

LICENSING COMMITTEE

2.11.15

REVIEW OF FEES IN RESPECT TO LICENCES FOR ANIMAL RELATED BUSINESSES

Tracey Aldworth

1 Purpose

- 1.1 For Members to agree the proposed fee changes as set out as Appendix 2

2 Recommendations/for decision

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| <p>2.1 That the Committee note the review of fees relating to licences for animal related businesses and agree the proposed fee changes as set out in Appendix 2, with the exception of those relating to Riding Establishments; and</p> <p>2.2 That Members consider the proposed fees in respect to Riding Establishments, discuss alternative proposals and agree that officers will bring a further report to Licensing Committee early in 2016.</p> |
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3 Supporting information

- 3.1 The Council are responsible for licensing a number of animal related businesses. These include kennels and catteries, riding establishments, pet shops, businesses involving the breeding of dogs, the keeping of 'dangerous wild animals' and zoos. The enabling legislation for each type of licence allows the licensing authority to set the fee for each based on the cost recovery of delivering the service.
- 3.2 The fees have not been reviewed for many years and have simply gone up each year in line with inflation. Given the relatively small amounts of money an inflationary increase is negligible and so fees have not in real terms grown significantly for a number of years. Attached as Appendix 1 is the current fee list for each type of animal related business.
- 3.3 In recent years the licensing services have increasingly sought the assistance of vets in carrying out inspections and this has carried a financial burden, which in some cases the Council has had to pick up. The service have also committed resources to a small but demanding number of problem premises.
- 3.4 Taking all this into consideration the licensing services have reviewed all fees for each type of licence based on the practical experience of delivering the service. Calculations have been made for each stage of the licensing process, from receipt and processing to inspection and issue and also routine visits to ensure compliance. Every effort has been made to pass on efficiencies, particularly in relation to administration. The use of vets has been reduced wherever possible. However in some cases the law requires a veterinary inspection on initial application and some on renewal too. Where a vet inspection is not required on renewal of the licence the renewal fee reflects the reduction in cost to the Council.
- 3.5 In the case of Dangerous Wild Animal and Zoo licences the fees reflect the costs to the Council but do not include the vet fees. This is because the vet fees can vary considerably depending on the species involved and size of

establishment. It is the intention that the applicant pays the fee, calculated to cover the authority's costs and in addition pays the cost of the veterinary inspection. It should also be noted that Dangerous Wild Animal licences last 2 years and Zoo licences are initially 4 years and ultimately 6 years duration.

- 3.6 Perhaps the most noteworthy proposal relates to riding establishments. At the moment the fee varies depending on the number of horses. The proposed fee is a generic one based on the cost of providing the service and the number of premises. This generic approach has been proposed so as to simplify the fee structure and negate the need to calculate the fee for each premises. Riding Establishment licences last for 12 months and if during the term of the licence an establishment acquires additional horses the licensee pays for the veterinary inspection. Attached as Appendix 2 is a copy of the proposed fees.
- 3.7 All premises licence holders (106) were consulted and attached as Appendix 3 is a schedule of responses. The schedule identifies the respondent who made the comment and describes the nature of their observation. It then appraises the comment, having regard to the law. Finally the schedule indicates any changes to the proposed fees. The schedule only deals with comments relevant to the fee structure. Other comments made, for example an opinion expressed about the inappropriateness of home boarding have not been included.
- 3.8 It is recommended to Members that the proposed fees are agreed and implemented as of the 1 January 2016 with the exception of Riding Establishments. Most of the animal related licences commence on the 1 January and terminate on the 31 December. If applied for later in the year, they still terminate at the end of the calendar year. Riding Establishment licences last 12 months but from the date issued. It is therefore not so imperative that they are agreed before the end of the current calendar year.
- 3.9 The representation from Debbie La-Haye, director of Horses Helping people demonstrates an inherent unfairness to small establishments. The Council currently licence 18 establishments and should the proposed fee structure be agreed 5 would pay more than they currently do. Officers will be guided by the views of Members and content to propose an alternative fee structure that can be brought back to committee early next year.

4 Options considered

- 4.1 The fees proposed have been calculated to cover the costs of covering the licensing regime for each type of animal related licence.

5 Reasons for Recommendation

- 5.1 Fees have not been reviewed in a number of years and at their current values do not cover the actual costs to the service.

6 Resource implications

- 6.1 All costs will be recovered by the proposed fees.

Contact Officer Peter Seal x 5083
Background Documents None

Appendix 1 – Current Animal Licence Fees

Animal Boarding Establishments	£110
Dog Breeding	£85
Dangerous Wild Animals (2 yr licence)	£333 plus vet fee (new) £215 plus vet fees (renewal)
Pet Shop	£105
Pet Shop (fish only)	£27
Riding Establishments	£275 plus £15 per horse/pony
Zoo Licence (licence is 4yr, renewal is 6yr)	£351 plus vet fee

Appendix 2 - Proposed new Animal Licence Fees 2016

Animal Boarding (Cattery/ Kennels) – New	£450 (including vet fees)
Animal Boarding (Cattery/ Kennels) – Renewal	£110
Home Boarding – New	£140
Home Boarding – Renewal	£100
Dog Breeding – New	£450 (including vet fees)
Dog Breeding – Renewal	£110
Pet Shop - New	£230
Pet Shop – Renewal	£125
Riding Establishment - New	£495 (including vet fees)
Riding Establishment - Renewal	£395 (including vet fees)
Dangerous Wild Animals - New (2 year licence)	£370 plus vet fees
Dangerous Wild Animals - Renewal (2 year licence)	£235 plus vet fees
Zoo - New (4 year licence)	£600 plus vet fees
Zoo - Renewal (6 year licence)	£600 plus vet fees

Appendix 3

Schedule of Responses to proposed fees for animal related licences - 2015

Respondent	Comments	Appraisal	Response
Chris Impey (Dangerous Wild Animal licence holder)	<p>Rise in fees appears unreasonable and much higher than other areas and would like a detailed breakdown of costs. AVDC are using expensive vets rather than competent officers. Would like the opportunity of choosing a mutually acceptable vet.</p> <p>Legislation does not allow the licensing authority to spread cost of enforcement across all licensees. i.e. the good paying for the bad.</p> <p>Are the Council making a profit?</p>	<p>Mr Impey has been provided a breakdown of costs. The cost of a new application is higher than renewal as considerably more work is required eg research, drafting conditions, visits, etc. DWA licences last 2 years. So, as an existing licence holder Mr Impey will pay less than £118 per year, which is less than he currently pays.</p> <p>The DWA 1976 requires the local authority not to grant a licence unless a veterinary surgeon or practitioner has inspected the premises and provided a report. In the case of exotic animals, given the relative scarcity of specialist</p>	<p>No change to proposed fees for DWA licence fees. The licensing services will consider the use of vets recommended by the applicant.</p> <p>Enforcement costs include only the costs of inspection to ensure compliance. Fees calculated are in accordance with the Provision of Services Regulations 2009.</p>

		<p>vets any suggestion from the applicant regarding an alternative vet would be considered.</p> <p>Fee calculations should include the costs of ensuring compliance ie inspections but cannot include enforcing the licensing regime against non-licensed operators or legal costs of prosecution. The fees are calculated to cover the provision of the service. They will be reviewed again in the future and any surplus or deficit will be taken into consideration.</p>	
<p>Simon Eccles (Home boarding franchise holder)</p>	<p>Mr Eccles operates a company that organises home boarding for dogs, using a network of chosen carers. The company carry out their own detailed checks before any carer is used and apply their own strict standards which are monitored. Most of their carers are not full time, retired or self employed people and an increased fee is likely to dissuade them from continuing. Most of his</p>	<p>The law requires the fee set to ensure the cost recovery of delivering the service. The cost associated with the licensing each premises, irrespective of whether it is part of a franchise or not or when the application is received is the same ie inspection and issuing licence.</p> <p>The Swindon scheme</p>	<p>No change to fees proposed for home boarding.</p> <p>The fees cover the costs of administration and inspection. AVDC currently licence 49 home boarders and only 2 have responded to the consultation.</p>

	<p>carers only take dogs 1 or 2 weeks in any month and the work is seasonal and the additional fee would make it uncompetitive. Putting the fees up would lead to less licence applications and potentially drive home boarding under ground.</p> <p>As most animal welfare licences run from 1 January for 12 months, many home boarders wait until January to become licensed to avoid the fee for less than 6 months.</p> <p>Mr Eccles suggests a scheme operated by Swindon Borough Council whereby the franchiser pays an annual fee of £120 and each carer pays a fee of £48 per year.</p>	<p>appears to be reasonable but nevertheless would not cover the costs incurred by the licensing authority. For such a scheme to work the authority would have to abandon house inspections.</p>	
<p>Alison Davies (Home boarder)</p>	<p>Asks that fees are lowered for home boarders as business expansion is limited, profits negligible compared to other licensed premises. The fee structure is not fairly distributed in accordance with earning potential for the business concerned and that home boarding in particular is</p>	<p>The law requires the fee set to ensure the cost recovery of delivering the service. There are obvious commercial limitations on home boarding and business expansion would inevitably require a purpose built kennel or cattery.</p>	<p>No change to fees proposed for home boarding.</p>

	being unfairly penalised by its limitations.		
Debbie La-Haye Director Horses Helping People	We are a small not for profit organisation and provide only a small number of riding lessons. Previously the fee was a flat rate, plus an additional fee for each horse. The increase for us is from £320 to £395.	The proposed generic fee will see an increase for 5 of the 18 premises licensed by AVDC. The proposed single fee is calculated to simplify the fee structure but could be seen as unfair.	Defer decision on fees for Riding Establishments and bring further report back to Licensing Committee in early 2016.
Ian Edmans (Zoo licence)	This seems reasonable.	Noted	No change
Susan Halbach (Kennel and cattery)	Not clear what constitutes a 'new licence'. Disputes that licence fees have risen only in line with inflation. Amazed that home boarding is treated differently to conventional boarding.	A 'new licence' is one that has not been issued before. The fees have for a number of years only risen in line with inflation. Considerably less time is spent in licensing home boarders.	No change to proposed fees for animal boarding establishments.