

**LICENSING COMMITTEE – 26 JANUARY 2010**

**ANIMAL ESTABLISHMENT LICENCES – REVIEW OF FEES 2010/11**

Report of the: **Community and Planning Services Director**

Status: For Decision

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**Executive Summary:** The Council has a statutory duty to licence boarding establishments for cats and dogs; dog breeding establishments; pet shops; riding establishments; owners of dangerous wild animals and zoos and register performing animals.

Licence fees have not been increased since 2004 and do not reflect current administration costs.

The fees have been reviewed and new levels are proposed.

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**This report supports the Key Aim of** safe communities and effective management of council resources

**Portfolio Holder** Cllr. Bracken

**Head of Service** Head of Environmental & Operational Services – Mr. Richard Wilson

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**Recommendation:** It be RESOLVED that:

- (a) The proposed fees in respect to animal welfare licences as detailed in paragraph 8, below, be approved with effect from 1 April 2010; and
- (b) fees be reviewed annually and any increases be effective from the 1 April each year.

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**Background**

- 1 Councils have a duty to licence businesses or individuals involved in the keeping, breeding or showing of certain animals. Licences must be issued, or premises or activities registered, where these animals are kept.
- 2 Animal welfare licences are issued under the following legislation: Animal Boarding establishments Act 1963; Riding Establishments Act 1964 (as amended 1970); Zoo Licensing Act 1981 and the Performing Animals (Regulation) Act 1925

**Item No. 4**

The table below sets out the numbers and types of animal welfare establishments currently licensed:

Pet shops	14
Dog boarding establishments	3
Cat boarding establishments	6
Dog and cat boarding establishments	8
Riding Establishments	7
Dog breeder	2
Zoo	1
Performing animals registration	0
Dangerous Wild Animals	0
Home boarding	0

- 3 The enabling legislation for each type of licence allows the licensing authority to set the fee for each type. Our current fees are £165 per annum for all licences with the exception of a fee of £1200 for Zoos plus any separate veterinary fees. The Zoo licence lasts of 6 years and can be paid in annual instalments.
- 4 Fees were last reviewed in 2003 and were raised by £25 in 2004 to current levels.

**Fee Proposals**

- 5 For comparison purposes, the fees charged by our 8 neighbouring authorities have been obtained. These are detailed in the Appendix.

It can be seen from the results that with the proposed increases Sevenoaks District Council fees remain broadly comparable with other authorities.

Some councils split licences into new and renewal, but Sevenoaks classes all licences as new.

Some councils apportion the licence fee depending on numbers and types of animals, but this was not considered necessary by officers given the type and size of establishments within the District.

- 6 The fees and charges in respect of animal welfare have been fully reviewed in accordance with Local Authority co-ordinators Of Regulatory Services (LACORS) guidance on local fee-setting. The Guidance has been updated to meet the requirements of EC Services Directive to ensure that access to licence applications are transparent and to keep the financial burden on business to a minimum.
- 7 The principles of Article 13(2) of the Directive requires that fees can only be based on cost recovery and not set artificially high. The increase in fees proposed reflects the real cost of delivering the animal welfare licensing service and removes the subsidy that has previously existed.

8 The table below shows current and proposed fee levels:

<b>Sevenoaks District Council</b>	<b>Animal Boarding Licence</b>	<b>Home Boarding Licence</b>	<b>Dog Breeding Licence</b>	<b>Pet Animals Licence(keeping a pet shop)</b>	<b>Riding establishment Licence</b>	<b>Dangerous, Exotic and Wild Animals</b>	<b>Performing Animals Registration</b>	<b>Zoo Licence</b>
<b>Current</b>	£165	£165	£165	£165	£165	£165	£165	£1200 (£200 PA)
<b>Proposed</b>	<b>£205</b> <b>+ vets inspection fee if required</b>	<b>£190</b> <b>+ vets inspection fee if required</b>	<b>£205</b> <b>+ vets inspection fee if required</b>	<b>£205</b> <b>+ vets inspection fee if required</b>	<b>£235</b> <b>+ vets inspection fee</b>	<b>£ 280</b> <b>+ vets inspection fee if required</b>	<b>£ 80</b> <b>+ vets inspection fee if required</b>	<b>£2353</b> <b>Or £2445</b> <b>(£407.5) if paid in 6 instalments</b>  <b>+ vets inspection fee as required</b>

## **Key Implications**

### Financial

9 The rise in fees will contribute to towards the cost of this particular service.

### Community Impact and Outcomes

10 The purpose of the licence is to impose conditions concerned with the welfare of animals, the spread of disease and the health and safety of the public.

### Legal, Human Rights etc.

11 There are none arising.

### Value For Money and Asset Management

12 The proposed fees ensure the costs of administering the licence are fully covered by the fee in accordance with Local Authority co-ordinators of Regulatory Services (LACORS) Guidance on local fee-setting.

### Equality

13 Equality is not affected by the setting of the Animal Welfare Licensing fees

## **Conclusions**

14 This Authority has been subsidising the cost of administering animal welfare licences and the current cost of providing the service outweighs the income generated. The proposed increases reflect the real cost of providing the service.

## **Risk Assessment Statement**

15 This is a statutory function. The aim of the licensing system is to ensure that high standards of animal welfare are maintained. By not fully covering the costs of administering the licences, this service will remain subsidised.

### **Sources of Information:**

The EU Services Directive

Local Authority co-ordinators Of Regulatory Services (LACORS) guidance on local fee-setting

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