

**CYNGOR SIR POWYS COUNTY COUNCIL.**

**PLANNING, RIGHTS OF WAY AND TAXI LICENSING COMMITTEE**

**Date 13<sup>th</sup> January 2022**

**REPORT AUTHOR: Gavin Jones, Senior Enforcement Officer**

**REPORT TITLE: Animal Establishment Licensing Fees Review**

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**REPORT FOR: Decision**

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**1. Purpose**

- 1.1 The Committee is requested to consider the approval of revised fees for the licensing of animal establishments to commence from April 2022.
- 1.2 During the period of 1<sup>st</sup> April 2021 - 31<sup>st</sup> March 2022 the following number of animal establishment licences have or will be renewed:

Dog Breeders	29
Animal Boarding Establishments	14
Home Boarders	19
Riding Establishments	16
Pet Shops	9
Dangerous Wild Animals (renewal every 2 yrs)	2
Zoo`s (renewal every 4 or 6 years)	2

- 1.3 During the period of 1<sup>st</sup> April 2022 - 31<sup>st</sup> March 2023 the following number of animal establishment licences are anticipated for renewal:

Dog Breeders	29
Animal Boarding Establishments	14
Home Boarders	19
Riding Establishments	16
Pet Shops	9
Dangerous Wild Animals	0
Zoo`s	0

**2. Background**

- 2.1 The setting of the licence fees is in line with the Local Government Association (LGA) guidance on locally set licence fees. Details can be found using the following link:

- 2.2 In light of objections raised following the increased licencing fees last year a full review of the licencing costs and processes has been undertaken. Having taken account of comments previously made by licensees each licence process has been reviewed and where possible the associated administrative and officer processes have been streamlined. The result of the streamlining has made it possible to reduce the cost of some of the licences. It is hoped that this new streamlined approach to licensing will ensure that fees are kept to a minimum and businesses can be encouraged to prosper as a result.
- 2.3 The revised licence costs, as detailed in Appendix 1 have been determined detailing all aspects of the licencing regime with appropriate officer costings having been provided by our accountants. Those costings include the following:
- the cost of processing an individual licence i.e. the actual officer time from application stage through to the issuing of a licence, either an initial or renewed licence.
  - it separates the licencing process into three categories in line with the LGA Guidance, namely application cost, granting cost and renewal cost.
  - the cost of administering the licencing regime locally including training, equipment, administrative, inspection, and travelling costs.

Any associated veterinary costs are excluded from the licence fees as these are invoiced to the licensee and recovered in full.

- 2.4 For reference only it is useful to see fees currently charged by other authorities, these are provided at appendix 2. It must be remembered that it is difficult to make direct comparisons as fees calculated will be specific to local staffing and on-costs.
- 2.5 Licensees` have been consulted about the proposed licence fees and the processes attached thereto. The consultation letters were sent on 10<sup>th</sup> & 11<sup>th</sup> November 2021 via either email or post with licensee`s given the opportunity to comment on the same by 25<sup>th</sup> November 2021. I have attached for information, a copy of the consultation letter and associated attachments that were sent to licensees at Appendix 3. I have also attached details of the comments received from licensee`s in response to the consultation at Appendix 3.
- 2.6 A theme picked up by a number of consultees in their responses is the perceived increase in officers hourly paid rates. The officers have not received pay rises but the direct and indirect on costs have been appropriately factored into the hourly rate this year to provide a more accurate reflection of the costs. Where other issues around licensing concerns that don`t relate to the fees have been raised these have been addressed with the licence holders.
- 2.7 The licensing of animal establishments is required under the following legislation:-

- Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014;
- The Animal Boarding Establishments Act 1963;
- The Riding Establishments Act 1964;
- The Animal Welfare (Licensing of Activities Involving Animals) (Wales) regulations 2021;
- The Dangerous Wild Animals Act 1976; and
- The Zoo Licensing Act 1981.

The Local Government Association “Open for business” guidance on locally set licence fees provides guidance to council`s on understanding the full breadth of issues that should be considered when setting local licence fees in order to meet legal obligations and provide the necessary reassurances to local business. It is an accepted principle in relation to these schemes that those who benefit from the system (e.g. licence holders) should cover the cost of it. Locally set fees are a vital means of ensuring both that full costs can be recovered by each and every council, reducing the risk of a subsidy from local taxpayers, and that businesses do not pay more than they should.

### **3. Advice**

- 3.1 Fees need to be reviewed periodically to ensure that full cost recovery is achieved and include staffing costs, on costs, cost of equipment, cost of staff training increase on an annual basis. If fees are not reviewed then the fees may not achieve full cost recovery. The fees proposed have been set to ensure the licencing regime is, as far as is possible cost neutral to the Authority and are therefore recommended for approval. Members are invited to approve the revised fees

### **4. Resource Implications**

- 4.1 The adoption of the revised fees will result in a reduction of licencing income. Based on the current licenced premises (as detailed in paragraph 1.2 above) the income received would be reduced by £2202. However, as neither the Dangerous Wild Animal (DWA) or Zoo licences are due renewal in 2022/23 the income will in effect be reduced by £8034 compared to the previous year. This is a recurring fluctuation as DWA licences are bi-annual renewals and Zoo licences are renewed on either a 4 or 6 year cycle. The reduced fee income can be managed within the service budget through a combination of increased income and costs reductions in other areas.
- 4.2 The Head of Finance (Section 151 Officer) notes the content of the report. The fees have been reviewed in line with guidance and ensures the recovery of costs. The reduced income can be managed by the service with their existing budget so the proposal can be supported.

**5. Legal implications**

5.1 The report appears to be in line with the approach recommended by the Local Government Association and is therefore supported by the Principal Solicitor (Shire)

5.2 The Head of Legal and Democratic Services ( Monitoring Officer ) has commented as follows: “ I note the legal comment and have nothing to add to the report”.

**6. Data Protection**

6.1 Personal data will be processed in relation to each initial licence application and licence renewal. The Data Protection Officer comments are:- The proposal has no new data protection issues.

**7. Comment from local member(s)**

7.1 N/A.

**8. Impact Assessment**

8.1 An impact Assessment is not required.

**9. Recommendation**

9.1 That the proposed licence fees be approved and implemented with effect from 1<sup>st</sup> April 2022.

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Head of Service: Gwilym Davies

Corporate Director: Nigel Brinn

## APPENDIX 1

### LICENCE FEES – 2022/23

#### INITIAL APPLICATION

Licence Type	Application £	Grant £	Total Cost £	Annual Equivalent	Previous fee	Difference +/-
Home Boarder/Day Care	183.00	71.00	254.00	254.00	268.00	-14.00
Commercial Kennels/Cattery	208.00	71.00	279.00	279.00	303.00	-24.00
Dog Breeder – Cat 1	340.00	71.00	411.00	411.00	315.00	+96.00
Dog Breeder – Cat 2	381.00	79.00	460.00	460.00	345.00	+115.00
Dog Breeder – Cat 3	410.00	89.00	499.00	499.00	375.00	+124.00
Dangerous Wild Animal	188.00	434.00	622.00	311.00	730.00	-108.00
Pet Shop	295.00	80.00	375.00	375.00	303.00	+72.00
Riding Establishment – Cat 1	276.00	80.00	356.00	356.00	374.00	-18.00
Riding Establishment Cat 2	314.00	86.00	400.00	400.00	416.00	-16.00
Zoo – 4 Years	504.00	1213.00	1717.00	429.25	1496.00	+221.00

#### RENEWAL OF LICENCE

Licence Type	Renewal £	Annual Equivalent £	Previous Fee	Difference +/-
Home Boarder/Day Care	186.00	186.00	268.00	-82.00
Commercial Kennels/Cattery	253.00	253.00	303.00	-50.00
Dog Breeder – Cat 1	328.00	328.00	315.00	+13.00
Dog Breeder – Cat 2	375.00	375.00	345.00	+30.00
Dog Breeder – Cat 3	421.00	421.00	375.00	+46.00
Dangerous Wild Animal	575.00	287.50	730.00	-155.00
Pet Shop	282.00	282.00	303.00	-21.00
Riding Establishment – Cat 1	328.00	328.00	374.00	-46.00
Riding Establishment Cat 2	366.00	366.00	416.00	-50.00
Zoo – 6 Years	2341.00	390.17	1991.00	+350.00

#### Advisory Inspection

£101 for maximum of 2 hours, £50 per hour or part thereof thereafter.

#### Duplicate Licence

£20

## APPENDIX 2

Authority	Dog Breeders	Animal Boarding Establishments	Home Boarders	Riding Establishments	Pet Shops	Dangerous Wild Animals	Zoos
Caerphilly	144 – 226	245	153	343	224	354	1172
Cardiff	321	299	106	490	372	501	1073
Carmarthenshire	272 – 778	241 – 256	147 – 418	192 -418	428	1043	-
Conway	130	130	-	192	130	130	748
Bridgend	211	211	128	285	211	413	1080
Denbighshire	150	150	-	180	150	180	680 - 720
Flintshire	-	143	103	139	139	-	158
Herefordshire	260 - 922	477 - 916	327 - 734	477 - 809	402 - 520	496	Variable
Merthyr Tydfil	279	285	247	200	266	345	-
Newport	11	187	-	161	116	537	1025
Pembrokeshire	565 - 647	554 - 643	512 - 560	446 - 852	582	565	4yr – 4732 6yr – 6255
Powys	375 - 421	253	186	328- 366	282	575	4yr – 1717 6yr - 2341
Rhondda Cynon Taff	111	142	-	190	142	325	Variable
Shropshire	455 - 622	453 - 589	455 - 589	489 - 623	455 - 589	290	848 - 901
Swansea	138	182	96	182	158	667	936 - 3209
Torfaen	313 - 500	243 - 645	-	275 - 413	332 - 512	330 - 742	1123 - 2062
Vale of Glamorgan	211	-	128	285	211	-	1080
Wrexham	351	351	351	295 - 395	351	368	Variable

Lowest Cost	
Highest Cost	

**CONSULTATION LETTER**



Consultation Letter  
-Newly Propoised Li

**CONSULTATION RESPONSES – ANIMAL LICENSING FEES – 2022/23**

**From:**

**Sent:** 10 November 2021 16:23

**To:** Trading Standards <[trading.standards@powys.gov.uk](mailto:trading.standards@powys.gov.uk)>

**Subject:** Re: Licensing Consultation

I have no problem with a price increase, maybe the extra should go towards more inspections?

I also think licences should be not given to owners of 10 or more dogs, I feel any more than this is impossible to give the dogs the care / love they need.

Dogs should be bred in a home environment with familiar adults not staff.

Puppies brought up in a family with constant care of familiar adults will have better temperaments.

Kind regards

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**From:**

**Sent:** 23 November 2021 09:31

**To:** Trading Standards <[trading.standards@powys.gov.uk](mailto:trading.standards@powys.gov.uk)>

**Subject:** Re: Licensing Consultation

Dear Mr Jones,

Thank you for giving me the opportunity to put forward any concerns I have with the new licencing fees for 2022/2023.

I can see you have been working hard in reducing the timings on the spreadsheet, every little helps.

I have a few queries if you could kindly put to the committee.

1. Number 12 – Contingency to allow for non-payments, can I suggest that if fees are not paid within 30 days that an additional charge of 5% or 10% be added to those who fail to pay within the time scale.

2. Is the large increase in the hourly rates on the management

Admin 2021 – £18.80

Admin 2022 – £31.65

**Admin increase of £12.85 per Hour**

Officer 2021 - £24.07

Officer 2021 – £37.93

**Officers increase of £13.86 per Hour**

Manager 2021 - £29.87

Manager 2022 – £50.04

**Managers Increase of £20.17 per Hour**

These increases per hour are more than the minimum living wage?

4. Again I would still like to see Powys County Council display licenced kennels on their web- site so potential customers can make an informed decision.

5.

I do look forward to your response, and thank you again for taking on board my concerns last year.

Kind regards

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**From:**

**Sent:** 23 November 2021 11:53

**To:** Trading Standards <[trading.standards@powys.gov.uk](mailto:trading.standards@powys.gov.uk)>

**Subject:** Home boarding license fee review

Dear Mr. Gavin Jones

Thank you for your recent email and all the attachments regarding the review of animal licensing fees.

I'm glad to see you are proposing to separate the fee structure for new and renewal applicants to better reflect the officer time taken for checks.

Regards

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**From:**

**Sent:** 24 November 2021 13:31

**To:** Trading Standards <[trading.standards@powys.gov.uk](mailto:trading.standards@powys.gov.uk)>

**Subject:** Re: Licensing Consultation



Hello Gavin,

Thank you for sending me the information regarding the licencing consultation.

I tried to ring you today, but you were away from your desk.

The first point I would like to bring to your attention is that there seems to be a reduced rate for renewal of home boarding from last year. Is this correct? I thought that I paid £268 last year, and this year it is £186. I am very happy if that is the case.

Secondly, I note an increase in salaries for your team which must be nice.

I am a little concerned however, that a licence has been issued to another (New) company via PCC using XXXXXXXX as the name of the company. They say they are XXXXXXXXXXXX but when you look at what they offer it is also... home boarding. I have had several calls from new customers confused thinking I am XXXXXXXXXXXX. I assumed with your role as an officer that it is within your pay grade to indicate to new licensees that one of your established clients already uses that company name. Can you help with this? Or should I pursue this myself? Please correct me if I am wrong in thinking that a duplication of name could be addressed under our administration fee costs. Your support in this would be much appreciated.

Lastly, on your last visit, I indicated that XXXXXXXX who runs XXXXXXXX has been running dog boarding without paying for a dog boarding licence fee. What are the ramifications of not having a licence? If one pays, shouldn't we all pay? I would appreciate an update on this too please.

Kind Regards

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