

Animal Welfare – Licensing of Animal Activities Fees

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Purpose of the Report

To update members on the Animal Welfare (Licensing of Activities Involving Animals (England) Regulations 2018.

Recommendation

That the fees for licensing of animal activities are approved as detailed in this report and the attached appendix.

Background

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 comes into effect on 1 October 2018. The purpose of this legislation is to increase standards of animal welfare in premises where licensable animal activities take place. The legislation introduces the ability for licences to last longer than one year, the ability for licences to be varied, and gives Councils powers to suspend and revoke licences. There will be a requirement to risk assess each premises and provide each premises with a star rating. The legislative changes to how these licences are administered and inspected means that new fees need to be set to cover the costs involved.

The licensable activities are:

- Selling animals as pets.
- Providing or arranging for the provision of boarding for cats and dogs (kennels, catteries, home boarding and day care).
- Hiring out horses (will continue to have an annual veterinary inspection regardless of length of the licence).
- Breeding dogs (breeders who produce 3 or more litters in any 12 month period must be licensed as well as people who intend to make a profit from breeding and selling fewer litters).
- Keeping or training animals for exhibition (registration of performing animals is currently carried out by Somerset County Council).

Current licensed premises

Activity type	
Home boarding	26
Kennels/cattery	24
Day care	2
Riding Establishments	8
Pet Shops	4
Dog Breeding	3
Performing animals	unknown
	67

Report Detail

The regulations require Councils to inspect each premises before determining the application

The fee has been split into an application fee and licence fee. The reason for this is because once granted, the licence could last longer than a year, and therefore, the on-going enforcement costs, compliance and admin costs would be unknown. Section 13 from the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 states what we can charge for. The application fee includes the cost of the inspection and the licence fee included the cost of one unannounced inspection during the licensed period.

Fees

13.—(1) A local authority may charge such fees as it considers necessary for—

- (a) the consideration of an application for the grant, renewal or variation of a licence including any inspection relating to that consideration, and for the grant, renewal or variation,
- (b) 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 in circumstances other than those described in sub-paragraph (a) including any inspection relating to that consideration,
- (c) the reasonable anticipated costs of enforcement in relation to any licensable activity of an unlicensed operator, and
- (d) the reasonable anticipated costs of compliance with regulation 29 (provision of information to the Secretary of State).

-(2) The fee charged for the consideration of an application for the grant, renewal or variation of a licence and for any inspection relating to that consideration must not exceed the reasonable costs of that consideration and related inspection.

Non-Refundable Application Fee/Variation Fee ¹	
One licensable activity	£170.00
Two related licensable activities (e.g. combined kennel/cattery)	£220.00
Two unrelated animal activities (e.g. boarding kennels and dog breeding)	£260.00

Licence Fee ²	1 year licence	2 year licence	3 year licence
Up to 2 related activities	£115.00	£160.00	£210.00
2 unrelated activities	£130.00	£175.00	£220.00

If an appeal is received and the consideration of the appeal involves re-inspection which results in a higher star rating being awarded, the Council has to bear the costs of the re-inspection, however, if the re-inspection doesn't result in a change to the star rating, or a lower rating being awarded, the applicant has to pay the cost of re-inspection.

Re-inspection Fee and Report ³
£125.00

¹ Fees rounded up or down to the nearest £5 or £10.

² Fees rounded up or down to the nearest £5 or £10.

³ Fees rounded up or down to the nearest £5 or £10.

Different fees have been set for one and two activities because a report will have to be completed for each activity (the reports will detail the compliance with conditions and guidance, and these differ for each activity). The conditions for kennels and catteries, home boarding and day care have some similarities so there will be a slightly increased inspection time for these activities. In the situation that an application for dog breeding and dog boarding is received; the inspection time will be longer because of the different requirements.

The compliance with conditions as well as the risk assessment will determine the star rating and the length of the licence, so it is crucial that the inspection report accurately reflects the premises and management of it to minimise the time spent dealing with appeals and to be able to provide information to the applicant to explain why the rating was awarded.

The current fees for animal establishments are:

Licence type	All licences last 1 year (January – December)
Animal boarding (grant)	£220
Animal boarding (renewal)	£200
Pet shop (grant)	£245
Pet shop (renewal)	£210
Dog breeding (grant)	£245 (plus costs of veterinary inspection)
Dog breeding renewal	£210
Riding establishment	£170 (plus costs of veterinary inspection)

Financial Implications

The costs are designed to achieve full cost recovery. Costs have been estimated so will need to be monitored and reviewed to ensure that the fee reflects the actual costs incurred in issuing and enforcing licences.

Implications for Corporate Priorities

Ensure safe, sustainable and cohesive communities and increase economic vitality and prosperity.

Other Implications

None

Background Papers

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.
Procedural Guidance for Animal Activity Licensing 2018

Appendix

Calculation of fees