outlined above occurs.

12. Vehicles and cages used for transport must be suitable for the number and species of animals carried and all reasonable steps taken to avoid unnecessary suffering whilst in transit. Where appropriate the vehicle shall be fitted with double security doors and windows.
13. Whilst in transit and other necessary times, the animals shall be in the charge of a suitable experienced person capable of controlling them. That person shall not be less than 18 years of age.
14. The licence holder should make a copy of the licence and its contents available to any other person listed on the licence as being able to look after the animal. A written record must be kept by the licence holder to show that these individuals have read and understand the licence conditions and requirements.
15. The licence holder must comply with all other licence conditions attached to the licence under paragraph 1.6 and 1.7 of the Councils DWA policy specific to the species kept.
16. The licence holder, other keepers and other person that have responsibility of care for the animals must have competence to identify the normal behaviour of the species for which they are caring and to recognise signs of, and take appropriate measures to mitigate or prevent, pain, suffering, injury, disease or abnormal behaviour.
17. The licence holder must keep a written training policy for themselves and all other keepers. A written record of the training for each individual keeper must be kept and reviewed annually.
18. The licence holder must ensure that at any time all the records that the licence holder is required to keep as a condition of the licence are available for inspection by an inspector in a visible and legible form or, where any such records are stored in electronic form, in a form from which they can readily be produced in a visible and legible form.
19. The licence holder must keep all such records for at least two years beginning with the date on which the record was created.
20. Any animal which is being kept under the authority of the Licence shall be held in accommodation which secures that the animal will not escape.
21. All areas, equipment and appliances to which the animals have access must present minimal risks of injury, illness and escape. They must be constructed in materials that are robust, safe and durable, in a good state of repair and well maintained.
22. Animals must always be kept in an environment suitable to their species and condition (including health status and age) with respect to—
 - (a) their behavioural needs,
 - (b) its situation, space, air quality, cleanliness and temperature,
 - (c) the water quality (where relevant),
 - (d) noise levels,

- (e) light levels,
- (f) ventilation.

23. Keepers must ensure that the animals are kept clean and comfortable.
24. Where appropriate for the species, a toileting area and opportunities for toileting must be provided.
25. Procedures must be in place to ensure accommodation and any equipment within it is cleaned as often as necessary and good hygiene standards are maintained. The accommodation must be capable of being thoroughly cleaned and disinfected.
26. Procedures must be in place to ensure accommodation and any equipment within it is cleaned as often as necessary and good hygiene standards are maintained. The accommodation must be capable of being thoroughly cleaned and disinfected.
27. All resources must be provided in a way (for example as regards. frequency, location and access points) that minimises competitive behaviour or the dominance of individual animals.
28. The animals must not be left unattended in any situation or for any period likely to cause them distress.
29. The animals must be provided with a suitable diet in terms of quality, quantity and frequency. Any new feeds must be introduced gradually to allow the animals to adjust to them.
30. Feed and (where appropriate) water intake must be monitored and any problems addressed.
31. Feed and drinking water provided to the animals must be unspoilt and free from contamination.
32. Feed and drinking receptacles must be capable of being cleaned and disinfected, or disposable.
33. Constant access to fresh, clean drinking water must be provided in a suitable receptacle for the species that requires it.
34. Where feed is prepared on the premises used for the DWA, there must be hygienic facilities for its preparation, including a working surface, hot and cold running water and storage.
35. Active and effective environmental enrichment must be provided to the animals in inside and any outside environments.
36. The animals' behaviour and any changes of behaviour must be monitored. Advice must be sought, as appropriate and without delay, from a veterinarian or, any person competent to give such advice if adverse or abnormal behaviour is detected.

37. The animals must be kept separately or in suitable compatible social groups appropriate to the species and individual animals. No animals from a social species may be isolated or separated from others of their species for any longer than is necessary.
38. Written procedures must—
 - (a) be in place and implemented covering—
 - (i) feeding regimes,
 - (ii) cleaning regimes,
 - (iii) transportation,
 - (iv) the prevention of, and control of the spread of, disease,
 - (v) monitoring and ensuring the health and welfare of all the animals,
 - (vi) the death or escape of an animal (including the storage of carcasses);
 - (b) be in place covering the care of the animals following the suspension or revocation of the licence or during and following an emergency.
39. All people responsible for the care of the animals must be made fully aware of these procedures and a written training record must be kept.
40. All reasonable precautions must be taken to prevent and control the spread among animals and people of infectious diseases and parasites.
41. All excreta and soiled bedding for disposal must be stored and disposed of in a hygienic manner and in accordance with any relevant legislation.
42. Sick or injured animals must receive prompt attention from a veterinarian or, in the case of fish, an appropriately competent person and the advice of that veterinarian or, in the case of fish, that competent person must be followed.
43. Where necessary, animals must receive preventative treatment by an appropriately competent person.
44. The licence holder must register with a veterinarian with an appropriate level of experience in the health and welfare requirements of any animals specified in the licence and the contact details of that veterinarian must be readily available to all keepers on the premises.
45. Prescribed medicines must be stored safely and securely to safeguard against unauthorised access, at the correct temperature, and used in accordance with the instructions of the veterinarian.
46. Medicines other than prescribed medicines must be stored, used and disposed of in accordance with the instructions of the manufacturer or veterinarian.
47. Cleaning products must be suitable, safe and effective against pathogens that pose a risk to the animals. They must be used, stored and disposed of in accordance with the manufacturer's instructions and used in a way which prevents distress or suffering of the animals.
48. A written emergency plan, acceptable to the local authority, must be in place, known and available to all keepers on the premises used for the licensable activity, and followed where necessary to ensure appropriate steps are taken to protect all the

people and animals on the premises in case of fire or in case of breakdowns for essential heating, ventilation and aeration or filtration systems or other emergencies.

49. The plan must include details of the emergency measures to be taken for the animals should the premises become uninhabitable.
50. The licence holder must undertake a fire risk assessment which must be agreed with Humberside Fire and Rescue and all steps, prevention and protection highlighted implemented and maintained. This must be reviewed annually.
51. The licence holder must undertake a general risk assessment of the activities undertaken.
52. The licence holder must obtain written consent from the Licensing Authority prior to changes or alterations being made to the agreed accommodation. Where necessary, this will require inspection by a veterinary surgeon the cost of which is covered by the licence holder.

**DANGEROUS WILD ANIMALS LICENCE CONDITIONS
VENOMOUS SPECIES**

The conditions below are relevant to the keeping of venomous animals including venomous snakes, spiders, reptiles and scorpions:

1. The animals must be kept in appropriately sized accommodation inside a locked vivarium/unit located in a sealed and locked room.
2. Notices must be displayed on the entrance to the building and on each individual cage identifying each species and that it is venomous.
3. Envenomation protocols for each species must be displayed in the room in which the animals are accommodated. Telephone numbers of poison control and two doctors who can respond to bites from the animals should be displayed.
4. At least *** snake hooks must be available for use. (snakes only)
5. Feeding forceps must be available for use.
6. Protective mask must always be available for use and worn particularly where the snake is of the spitting species. (snakes only)
7. The person to whom the Licence is granted shall ensure that all reasonable precautions are always taken (a) to protect the safety of the public and themselves and (b) to ensure that no nuisance is caused to the public.

**DANGEROUS WILD ANIMALS SPECIAL REQUIREMENTS
SELLING ANIMALS AS PETS**

1. A record of the purchase of any DWA animal must be kept including:
 - (a) Full name of the seller.
 - (b) Full address of the seller.
 - (c) Licence number and issuing authority of any DWA licence held.
 - (d) Licence number and issuing authority of any animal activity licence held.
 - (e) Date of purchase.
2. DWA species may only sold to individuals with a DWA licence or holds a relevant exemption under the Act.
3. A record of the sale of any DWA animal must be kept including:
 - (f) Full name of the buyer.
 - (g) Full address of the buyer.
 - (h) Licence number and issuing authority of any DWA licence held or licence in association with relevant exemption.
 - (i) A copy of the licence or relevant exemption.
 - (j) Date of sale.
4. The premises must be closed to the public when handling DWA species.
5. Only staff members agreed with the Licensing Authority that have evidenced the suitable qualifications and experience can handle or care for DWA species. A record of these will be kept by the Licensing Authority.

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12. The person to whom the Licence is granted shall ensure that all reasonable precautions are always taken (a) to protect the safety of the public and themselves and (b) to ensure that no nuisance is caused to the public.