



RECORD OF DELEGATED OFFICER DECISION

SUBJECT:

Recovery of veterinary inspection costs associated with animal licences.

PURPOSE OF ATTACHED REPORT:

To introduce the provision to charge licensees the cost of veterinary inspection fees incurred in respect of animal related licences, where the legislation gives the Council discretion to levy such a charge. The types of licence to which this discretionary charge will relate are Pet Shops, Dog Breeding, Animal Boarding and Performing Animals.

DELEGATED DECISION (Date):

- To approve the recharging of veterinary inspection costs incurred upon the Grant of licences Issued in accordance with the Pet Animals Act 1951, which become effective on or after the 1st January 2016.
- To approve the recharging of veterinary inspection costs incurred upon the Grant and Renewal of licences issued in accordance with the Animal Boarding Establishments Act 1963 and the Performing Animals (Regulation) Act 1925, which become effective on or after the 1st January 2016.
- To approve the recharging of veterinary inspection costs incurred upon the Grant and Renewal Of licences issued in accordance with the Breeding of Dogs Act 1973 and the Breeding and Sale of Dogs Act 1999, which become effective on or after the 1st January 2016, and any Veterinary inspection costs incurred for any other purpose at those licensed premises during the Licence period.

Chief Officer Signature

C. ISINGRINI

Print Name

08.01.16.

Date

The decision is taken in accordance with Section 15 of the Local Government Act, 2000 (Executive Functions) and in the terms set out in Section 5 of Part 3 of the Council's Constitution

Jay Ross

CONSULTEE CABINET MEMBER SIGNATURE

8/1/16

DATE

DJ Lee

OFFICER CONSULTEE SIGNATURE

8/1/16

DATE

Directorate:	Public Health & Protection
Contact Name:	Louise Davies
Designation:	Head of Environmental Health, Trading Standards and Community Safety
Tel. No.	01443 425385

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2015/16

**REPORT TO ACCOMPANY DECISION OF
GROUP DIRECTOR, COMMUNITY & CHILDREN'S SERVICES**

<p><u>Part 1</u> (Non-Confidential)</p>

<p>Recovery of veterinary inspection costs associated with animal licences</p>
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1. PURPOSE OF REPORT

- 1.1 In accordance with the Council's scheme of delegation, this report has been prepared to accompany the decision of the Group Director Community and Children's Services as described below.
- 1.2 To introduce the provision to charge licensees the cost of veterinary inspection fees incurred in respect of animal related licences, where the legislation gives the Council discretion to levy such a charge. The types of licence to which this discretionary charge will relate are Pet Shops, Dog Breeding, Animal Boarding and Performing Animals.

2. RECOMMENDATIONS

It is recommended that:

- 2.1 the recharging of veterinary inspection costs incurred upon the Grant of licences issued in accordance with the Pet Animals Act 1951, which become effective on or after the 1st January 2016, is approved;
- 2.2 the recharging of veterinary inspection costs incurred upon the Grant and Renewal of licences issued in accordance with the Animal Boarding Establishments Act 1963 and the Performing Animals (Regulation) Act 1925, which become effective on or after the 1st January 2016, is approved;
- 2.3 the recharging of veterinary inspection costs incurred upon the Grant and Renewal of licences issued in accordance with the Breeding of Dogs Act 1973 and The Breeding and Sale of Dogs Act 1999, which become effective on or after the 1st January 2016, and any veterinary inspection costs incurred for any other purpose at those licensed premises during the licence period, is approved.

3. BACKGROUND

- 3.1 The purpose of the licensing regime in its widest sense is to exercise control over an activity, where the absence of such control is likely to present a risk to public safety. The licensing regime in respect of animal licences is slightly different in that

the primary driver is the welfare of the animals, albeit there is a consideration for public safety in respect of how certain animals are kept and the prevention of transmission of diseases.

- 3.2 The Riding Establishments Acts 1964 & 1970 and the Dangerous Wild Animals Act 1976 make specific provision for the licensing authority to recover the cost of veterinary inspection fees incurred in the administration of licences issued under those Acts. These fees are recovered from applicants currently as part of the licensing process.
- 3.3 There is legal precedent however that confirms the ability of the licensing authority to recover the cost of veterinary inspection fees incurred in accordance with the administration of the Pet Animals Act 1951, the Breeding of Dogs Act 1973 and the Breeding & Sale of Dogs Act 1999, the Animal Boarding Establishments Act 1963 and the Performing Animals (Regulation) Act 1925. These enactments either enable a licensing authority to charge a fee to cover the cost of administering and enforcing the licensing regime, including inspection costs, or specifically allow discretion to recover the cost of veterinary inspections in addition to the licence fee.
- 3.4 The implementation of the Animal Welfare Act 2006 has had a specific impact on the welfare & well-being of all animals and has impacted positively on standards at licensed premises. Whilst this progress has been welcomed, it is also recognised that the inspection and assessment of both the animals and the environment in which they are kept requires a level of expertise/specialism which may not be viable to retain within a small team. This is particularly so in Rhondda Cynon Taf where the number of such licences has traditionally been low.
- 3.5 In Rhondda Cynon Taf, currently there are the following licences in force, as at the 30/9/15.

Animal Licence Type	Number in force as at 30/9/15	Current Fee 2015-16
Pet Shops	18	£121
Dog Breeding	1	£95
Animal Boarding	16	£121
Performing Animals	2	£129
Horse Riding Establishments	3	£165 <u>plus</u> veterinary inspection costs
Dangerous Wild Animals	0	£277 <u>plus</u> veterinary inspection costs

- 3.6 A relatively small number of licences mean that it is difficult to develop the technical knowledge required to maintain best practice standards in licensed premises. A licensing authority can determine the appropriate level of service provided, relative to the need of its citizens, and the fee charged for any licence shall reflect the level of service required and provided by the Council. However, in relation to the welfare

of animals, there is a legitimate expectation that standards are achieved and the expertise of veterinary surgeons is the most proportionate and cost effective way of discharging this duty.

- 3.7 At present, where it has been deemed appropriate to the licence application, a veterinary surgeon has been engaged to ensure that animal welfare is being assured and the environment in which animals are being kept is appropriate and protect animals from harm. These costs have either been passed on to the Licensee, where possible, and in other circumstances the cost has been met by the Licensing Authority.
- 3.8 A more structured approach to the use of experts for inspection and the recovery of the fees incurred is however required which will make better use of resources and ensure more consistent standards. It is therefore proposed that veterinary surgeons are engaged to accompany licensing officers on the Grant of all Pet Shop licences and the Grant and Renewal of all Boarding, Breeding and Performing Animal licences. The current application fee will be payable in advance and the veterinary surgeon inspection costs will be recharged prior to the determination of the licence application.
- 3.9 The cost of a veterinary inspection will be based on the actual cost incurred, which in 2014-15 equated to an hourly rate of £99 per hour. The charge will therefore be proportionate to the size of the business and business premises. For example, based on costs incurred in 2014-15, the time taken to inspect a small Pet Shop, with a small number of animals is approximately 1 hour whereas the inspection of the average size, local boarding kennels is approximately 2 hours. Indicative additional costs are shown below:

Animal Licence Type	Current Annual Fee	Annual Vet Inspection cost (indicative)	Proposal
Pet Shops	£121	1hr @£99	On first grant only
Dog Breeding	£95	1hr @£99 = £99	On grant and renewal
Animal Boarding	£121	2hr @£99 = £198	On grant and Renewal and during licence period
Performing Animals	£129	2hr @£99 = £198	On Grant and Renewal

- 3.10 In relation to boarding premises and performing animal licences, the costs of any mid-term, programmed inspection, or any other inspection carried out in response to a complaint will be borne by the Authority and form part of the annual review of all discretionary licence fees levied by the Council. However, any additional veterinary inspection costs incurred in relation to breeding establishments during the course of

the premises licence will be recharged to the licensee, in accordance with the specific provisions of the Breeding and Sale of Dogs (Welfare) Act 1999.

- 3.11 The majority of existing Animal Licences are due for renewal in January and December each year. It is proposed that the rechargeable veterinary inspection fee be implemented from 1st January 2016, and be applied to all licences that are Granted or Renewed with an effective date on or after the 1st January 2016.