

## EXECUTIVE MEMBER DECISION FORM

**DECISION TO BE TAKEN BY: CLLR ANITA LEECH**

**KEY DECISION: YES**

**PORTFOLIO AREA: DELIVERY – COMMUNITY SERVICES – ENVIRONMENTAL HEALTH**

**PORTFOLIOS AFFECTED: ENVIRONMENT**

**WARDS AFFECTED: ALL WARDS**

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**SUBJECT: ENVIRONMENTAL HEALTH, ANIMAL LICENSING – CHANGES TO AGREED FEES AND CHARGES**

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### **1. RECOMMENDATIONS:**

**The Cabinet Member is requested to:**

- (1) Approve adoption of the revised Standard Licence Conditions for animal establishments as set out in this report and appendices 1 to 10.
- (2) Authorise the requirement for the inspection and licensing of the five animal related activities as set out in the regulations, these being;
  - Selling animals as pets
  - Providing or arranging for the provision of boarding for cats and dogs (traditional kennels and catteries, dog day care and home boarding)
  - Hiring out horses
  - Breeding of Dogs
  - Keeping or training animals for exhibition
- (3) Authorise the Corporate Director of Delivery Services, in consultation with the Section 151 Officer, to use delegated authority to revise the existing Animal License fees relating to the implementation and administration of these new regulations to enable all the associated incurred costs to be recovered.

## **2. REASON/S FOR RECOMMENDATIONS:**

Under the constitution The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 regulations can be added to the Officers instrument in writing as the regulations are being made under the primary legislation The Animal Welfare Act 2006, Section 13 which covers the Licensing or registration of Activities involving animals. This primary legislation is authorised under the constitution and regulations made under this act can be delegated to authorised officers.

The Cabinet Portfolio Member has delegated authority to authorise the Director of Delivery Services in consultation with the Section 151 Officer to revise and amend existing fees and charges. The Portfolio Member has been requested to approve the new Animal Licensing fees so that Regulations referred to can be enforced and that all associated costs in implementing the new Regulations can be recovered as allowed for within the Regulations and associated Guidance. The decision has been made as a matter of special urgency as the new Animal Licensing fees are required to be in place by the 1st October 2018 from which date the Regulations apply.

## **3. STATEMENT OF COMPLIANCE**

The recommendations are made further to legal advice from the Monitoring Officer and the Section 151 Officer who have confirmed that they do not incur unlawful expenditure. The decision has been made as a matter of Special Urgency due to the need for Officers to apply the new Regulations and standard conditions which come in to force on 1<sup>st</sup> October 2018. After this date the Council's current standard conditions have no legal standing for new licence applications or where licences expire and need renewing. In relation to the new regulations, the proposed revised Council fees and charges also need approval to ensure the Council can recover the full costs of implementing these new regulations. The consent of the Chair of the Environment Overview and Scrutiny Committee has been obtained. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance and are compliant with equality legislation.

## **4. DECLARATION OF INTEREST**

There are no conflicts of interest.

<p><b>Signed:</b> <i>Anita Leech</i></p> <p><b>Executive Member:</b> Cllr Anita Leech</p> <p><b>Date:</b> 18/10/18.</p> <p><b>Also present:</b></p>	<p><b>Signed:</b> <i>M Smith</i></p> <p><b>Chief Officer:</b> Mark Smith</p> <p><b>Date:</b> 18/10/18.</p>
<p><b>Date of Senior Policy Team Meeting(s):</b></p>	

**A list of background papers on this issue is held with:**

Contact Officer: Colin Clayton  
Date:

**Date of Publication:**

**Date of Expiry of Call-In Period:**

*Form Reference: Executive Member Decision Form May 2012 v 1.0*