

# **ENVIRONMENT AND REGULATORY SERVICES PORTFOLIO HOLDER DECISION – 15 OCTOBER 2018**

## **FOOD AND SAFETY NEW ANIMAL LICENSING REGULATIONS - FEES AND CHARGES**

### **1 ITEM FOR DECISION**

The introduction of The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, and the corresponding repeal of an number of existing pieces of animal welfare legislation, has introduced a new regime for the licensing of the following activities:

- Selling animals as pets
- Providing boarding for cats
- Providing boarding in kennels for dogs
- Providing home boarding for dogs
- Providing day care for dogs
- Hiring out horses
- Breeding dogs
- Keeping or training animals for exhibition

Licences currently in force will continue to cover activities licensed until they expire, however, license applications from 1 October 2018 will come under the new regulations.

### **2 NEW ANIMAL WELFARE LICENCE FEES**

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 permit local authorities to charge such fees as considered necessary for administering licences; however the fees charged must not exceed the reasonably anticipated costs of the work undertaken, and the Council cannot make any profit from the licence fees.

Fees will therefore be set on a cost recovery basis, with consideration to the cost of processing, granting, renewing and varying licences, including any necessary inspections, and also for the consideration of licence holders' compliance with the Regulations. In addition, fees may be charged for enforcement in relation to unlicensed operators' and for the submission of data to the Secretary of State.

The fees charged take into account:

- Any background checks that have to be undertaken
- The costs of developing policies, processes and documentation
- Provision of advice prior to licensing
- Processing and checking applications
- Taking and reconciling payments
- Arranging vet's inspections, payment and recovery of fees where necessary
- Booking and undertaking inspections, including travel
- Processing and issuing licences, and inspection reports
- Administrative work, including maintaining information and systems
- Any specialist equipment, materials or resources required
- A proportion of the costs of ensuring compliance, where permitted
- A proportion of the overhead costs incurred by the Service

- Statutory reporting of data

The following has been considered when setting the licence fees:

- Open for Business: LGA guidance on locally set licence fees
- BEIS Guidance for Businesses on the Provision of Services Regulations
- Principles contained within the Regulators' Code
- Draft Animal Welfare Licence – A Practical Guide to Fee Setting

The fees are (where appropriate) listed as two separate fees – one for the application, and one for compliance and enforcement of the licence. Should a licence application be refused, the applicant would be refunded the compliance/enforcement proportion of the total fee.

### **3 BENCHMARKING UNDERTAKEN**

A comparison of the licensing fees under the new legislation has been undertaken with other Hampshire Local Authorities prior to setting the fee in order to ensure a comparable and consistent cost. Due to the short timescales between the releasing of relevant DEFRA guidance and implementation of the new legislation, there is only limited information available as a number of authorities are yet to publish their fees or are holding them until April 2019.

Two Hampshire Authorities have set their fees, one has fees ranging between £238 and £276 and the other has set all fees at £200 with the exception of home boarding which is £175. Most authorities will be reviewing the set fees again in April 2019.

Further afield, South Hams Council has set a fee of £234 per licensable activity, £87 for each additional licensable activity, and £120 for a rescore visit, whilst another has fees ranging from £202 to £373.

The proposed fees set out in Appendix 1 are broadly in line those benchmarked against.

As this is a new licensing scheme, the fees will be reviewed on an annual basis, unless other developments require an earlier review, to ensure they accurately reflect the cost of administering and implementing the scheme.

### **4 FINANCIAL IMPLICATIONS**

The fees will be notified to all new applicants and existing licence holders, and will be publicised on the website. Fees are the same for each activity included on a licence irrespective of how long the licence lasts (one to three years) as the cost to the Council is expected to be similar. The cost of the licences have been calculated to work towards ensuring the service is self-financing in this area but not delivering an income.

### **5 ENVIRONMENTAL, CRIME & DISORDER AND EQUALITY & DIVERSITY IMPLICATIONS**

There are no implications arising directly as a result of this decision.

### **6 CONFLICTS OF INTEREST DECLARED**

None.

## 7 RECOMMENDATION

That the fees outlined in Appendix 1 to this report for new animal welfare licensing regulations are agreed and adopted for all new applications from 1 October 2018.

**Portfolio Holder's endorsement:** I agree the recommendation

**SIGNED:** *AJ HOARE*

**Date:** 16 October 2018

**Date Notice of Decision given:** 16 October 2018

**Last Day for call-in:** 23 October 2018

### **For Further Information Contact:**

Joanne McClay  
Service Manager – Environmental and Regulation  
Tel 023 8028 5588  
e-mail: [joanne.mcclay@nfdc.gov.uk](mailto:joanne.mcclay@nfdc.gov.uk)

Appendix 1 – Schedule of Proposed Fees for Animal Licences

Proposed Animal Licence Fees

Licence Type	Application Fee	Compliance / enforcement	Total Fee	Additional Costs to Applicant	Current Fees
Pet Shops	£213.00	£58.00	<b>£271.00</b>	N/A	£152.00
Dog Breeding	£252.00	£58.00	<b>£310.00</b>	Fee for vet inspection	£152.00
Dog Boarding / Cat Boarding	£233.00	£58.00	<b>£291.00</b>	N/A	£210.00
Home Dog Boarding	£172.00	£49.00	<b>£221.00</b>	N/A	£57.00
Dog Day Care	£172.00	£49.00	<b>£221.00</b>	N/A	-
Keeping Animals for Exhibition	£213.00	£58.00	<b>£271.00</b>	N/A	-
Horse Riding (0 – 9 horses)	£333.00	£58.00	<b>£380.00</b>	Fee for vet inspection on application, and yearly throughout licence term	£176.00 + £17 per horse
Horse Riding (10 – 19 horses)	£363.00	£58.00	<b>£421.00</b>		
Horse Riding (20+ horses)	£403.00	£58.00	<b>£461.00</b>		
Combination of Activities	Sum of fees for each activity, with exception of animal boarding (kennels, catteries, home boarding of dogs and day care for dogs) which is the highest total fee, plus <b>£87.00</b> for each additional activity.			Vets fees where required (see above)	-
Request for re-rating	-	-	<b>£167.00</b>		-
Licence Variation	-	-	<b>£30 minimum</b>	+ £40/hr for additional work as agreed.	-
Appeal	Costs for visit associated with unsuccessful appeal		<b>£91</b>		-