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AYLESBURY VALE DISTRICT COUNCIL Democratic Services

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7 September 2018

LICENSING COMMITTEE

A meeting of the **Licensing Committee** will be held at **10.00 am** on **Monday 10 September 2018** in **The Olympic Room - Aylesbury Vale District Council**, when your attendance is requested.

Contact Officer for meeting arrangements: Chris Ward; cward@aylesburyvaledc.gov.uk;

Membership: Councillors: J Brandis (Chairman), T Mills (Vice-Chairman), M Hawkett, A Huxley, S Lambert, L Monger, S Morgan, G Powell, S Renshell, B Russel and Sir Beville Stanier Bt (ex-Officio)

SUPPLEMENTARY AGENDA

7. **NEW ANIMAL WELFARE LICENSING REGIME** (Pages 3 - 6)

For Members to consider the attached document that proposes new fees and charges.

Contact officer: Simon Gallacher 01296 585083



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Review of Animal Licensing Fees September 2018

As of the 1st October 2018 the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 come into effect. This replaces the legislation currently regulating the licensing of activities involving animals and will affect businesses involved in animal boarding (including dog day care), dog breeding, pet shops, riding establishments and keeping or training animals for exhibition.

These new regulations require businesses to be inspected prior to the granting of a new licence or renewal of a licence and in addition there is now a requirement for an additional unannounced inspection at some point during the term of the licence. All current licences will run until their expiry date and will then need to be renewed under the new legislation.

AVDC currently licence 10 pet shops, 57 Home Boarders, 28 catteries and kennels, 2 dog breeders and 19 Riding Establishments. There are approximately 30 performing animal licences issued by Buckinghamshire County Council that will require a new licence by April 2019 under the new legislation.

The Regulations introduce new licence conditions which all Licensing Authorities must adhere to in conjunction with the DEFRA guidance which has now been published.

The new regulation guidelines also require the introduction of a star rating system for all licensed businesses and a licence holder's star rating will be shown on their licence. The higher rated businesses will benefit from a 2 or 3 year licence. This means that licence holders achieving the highest levels of compliance will benefit from only having to pay a licence fee every 2 or 3 years whereas those that are not fully compliant will be required to renew their licence annually.

The introduction of these new regulations requires a review of current licence fees to ensure that the costs of administering the new licensing regime are covered. It should be noted that premises carrying out more than one activity will now be required to pay a fee for both, with the cheapest activity being counted as the additional activity. For example, this means that a premises operating a kennels and cattery will be required to pay a fee for both activities. Regulation 13 sets out what a local authority may charge fees for:

- (a) The costs of consideration of an application, including any inspection relating to that consideration;
- (b) The reasonable anticipated costs of consideration of a licence holder's compliance with the Regulations and the licence conditions to which a licence holder is subject. This includes the costs of any further inspections related to compliance;
- (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 concerning numbers licences issued for each activity and average fee levels for each activity).

Having regard to this guidance the fees for animal licensing have been calculated as follows:

HOMEBOARDING OF DOGS

£290 (£165 as an additional activity)

This fee covers the cost of advice, administration, 2 inspections and the cost of all other work relating to (b) to (d) above.

ANIMAL BOARDING (Catteries, Kennels and Commercial Dog Day care)

£357 (£230 as an additional activity)

This fee covers the cost of advice, administration, 2 inspections and the cost of all other work relating to (b) to (d) above.

BREEDING OF DOGS

£335 (£208 as an additional activity) plus vet fee for new applications

This fee covers the cost of advice, administration, 2 inspections and the cost of all other work relating to (b) to (d) above.

The cost of the vet inspection will be paid in addition to the licence fee – by doing this we ensure fairness with smaller premises paying a lower vet fee than a much larger premises. This fee will be payable prior to issue of the licence

The Regulations require that a vet inspection is carried out prior to first licence being granted

SELLING ANIMALS AS PETS

£357 (£230 as an additional activity)

This fee covers the cost of advice, administration, 2 inspections and the cost of all other work relating to (b) to (d) above.

KEEPING OR TRAINING ANIMALS FOR EXHIBIT

£227 (£163 as an additional activity)

This fee covers the cost of advice, administration, 2 inspections and the cost of all other work relating to (b) to (d) above.

Dependant on the species/type of exhibit a vet inspection may be required. This will be charged in addition to the licence fee.

HIRING OUT HORSES
<p>Max 10 horses</p> <p>£355 (£230 as an additional activity) plus vet fees This fee covers the cost of advice, administration, 2 inspections and the cost of all other work relating to (b) to (d) above.</p>
<p>10 to 20 horses</p> <p>£400 (£272 as an additional activity) plus vet fees This fee covers the cost of advice, administration, 2 inspections and the cost of all other work relating to (b) to (d) above.</p>
<p>Over 20 horses</p> <p>£442 (£315 as an additional activity) plus vet fees This fee covers the cost of advice, administration, 2 inspections and the cost of all other work relating to (b) to (d) above.</p>
<p>Vet Inspections for 2 or 3 year licences</p> <p>All riding schools issued with a 2 or 3 year licence will still require an annual inspection by an RCVS inspectorate vet authorised by AVDC. The licence holder will be charged for this vet inspection and this will be payable in advance of the inspection being carried out.</p>
<p>Additional horses</p> <p>If a horse is to be added to the licence and this results in an amendment to the licence an administrative fee of £15 will be charged. The cost of having a new horse checked by an RCVS inspectorate vet will be paid by the licence holder directly.</p>

Variation Fee/ Re inspection Fee £115

NB. The re-inspection mechanism applies in cases where businesses with star ratings of '1' to '4' have accepted their rating and have subsequently made the necessary improvements to address non-compliances identified during the local authority's previous inspection.

Appeals – where a further inspection is required due to an appeal against the star rating, the cost of this inspection will be borne by the applicant unless it results in a higher rating being awarded.

Refunds

The Council will refund an unsuccessful applicant with the element of the licence fee relating to ongoing inspections, enforcement and compliance with the regulations and statutory returns.

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