

# **COMMUNITY PROTECTION COMMITTEE**

<b>DATE</b>	10 <sup>th</sup> March 2021
<b>REPORT OF</b>	Sharon Wroot Executive Director of Environment, Economy & Resources
<b>SUBJECT</b>	Animal Welfare Fees Review
<b>STATUS</b>	Open

## **CONTRIBUTION TO OUR AIMS**

### **Stronger Community:**

Support for business operating lawfully by taking appropriate actions against those that do not.

### **Stronger Economy:**

Strengthen the local economy by providing support to licensed operators who comply with required standards.

## **EXECUTIVE SUMMARY**

This report outlines recent changes in the law relating to the welfare requirements of licensed animal activities and proposes a new fee structure to recover the costs associated with the new regime.

## **RECOMMENDATIONS**

That Committee approves the new fee structure set out in appendix 1.

## **REASONS FOR DECISION**

To provide an updated fee structure that will provide cost recovery for the work involved in the new animal welfare licensing regime.

## **1. BACKGROUND AND ISSUES**

- 1.1 The Animal Welfare (licensing of activities involving animals) (England) Regulations 2018 (to be referred to as ‘the regulations’ from this point on) came into effect on 1<sup>st</sup> October 2018
  
- 1.2 The Regulations were made under the Animal Welfare Act 2006 and are now the primary legislation for the licensing of the following animal activities:
  - Animal Boarding (Catteries and Kennels)
  - Home Boarding of Dogs
  - Dog Day Care
  - Dog Breeding

- Riding Establishments
  - Sales of Animals (formerly Pet Shops)
  - Performing & Exhibiting Animals
- 1.3 All activities are now covered by one licence and conditions are set nationally for each defined activity as contained within the regulations.
- 1.4 The regulations include powers to revoke, vary and suspend licensable activities in certain circumstances.
- 1.5 DEFRA have issued guidance to assist in the implementation of the Regulations and this guidance proposes the use of a star rating system for licensed premises and the introduction of 2 and 3 year licences for premises with higher star ratings.
- 1.6 Licensing Officers are delegated the power to enforce the relevant provisions of the Animal Welfare Act including the new Regulations and there are now training requirements that must be fulfilled to allow officers to undertake inspections of relevant premises.
- 1.7 The regulations allow the licensing authority to set fees to recover costs associated with:
- the consideration of an application for the grant, renewal or variation of a licence including any inspection relating to that consideration;
  - the reasonable anticipated costs of consideration of a licence holder's compliance with these regulations and the licence conditions to which the licence holder is subject including any inspection relating to that consideration;
  - the reasonable anticipated costs of enforcement in relation to any licensable activity of an unlicensed operator, and
  - the reasonable anticipated costs of providing specified information to DEFRA.
  - Where vets are required by the legislation any fees involved are also reclaimed from the premises operator.
- 1.8 These licensable activities have been continually monitored through the Pandemic with payments deferred where business operation has been restricted. The only amendment to the fee structure has been an increase in Officer Hourly Rate from £35 to £36.
- 1.9 The Licensing of Dangerous Wild Animals & Zoos are not covered by the above regime but the fees have also been reviewed on the same basis for completeness and consistency.

## **2. RISKS AND OPPORTUNITIES**

- 2.1 There is a risk that cost recovery will not be achieved if these fees are not

implemented.

- 2.2 There is a risk that if fee levels are set too high, operators will be adversely affected.
- 2.3 There is an opportunity to support operators with high standards and target enforcement actions against unlicensed and poor operators through effective implementation of the new regime and related fee structure.

### **3. OTHER OPTIONS CONSIDERED**

Alternative fees could be set but they would not comply with Section 5 of this report in relation to cost recovery.

### **4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS**

There are potential positive reputational implications in relation to this decision. An action plan has been agreed with the Council's communications service covering information requirements and communication channels to be utilised.

### **5. FINANCIAL CONSIDERATIONS**

The proposal is consistent with the Council's finance strategy in relation to cost recovery.

### **6. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS**

No Implications

### **7. FINANCIAL IMPLICATIONS**

As outlined above, the fees proposed are set to achieve the recovery of costs incurred in administering the licensing regime.

### **8. LEGAL IMPLICATIONS**

- 8.1 The Council can set its own fees. The fees are based on anticipated costs. They must be reasonable and proportionate to recover its costs in the administration of the applications and further costs to ensure compliance.
- 8.2 It is considered best practice to regularly review fees to ensure a robust and transparent cost recovery basis for such fees.

### **9. HUMAN RESOURCES IMPLICATIONS**

No Implications.

### **10. WARD IMPLICATIONS**

All Wards

**11. BACKGROUND PAPERS**

None

**12. CONTACT OFFICER**

**Adrian Moody 324759**

**SHARON WROOT  
EXECUTIVE DIRECTOR OF ENVIRONMENT, ECONOMY & RESOURCES**

## **Appendix 1 – Animal Welfare Licensing - Proposed Fees**

<b>Activity</b>	<b>Existing Fee</b>	<b>New Fee</b>
Home boarding of dogs	£374	£384
Arranging Home boarding of dogs	£418	£429
Day care of dogs	£356	£366
Animal boarding	£400	£411
Dog breeding	£488	£501
Hiring out horses	£488	£501
Sales of animals	£391	£402
Exhibiting or performing animals	£374	£384
Application to review Star Rating	£114	£117
Application to vary licence	£123	£126
Keeping Dangerous Wild Animals	£250	£252
Zoos	£500	£540
Copy of Licence	£25	£26