



Report to Licensing (Regulatory) Committee

Date: 9th January 2025

Title: Approval of Increases to Registration Fees and Charges across various regulatory functions 2025/26.

Author(s): Simon Gallacher, Principal Licensing Officer

Recommendation:

1. To approve a 5% increase in animal licence fees and charges as set out in Appendix 1 to ensure that the animal licence regime remains cost neutral. Once approved the new fees and charges shall be applied from 1st April 2025.
2. To approve a 5% increase in registration fees and charges for regulated skin piercing activities as set out in the report to ensure that the registration regime remains cost neutral. Once approved the new fees and charges shall be applied from 1st April 2025.
3. To approve a 5% increase in the registration fee for those required to be registered as fit and proper managers of regulated mobile home sites as set out in the report to ensure that the registration regime remains cost neutral. Once approved the new fees and charges shall be applied from 1st April 2025.
4. To delegate the annual setting of fees and charges in respect of animal licensing, skin piercing and fit and person (mobile home sites) registration to the Head of Regulatory Services, in agreement with the Chairman of the Licensing Committee and consultation with the Cabinet Member for Homelessness & Regulatory Services, in circumstances where changes do not exceed the recommendations made by Cabinet on the proposed level of increases for fees and charges for the coming financial year.

1. Background

- 1.1 This report seeks approval for a 5% increase in fees and charges for animal licensing, skin piercing activities, and the registration of fit and proper managers of regulated mobile home sites for the financial year 2025/26. This adjustment, effective from 1st April 2025, aims to ensure that each of these regulatory regimes remain cost neutral and do not incur a deficit for Buckinghamshire Council.

- 1.2 The proposed fee increases are based on a comprehensive review of the costs involved in processing applications, conducting inspections, and ensuring compliance with the respective statutory requirements. The primary cost factors include officer time, travel, and associated overheads, all of which are anticipated to rise.
- 1.3 The Council currently licenses 202 operators under the [Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018](#), including dog breeders, horse hirers, animal exhibitors, pet sellers, and boarding providers, as well as keepers of dangerous wild animals and zoos.
- 1.4 Since 1st April 2020, the Council has registered 168 premises and 434 individual operators for regulated skin piercing activities.
- 1.5 9 persons have applied and been approved to entry on the Fit and Proper (Mobile Homes Sites) Register. Respective fees are structured to recover costs without generating profit, and maintaining this balance is essential to avoid a budget shortfall.
- 1.6 Additionally, the report recommends delegating the annual setting of these fees and charges to the Head of Regulatory Services (with responsibility for Licensing), with the agreement of the Chairman of the Licensing Committee and in consultation with the Cabinet Member for Housing and Homelessness, as long as the changes align with the Cabinet recommendations on the proposed level of increases for fees and charges for the coming financial year.


2. Main content of report

2.1 Animal licence fees

- 2.2 Buckinghamshire Council, as the Licensing Authority under various acts including the [Animal Welfare Act 2006](#), the [Dangerous Wild Animals Act 1976](#), and the [Zoo Licensing Act 1981](#), is responsible for issuing licenses and ensuring compliance with statutory animal welfare standards.
- 2.3 On [16th April 2024](#) the Licensing Committee agreed a 4% increase in animal licence fees and charges for the 2024/25 period, effective from 1st May 2024, to maintain a cost-neutral animal licensing regime. The fee increase was in line with the Consumer Price Index (CPI) inflation measure over the previous 12 months. It was reported that a full review of fees should occur on a rolling 3-year cycle, with the next review scheduled towards the end of the 2024/25 period.
- 2.4 In setting fees, a comprehensive review of activities involved is conducted, with various factors being analysed. The primary cost factor for the Council is officer time spent on processing applications, conducting research, travel, inspections, report writing, and compliance and enforcement activities. Some inspections are carried out in conjunction with an expert veterinarian. Where veterinary services are

required, their fees are separated from the application fee and recovered from the operator.

- 2.5 The statutory licensing regime for animal-related activities is highly prescriptive and imposes significant regulatory burdens on both operators and local licensing authorities. Ensuring that legal requirements are applied correctly is resource-intensive, particularly in terms of officer time.
- 2.6 The service continually looks for ways to introduce efficiency savings, for example co-ordinating inspections to premises in the same location as far as possible to reduce travel time and costs and introducing new electronic inspection forms to reduce administration tasks during inspections. Despite efficiency savings officer workload remains high which reflects an increase in the amount of enforcement activity and investigations arising from complaints and reports of unlicensed activity.
- 2.7 Income to the service is derived from application fees and the number of licence holders has remained consistent since becoming a unitary Council. Buckinghamshire Council currently licences 202 operators under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 as of November 2024. These include 11 dog breeders, 20 operators hiring out horses, 20 animal exhibitors, 17 operators selling animals as pets, and 137 operators providing or arranging boarding for cats or dogs. The Council also licences 4 keepers of dangerous wild animals and 3 zoos, all of which have been given statutory dispensation by the Animal and Plant Health Agency (APHA).
- 2.8 The setting of fees is a statutory requirement, and fees must be set at a level to ensure cost recovery without generating profit. Officer resources and the number of licenses has remained consistent. Officer resource costs encompass not only salaries but also associated overheads such as office facilities, support services, equipment, and training. Unfortunately, these costs are anticipated to increase, and if fees remain at their current level, the service will incur a deficit, necessitating shortfall recovery from other areas. It is recommended that licensing fees and charges be increased by 5% in line with the corporate steer for the next financial year's fees and charges to remain cost neutral.
- 2.9 The table at Appendix 1 shows the current fees and proposed fees with a 5% increase (rounded to the nearest pound).
- 2.10 There is no statutory requirement for public consultation when setting fees under the animal welfare licensing regulations. However, if approved, the new fee levels will be communicated to existing licence holders and implemented from 1st April 2025. If the increased fee levels are agreed, it is anticipated that there be no impacts on the Council's medium-term financial plan. The Licensing Service will continue to ensure that the costs involved in delivering the service are kept to a minimum, providing value for money for businesses.

- 2.11 The Government has published new regulations under the [Animal Welfare \(Primate Licences\) \(England\) Regulations 2023](#), making it illegal for private keepers in England to own and keep primates without a licence from April 2026, although we still await publication of the accompany guidance. This new regime will introduce additional resource requirements for the Council, and a report on implementation plans will be presented to the Licensing Committee at a future meeting.
- 2.12 The introduction of [Fixed Penalty Notices under the Animals \(Penalty Notices\) Act 2022](#) could deliver future costs saving. The ability to recoup enforcement costs against unlicensed operators and those committing minor compliance offences through fines as an alternative to prosecution could assist the Council to recoup some of its costs in this area and reduce the burden on licensed operators generally.
- 2.13 **Cosmetic piercing, etc registration fees**
- 2.14 The [Local Government \(Miscellaneous Provisions\) Act 1982](#), “1982 Act”, enable local authorities to charge reasonable fees for the registration of persons carrying out the business of skin piercing (tattooing including micropigmentation, cosmetic piercings, electrolysis, acupuncture any other invasion of the skin) and the premises in which these activities take place. The fee is only payable once on first registration and covers the initial inspection(s) associated with registration, checking training qualifications and competency of the operator, advising the business about the requirements of the byelaws and best practice, and associated administration.
- 2.15 Since 1st April 2020, 168 premises and 434 individual operators have registered with Buckinghamshire Council, within this number 20 premises and 64 individual operators have registered since 1st April 2024.
- 2.16 Fees should be set at a level to ensure full cost recovery whilst also being fair and providing value for money for the businesses. Councils are required, however, to take a reasonable and proportionate approach and should aim to set a fee level that is sufficient to cover the cost but not make a surplus.
- 2.17 Fees should be reviewed on an annual basis, taking into account of any increase in costs to the Council including inflationary measures, and where appropriate, an increase should be applied to the fees to recover related increased costs to the Council.
- 2.18 The registration of a business or operator is a one-off application and there are no other ongoing costs that the Council will incur. Therefore, the proposed application fees relate solely to the cost of the authorisation procedures and are based on the time taken to process a registration application, provide advice and guidance to applicants, inspect premises and carry out checks on operators. As a registration is a one-off process and is not renewed, unlike a licence, any change in the fee structure will not impact upon existing registered businesses, other than if they apply to change the practitioners who operate on site.
- 

- 2.19 It is recommended that licensing fees and charges be increased by 5% in line with the Cabinet recommendations on the proposed level of increases for fees and charges for the coming financial year and so that they remain cost neutral, as follows:

	Current	Proposed from 1 st Apr 2025
Registration of premises and proprietor	£229	£240
Register of an additional operator	£62	£65
Replacement copy or administrative changes to certificate of registration	£31	£33

- 2.20 There is no statutory requirement for public consultation when setting fees under the 1982 Act. However, if approved, the new fee levels will be published on the Council's webpages and implemented from 1st April 2025.

2.21 **Fit and proper person registration (mobile home sites) fees**

- 2.22 The [Mobile Homes \(Requirement for Manager of Site to be Fit and Proper Person\) \(England\) Regulations 2020](#) legislation require owners to register a person to manage qualifying mobile home parks with the local authority. This legislation applies to all relevant protected sites other than those which are non-commercial family occupied sites. It applies to residential parks and those which are mixed use such as residential and holiday lets. The legislation does not apply to sites which are used by members of the same family and are not being run as a commercial operation. An entry on the register lasts up to five years.
- 2.23 Buckinghamshire Council currently has 9 persons registered and the register is published on the Council's [web page](#).
- 2.24 In accordance with the regulations, local authorities have powers to set fees to cover the cost of maintaining the register. Costs incurred by the Council primarily arise

from officer time spent considering applications, and supporting documents, and determining whether applicants meet the criteria to be considered fit and proper to be registered. Fees charged should be fair and transparent and only cover the costs incurred by the Council in carrying out duties under the regulations.

- 2.25 At its meeting of [20th October 2021](#), the Licensing Committee agreed a registration fee of £112 would apply to registrations. The fee has not changed since that time. It is recommended that the registration fees now be increased by 5%, to £117 in line with the Cabinet recommendations on the proposed level of increases for fees and charges for the coming financial year and so that they remain cost neutral. If agreed the new fee would apply from 1st April 2025.
- 2.26 There is no statutory requirement for public consultation when setting fees under the regulations. However, if approved, the new fee level will be published on the Council's webpages and existing registered parties will be informed of the change.
- 2.27 **Delegation of fee setting**
- 2.28 The Council has statutory responsibility for the administration and enforcement of a wide range of licences, registrations and permits. Many of these schemes allow the Council to charge a fee, payable by an applicant for a licence, in order to cover the costs (or a proportion thereof) of the administration of those licence types. In some cases, costs are also permitted to cover other aspects of providing the regulatory scheme.
- 2.29 The basis in setting such fees is generally to ensure full cost recovery, or as close to it as possible. Numerous legal cases over the years have confirmed that licensing fees may not be used to generate a profit for councils, and that fees should be reviewed annually to ensure that neither a significant surplus nor deficit is created. Surpluses or deficits may be carried forward to future years to be redistributed (within the ring-fenced licensing budget), or recouped, as applicable.
- 2.30 The [Local Authority \(Functions & Responsibilities\) \(England\) Regulations 2000](#) provides that responsibility for the determination of fees and charges for the majority of licensing functions is a non-Executive function of the Council. Accordingly, Buckinghamshire Council has delegated the Licensing Committee with responsibility for administering the non-Executive licensing regimes, including fee setting powers.
- 2.31 [Section 101\(2\) of the Local Government Act 1972](#) allows "the committee to arrange for the discharge of any of those functions by a sub-committee or an officer of the authority" unless otherwise directed by the authority. Therefore, the Licensing Committee has the power to delegate fee setting powers to officers should it choose to do so.

- 2.32 Each year Buckinghamshire Council conducts its budget review through a comprehensive annual planning process aimed at ensuring financial stability and accountability. This process involves a detailed examination of the previous year's financial performance, identifying any surpluses or deficits, and projecting future expenditures and revenues. The review is inclusive, engaging various departments and stakeholders to provide input and assess financial needs.
- 2.33 Delegating fee setting powers to officers, rather than referring every decision to the Licensing Committee, offers several advantages, particularly when proposed changes align with or do not exceed the Cabinet recommendation for the next financial year. This approach enhances efficiency by streamlining decision-making processes, allowing for quicker adjustments to fees in response to operational needs. It reduces the administrative burden on the Licensing Committee, enabling them to focus on more strategic issues while ensuring that fee changes remain fair and transparent. Furthermore, it ensures that fee adjustments are conducted in a timely manner, maintaining cost neutrality and financial stability for the Council, ultimately benefiting both the Council and the applicants.
- 2.34 In making this recommendation it is further proposed that fee setting powers be delegated to officers in only for this limited range of activities and only in the following circumstances:
- Any proposed change must be agreed by the Head of Regulatory Services and the Chairman of the Licensing Committee, in consultation with the Cabinet Member for Licensing.
 - Any proposed change must not exceed the Cabinet recommendations on the proposed level of increases for fees and charges for the relevant financial year.
 - Setting of fees which require statutory advertising, such as taxi and private hire licensing fees, will continue to be determined by the Licensing Committee.
 - Any proposed changes are included in the annual fees and charges schedule agreed by Cabinet prior to approval of the annual budget by Full Council.

3. Next steps and review

- 3.1 If approved, the respective changes to fees and charges will be implemented from 1st April 2025, the relevant web pages will be updated, and the changes will be communicated to the relevant licence holders and registered businesses as stated in this report.

4. Other options considered

- 4.1 None. The proposed increases to the fees and charges across the different areas set out in this report are necessary to ensure that the cost of maintaining the licensing

and registration regimes remains neutral and liability for the fees is born by those businesses that derive commercial benefit directly from the respective regimes rather than council taxpayers.

5. Legal and financial implications

- 5.1 The respective statutory provisions allows for the recovery of a reasonable fee to cover the Council's costs in administering the respective licensing and registration regimes.
- 6.1 The Licensing Committee (Part B other functions committee) is constituted under The Local Government Act 1972 (1972 Act) and has delegated responsibilities for all non-Executive licensing and registration matters prescribed in the Local Authority (Functions & Responsibilities) (England) Regulations 2000, save for matters related the Licensing Act 2003 and Gambling Act 2005.
- 7.1 Section 101(2) Local Government Act 1972 allows "the committee to arrange for the discharge of any of those functions by a sub-committee or an officer of the authority" unless otherwise directed by the authority.
- 8.1 The fees must be set at a level which ensures that the Council does not make a profit and any deficit or surplus should be taken into consideration in subsequent fee reviews, to be recovered or refunded over a rolling three-year cycle.
- 9.1 The proposed increase in licence and registration fees are in line with the Cabinet recommendation that Council fees and charges be increased by at least 5% for the next financial year's fees and charges. Fees and charges are set on a cost recovery basis to ensure that there are no impacts on the Councils medium term financial plan.

6. Corporate implications

- 6.1 Property – N/A
- 6.2 HR – N/A
- 6.3 Climate change – N/A
- 6.4 Sustainability – N/A
- 6.5 Equality – N/A
- 6.6 Data – N/A
- 6.7 Value for money – the Licensing Service has ensured that the costs involved in delivering the service are kept to a minimum.
- 6.8 **Key documents:**

[LGA Guidance on locally set licensing fees](#)