

TO: THE MONITORING OFFICER
(TOM CLARK, SOLICITOR TO THE COUNCIL)

RECORD OF ACTION TAKEN BY A CABINET MEMBER
UNDER DELEGATED POWERS

Subject: Fees for mandatory licensing of premises under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 from the 1st Oct 2018

Cabinet Member: Councillor Norman Webster, Cabinet Member for Community

Has the Cabinet Member received a report prior to making the decision?	Yes
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In the case of a key decision where the Cabinet Member has received a report, please state the date a copy of the report was made available to the Chair of the relevant Scrutiny Committee and placed in the public domain:	N/A
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Record of decision taken: To approve the schedule of fees for Animal Welfare Licensing from 1st October 2018

Date of decision: 03.09.18.

Statement of reasons for making the decision: To approve the schedule of fees set in appendix 1 to the report, to take effect from the 1st October 2018.

Alternative options considered and rejected:

To retain the fees at their current level. This would not be possible as the fees are set to cover the cost of providing the service otherwise there would be a pressure on the budget.

Code of Conduct Interest of Cabinet Members? If yes, please advise on the nature and whether dispensation in place

None

Is the decision to be protected from call-in? (i.e if any delay would seriously prejudice the Council's or the public's interest) - see Scrutiny Procedure Rule 14 (M)	No
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If so, please state:

Signed: 
Cabinet Member

This record must be forwarded immediately to the Monitoring Officer (TC) and copied to the relevant Cabinet Member.

For Monitoring Officer

Date of publication of Member Information Service Bulletin	
Date of decision can be implemented (on the Thursday after publication of the Member Information Service Bulletin, unless already protected from call-in)	

Animal Welfare Licensing fees from the 1st October 2018

REPORT OF: Tom Clark
Contact Officer: Yvonne Leddy , Business Unit Leader
Email: Yvonne.leddy@midsussex.gov.uk Tel: 01444 477300
Wards Affected: All
Key Decision: No

Purpose of Report

1. The purpose of the report is to propose the schedule of fees for Animal Welfare licence from the 1st October 2018 as detailed in Appendix1.

Recommendation

2. **That the Cabinet Member for Health and Community approve the Animal Welfare Licence fees detailed in Appendix 1 to take effect from 1st October 2018.**
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Background

3. On 1 October 2018 The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 come into force. These regulations will replace a number of pieces of existing legislation set to be repealed at the end of 2018 and will provide a new single licensing regime for a number of animal licensing activities..
4. Those undertaking the following activities will need to be licensed under the new regime :
 - a. Selling animals as pets
 - b. Providing or arranging for the provision of boarding for cats or dogs (including kennels, home boarding and day care)
 - c. Hiring out horses
 - d. Breeding dogs
 - e. Keeping or training animals for exhibition
5. -Regulation 13 of the Regulations set 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 holders compliance with 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.
 - d. The reasonable anticipated costs of the local authority compiling and submitting the data required by regulation 29 to the Secretary of State.
6. A Sussex wide working group was formed to develop a common approach to the implementation of the new regulations including the fee structure. It is accepted that authorities are likely have different base costs and therefore different fees. It is hoped however that a common structure for the fees will ensure that it is fair, transparent and consistent. It is also hoped that this will guard against any major disparity between the fees implemented by neighbouring authorities.

7. The application fees are split in two. The first part is for the application process and the second for the grant and subsequent enforcement costs. In practice the whole fee can be paid up front but if the licence is not granted the second part must be refunded.
8. The re inspection fee applies to those premises that challenge the star rating given during the initial inspection.
9. We currently licence seventy five sites

Proposed fee structure:

10. It is proposed to introduce the new fees from 1st October 2018 as detailed in Appendix 1

Policy Context

11. Regulation 13 permits the authority to charge fees. The new fees constitute an increase on the current regime. This is simply because the new regulations allow full cost recovery. There is no legal requirement for a consultation exercise to be undertaken with the trade. It is proposed to post a copy of our approved fees on MSDC's website and write to the current licence owners drawing their attention to it.

Financial Implications

12. None.

Risk Management Implications

13. None from the recommendations identified in this report. Fees are set to cover the cost of providing the mandatory licences for the business activity highlighted above. I

Appendix 1**Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018
Fees Structure**

Licence Type	Application Fee	Grant	Re Inspection
Boarding for Cats /Dogs – Kennels	£240	£168	£147
Boarding for Dogs – Home Boarding	£216	£132	£123
Boarding for Dogs – Day Care	£240	£168	£147
Breeding Dogs (ex Vet fee)	£216	£132	£123
Hiring out Horses (ex Vet fee)	£288	£204	£195
Selling Animals as Pets	£225	£153	£132
Exhibition of Animals	£216	£132	£123

