

EXECUTIVE BOARD
2ND NOVEMBER, 2015

SUBJECT :

Animal Establishments- Licensing Conditions and Fees

Purpose:

To set out the proposed new licence conditions and fee structure for animal establishments in the County.

Recommendations / key decisions required:

1. To approve the adoption of the new licensing conditions to animal establishments in Carmarthenshire.
2. To approve formal consultation on the revised fee structure for animal establishments

Reasons:

1. To update the general licensing conditions that apply to animal establishments since the introduction of the Animal Welfare Act 2006.
2. To specifically update the dog breeding licenses as a result of new legislation in Wales.
3. To get stakeholders views on the new fee structure to ensure we recover the costs of administering licenses for animal health purposes.

Relevant scrutiny committee to be consulted - NO

Exec Board Decision Required Yes - 2nd November, 2015

Council Decision Required Yes – 9th December, 2015

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:

Cllr Jim Jones (Environment & Public Protection)

<p>Directorate: Communities</p> <p>Name of Head of Service:</p> <p>Robin Staines</p> <p>Report Author: Roger Edmunds</p>	<p>Designations:</p> <p>Head of Housing and Public Protection</p> <p>Trading Standards Services Manager</p>	<p>Tel Nos.</p> <p>E Mail Addresses:</p> <p>01267 228960</p> <p>RStaines@carmarthenshire.gov.uk</p> <p>01554 742280</p> <p>REdmunds@carmarthenshire.gov.uk</p>
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EXECUTIVE SUMMARY
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2ND NOVEMBER, 2015

SUBJECT:

Animal Establishments - Licensing Conditions and Fees

Purpose:

The purpose of this report is to set out the proposed new licence conditions and fee structure for animal establishments in the County.

1. Licence conditions

Current licensing conditions applicable to our Licensed Animal Establishments have been in existence for many years. The conditions need modernising to bring into line with the requirements of the Animal Welfare Act. The full licence conditions for all establishments are confirmed in **Appendices 1-10**

Most of the conditions highlighted in the Appendices (with the exception of those for dog breeders) have undergone simple formatting changes. The introduction of the new dog breeding legislation on 30th April 2015, however, has resulted in a new set of licence conditions.

With the emphasis by Welsh Government on regionalisation, we have arranged to adopt the general Welsh National Conditions of licensing. These new conditions will therefore result in all establishments in the Mid and West Wales region having the same conditions. This will result in officers from Carmarthenshire, Powys, Ceredigion and Pembrokeshire working to the same conditions that will provide greater uniformity and less confusion.

The appendices below list the licensing conditions which are before you today for consideration.

- **Appendix 1** – Licensing Conditions & Guidance for Boarding Catteries
- **Appendix 2** – Licence Conditions & Guidance for Home Boarding for Cats
- **Appendix 3** – Licence Conditions for Dog Boarding Kennels
- **Appendix 4** – Licence Conditions for Dog Breeders
- **Appendix 5** – Licence Conditions & Guidance for Dangerous Wild Animals Establishments
- **Appendix 6** – Licensing Conditions & Guidance for Dangerous Wild Animals (Wild Boar) Establishments
- **Appendix 7** – Licensing Conditions & Guidance for Home Boarding of Dogs
- **Appendix 8** – Licence Conditions & Guidance for Home Dog Breeders
- **Appendix 9** – Licence Conditions for Pet Shops
- **Appendix 10** – Licence Conditions for Riding School Establishments
- **Appendix 11a** – Revised Fees & Charges Carmarthen
- **Appendix 11b** - Fees charged by neighbouring Authorities

Dog Breeding establishments

As highlighted above there have been changes to dog breeding establishments (Appendix 4). These can be summarised as:

- Prior to licensing, applicants must provide documentation on the enhancement, enrichment and socialisation programmes for dogs. These are written plans detailing how puppies are prepared for weaning and integration into their new homes and how both mental and physical stimuli are provided for the adult dogs at the breeding premise. These must exist at the premises and be acceptable to the Council.
- A staff to dog ratio has been introduced. One full time attendant can now only care for up to 20 adult dogs (a part time attendant up to 10 adult dogs)
- A new definition of a dog breeding establishment has been developed. A dog breeding licence is now required where a person keeps 3 or more breeding bitches and,
 - breeds 3 or more litters a year **or**
 - advertises 3 or more litters a year **or**
 - supplies puppies born from 3 or more litters **or**
 - advertises a business of breeding or selling puppies

Under the previous legislation, a licence was needed if 5 or more litters were bred at the premises. This change contained in the legislation, will mean a rise in the dog breeding establishments requiring a licence in Carmarthenshire. Whilst this will subsequently lead to an increase in the number of inspections, processing and administration of licensing, it will also lead to additional income.

The resource implications of these new responsibilities will be monitored to ensure that enough capacity is available to meet the new legislative requirements. Should additional resources be needed this will be subject to a further report.

Consultation in relation to Dog Breeding Licence Conditions

Consultation has already taken place with regard to the changes in the new dog breeding conditions both by Welsh Government and the Council.

The result of the consultation is available on line at the Welsh Government website and at the Animal Health Service Offices in Carmarthen.

The consultation responses showed some conflicting opinion which really depended on whether the respondent was a dog breeder or those opposed to such business activities. On the whole, however, there was a consensus in favour of the new conditions.

2. Licensing fees

Appendix 11a sets out the proposed fee structure for animal licensing. The proposed charges are the result of a recent review of fees, which has not taken place for many years. Previously, only minimal index linked increases have been adopted.

Under the current fee structure, Carmarthenshire is failing to recover its costs for administering and issuing licences for Animal Health purposes. The fees are also well below those charged by neighbouring authorities as highlighted in **Appendix 11b** (*at the time of writing and to the best of our knowledge and belief the comparative figures are correct, although subject to change*).

The increases in proposed fees are significant, but are in line with the nationally recognised 'toolkit' for fees calculation. It is our intention to phase the increase in charges over a two year period.

It should be noted that no consultation has been carried out to date in relation to these proposed increases.

RECOMMENDATIONS

1. To approve the adoption of the new licensing conditions to animal establishments in Carmarthenshire.
2. To approve formal consultation on the revised fee structure for animal establishments.

DETAILED REPORT ATTACHED?

NO - Appendices 1-11 attached

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Robin Staines- Head of Housing and Public Protection

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	YES	NONE	YES	YES	NONE

1. Policy, Crime & Disorder and Equalities

The licence conditions confirm the Council’s policy direction in relation to animal breeding establishments

2. Legal

The proposed licence conditions will align with legislative requirements ensuring we fully comply with our statutory duties under the Animal Welfare Act.

3.Finance

The number of licences required is expected to increase with the resultant increase in income. We are currently assessing the likely number of additional licensing that may be required.

5. Risk Management Issues

Failure to introduce the new licence conditions will mean that we will not be meeting our statutory duty with the resultant significant risk to exploitation for animals, reputable traders and consumers

It is important that dog breeding, in particular, is well regulated and is perceived as such by the general public.

7. Staffing Implications

There are currently 2FTEs working directly on the animal licensing function. It is anticipated that with the introduction of the new dog breeding regulations in particular, there will be a significant increase in the level of licences to be administered.

We will be monitoring this workload and a further report will be presented should additional resources be required, offset against the additional income generated. We will also look at any potential impact on the delivery of other Public Protection services as a result of this increased demand.

We will, in the first instance, investigate different ways of delivering the service without the need for additional staffing resources.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Robin Staines Head of Housing and Public Protection

1. Scrutiny Committee

Scrutiny Committee will be consulted as part of the proposed consultation process

2. Local Member(s) - N/A

3. Community / Town Council

All relevant stakeholders will be consulted as part of the consultation process

4. Relevant Partners

All relevant stakeholders will be consulted as part of the consultation process

5. Staff Side Representatives and other Organisations

All relevant stakeholders will be consulted as part of the consultation process

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
APPENDICES 1-11		Can also be accessed on Council's Website – (Council & Democracy Pages)