

Licensing Regulatory Committee

Setting of Licensing Fees for Animal-related Licensing for the Financial Year 2017/18 1 June 2017

Report of Chief Officer (Health & Housing)

PURPOSE OF REPORT

To seek a decision regarding the levels of fees to be set for animal licensing for 2017/18.

This report is public.

RECOMMENDATIONS

- (1) That the licensing fees for animal-related licences be determined for 2017/18 on consideration of the options contained in this report.
- (2) That a full cost recovery review is undertaken in a timely way during 2017/18 in order to fully inform licence fees and budget setting from 2018/19 onwards, in line with appropriate regulatory advice and the council's Fees and Charges Policy.

1.0 Introduction

1.1 This report is concerned with the setting of the level of licence fees 2017/18 for:

- Commercial animal boarding establishments
- Home boarding establishments
- Dangerous wild animals
- Riding establishments
- Pet shops
- Dog breeding establishments
- Zoos

The setting of such fees is a non-executive function, and therefore a matter for this Committee.

1.2 Licensing fees for the premises under consideration and referenced as part of this review are set according to the legislation specific to those premises:

- Commercial animal boarding and home boarding establishments - Animal Boarding Establishments Act 1963
- Dangerous wild animals – Dangerous Wild Animals Act 1976 as amended.
- Riding establishments – Riding Establishments Act 1964
- Pet shops – Pet Animals Act 1951
- Dog breeding establishments – Breeding of Dogs Act 1973
- Zoos – Zoo Licensing Act 1981

1.3 There are currently in the region of 44 animal related licenced premises. Animal-related

licensing is a function administered and delivered by Environmental Health.

2.0 Proposal Details

- 2.1 The council's Fees & Charges Policy states that when setting charges, the general aim is to cover the cost of the service, reflecting the full cost of provision including recharges. It is not lawful, however, for the council to seek to make a profit from licence fees that are within its discretion. The Fees & Charges Policy in relation to licensing fees offers a standard of good practice, although it is not binding on Licensing Regulatory Committee.
- 2.2 It is also a requirement of the council's Fees & Charges Policy that fees be reviewed annually.
- 2.3 Although planned monitoring of the direct and indirect costs of animal licensing has been carried out, this has been affected by staffing changes in the last twelve months. There are also developments proposed in home boarding licensing which may significantly reduce officer time spent on the licensing process in future. This means that whilst review information has been gathered a further period of monitoring is necessary to enable a full and balanced view of future financial implications. It is therefore intended to continue monitoring into 2017/18 before bringing a review report to Licensing Regulatory Committee in February 2018 (or earlier if appropriate) to decide whether to fully recover licensing costs when approving revised fees in future years.
- 2.4 Meanwhile, it is appropriate to increase by 2% the fees to be charged during 2017/18 in order to cover inflationary rises in line with other fees and charges applied during the 2017/18 Budget process. The final amounts resulting from this increase would, as is normal, be appropriately rounded in line with the Fees & Charges Policy. The recommended fees are attached in Appendix A.

3.0 Options and Options Analysis

- 3.1 The options proposed are:

Option 1: Approve a 2% increase (appropriately rounded in line with the Fees & Charges Policy) with regard to animal welfare licences as set out in Appendix A.

Option 2: Approve a different level of percentage increase as decided by Committee.

Alternatively, it would be open to the Committee to consider alternative fee structures.

- 3.2 The Officer preferred option is option 1, i.e. a 2% increase (appropriately rounded) for animal related licences.

4.0 Conclusion

- 4.1 Other council fees and charges have been increased generally by 2% and approving Option 1 would be consistent with this position. The council does not at present recover the full costs of administering animal-related licensing. Process review and streamlining work scheduled during 2017/18 will inevitably incur a further up-front staffing cost before any efficiencies are subsequently realised. It is not currently anticipated that a fee increase of 2% will lead to the generation of any surplus income.

CONCLUSION OF IMPACT ASSESSMENT
(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

LEGAL IMPLICATIONS

Legal implications are contained within the report.

FINANCIAL IMPLICATIONS

Members are reminded that animal licensing is a statutory function legislated by the relevant Acts listed within the Report, although it is for the Local Authority to determine the appropriate charge.

The officer preferred option will generate a small additional income of £100 (rounded) compared to the 2016/17 fee tariffs as demonstrated by the following table, noting that this is based on the reduced number of chargeable licences now expected to come forward during 2017/18:

Licence Type	Licence No's	Current Fee income £	Proposed Fee Income at 2% £	Difference £
Horse Riding Establishments	4	600	600	---
Dog Breeders Licence	3	400	400	---
Pet Shop Licence	6	900	900	---
Animal Boarding (Commercial)	8	1,200	1,200	---
Animal Boarding (Home)	22	2,200	2,300	100
Zoo Licence *	1	---	---	---
Total (*excluding Zoo Licence)	44	5,300	5,400	100

*It should be noted that zoo licences are issued for a 6 year period and so there will be no charge for Williamson Park in 2017/18. This may change from 2018/19 onwards, subject to whether or not annual charges are made on a full cost recovery basis going forward, i.e. to include costs such as annual inspections, etc.

For information, Members should be aware that the 2017/18 budget was set on the basis that there would be 60 chargeable licences in line with that expected for 2016/17 and so the budget has been set slightly higher at £7,700 rather than the £5,400 shown above. This will be kept under review as new establishments applying for a licence may still come forward during the year.

Similarly, should Members opt for a different option/percentage than being proposed, then subject to how material they are, these would need to be further appraised and fed into future financial monitoring reports to cabinet as part of the council's usual monitoring arrangements.

Finally, it is re-iterated that the proposed increase in fees does not fully recover the cost of issuing Licenses. A full review will need to be undertaken during the year, therefore, with the support of Financial Services, and a report be brought back to the Licensing Regulatory Committee at the appropriate time to enable fees to be set as per the relevant legislative guidance and the council's Fees & Charging Policy.

SECTION 151 OFFICER'S COMMENTS

The 151 Officer has been consulted and has no further comment.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comment.

BACKGROUND PAPERS

Lancaster City Council Fees & Charges Policy
Animal Boarding establishments Act 1963
Dangerous Wild Animals Act 1976 as amended
Riding Establishments Act 1964
Pet Animals Act 1951
Breeding of Dogs Act 1973
Zoo Licensing Act 1981

Contact Officer: Sue Clowes, Senior Environmental Health Officer
Telephone: 01524 582740
E-mail: sclowes@lancaster.gov.uk
Ref: LRC13