

# North Lanarkshire Council Report

## ENVIRONMENT & TRANSPORTATION

approval  noting

Ref AM/PB

Date 20/11/19

### Review of Animal Licensing fees

**From** Andrew McPherson, Head of Regulatory Services & Waste Solutions

**Email** [mcpersona@northlan.gov.uk](mailto:mcpersona@northlan.gov.uk) **Telephone** 01236 638575

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#### Executive Summary

This report presents elected members with a review of animal licensing fees currently charged by North Lanarkshire, compared to other Scottish local authorities, and suggests new proposed fees which more reflect the true cost of delivery of the service.

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#### Recommendations

It is recommended that the Environment & Transportation Committee:

1. Note the contents of this report; and
2. Endorse and approve the new proposed animal licensing fees.

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#### The Plan for North Lanarkshire

Priority Improve North Lanarkshire's resource base

Ambition statement (14) Ensure the highest standards of public protection

## **1. Background**

- 1.1 Local authorities are responsible for animal licensing matters covering a number of different activities, including:
- Animal boarding
  - Home boarding of animals
  - Pet shops
  - Zoos
  - Riding establishments
  - Dog breeding
  - Dangerous wild animals
- 1.2 In North Lanarkshire Council, responsibility for consideration of animal licensing applications, the subsequent granting of licences and inspection regime to ensure compliance with all relevant legislation in terms of animal health and welfare, and matters of wider public safety, rests with Trading Standards, a team within Protective Services. The Trading Standards service employs an Animal Health & Welfare Inspector to ensure compliance with all pertinent licence conditions and legislative requirements.

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## **2. Report**

- 2.1 The current licence fees which we can apply to the processing and inspection duties in terms of animal licensing do not effectively enable a full cost recovery; the amount of time and money we require to expend to deliver an efficient and high quality service is not reflected by the current licensing fees which we charge. The legislation relevant to Animal Licensing actually reflects the principle of appropriate cost recovery as can be seen in the sections of the relevant legislation covering the charge applicable to licensing:
- The Animal Boarding Establishments Act 1963 provides that no person shall keep a boarding establishment for animals except under the authority of a licence granted by the local authority. The Act refers to a licence being granted “on payment of such fee as may be determined by the local authority”. We propose to raise the licence fees as noted in Appendix 1.
  - The Pet Animals Act 1951 provides that no person shall keep a pet shop except under the authority of a licence granted by the local authority. The Act refers to a licence being granted “on payment of such fee as may be determined by the local authority”. We propose to raise the licence fees as noted in Appendix 1.
  - The Zoo Licensing Act 1981 provides that it is unlawful to operate a zoo except under the authority of a licence granted by the local authority. The Act states that “the local authority may charge such reasonable fees as they may determine” in respect of the granting, renewal or transfer of a licence. We propose to hold our zoo licence fees at their current level, which is within current Scottish local authority average fee parameters.
  - The Riding Establishments Act 1964 provides that a licence to operate a riding establishment may be granted “on payment of such fee as may be

determined by the local authority". We propose to raise the licence fees as noted in Appendix 1.

- The Breeding of Dogs Act 1973 provides that no person shall keep a breeding or rearing establishment for dogs except under the authority of a licence granted by the local authority. The Act states that a local authority may set the level of fees to be charged "with a view to recovering the reasonable costs incurred by them in connection with the administration and enforcement" in respect of applications for the grant of licences and the inspection of premises. We propose to raise the licence fees as noted in Appendix 1.
- The Dangerous Wild Animals Act 1976 provides that no person shall keep any dangerous wild animal except under the authority of a licence granted by the local authority. The Act states that a licence shall not be granted unless the application is "accompanied by such fee as the authority may stipulate (being a fee which is in the authority's opinion sufficient to meet the direct and indirect costs which it may incur as a result of the application)". We propose to raise the licence fees as noted in Appendix 1.

2.2 Appendix 1 shows a comparison of our current animal licensing fees, our newly proposed fees together with details of the average license charge across Scotland and the number of licences currently held by the Council. These new charges will enable Protective Services to move towards achieving actual full cost recovery for the animal licensing services we provide.

2.3 Animal licensing duties require the local authority to consider the terms of individual applications, and inspect premises for their compliance with all relevant legislation relating not only to licensing provisions but also compliance with all relevant legislation in terms of animal health and welfare, and matters of wider public safety. Licensed premises are thereafter kept under monitoring and review to ensure continued compliance. These duties require the specialist knowledge of staff in respect of applicable legislation, and the provision of administration support to maintain the licensing procedures and recording systems.

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### **3. Equality and Diversity**

#### **3.1 Fairer Scotland Duty**

There are no unfair aspects contained within this report.

#### **3.2 Equality Impact Assessment**

There is no adverse impact on equality or diversity contained within this report.

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### **4. Implications**

#### **4.1 Financial Impact**

The introduction of the revised license fees will see an increase in income to the Service of around £5,000 per annum assuming the number of licences remains at the same level.

#### **4.2 HR/Policy/Legislative Impact**

There are no HR/Policy/Legislative impacts.

4.3 **Environmental Impact**

There are no adverse environmental implications contained within this report.

4.4 **Risk Impact**

No significant risks are identified within this report.

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5. **Measures of success**

5.1 Increased cost recovery and maintenance of good governance in respect of income, assisting in the improvement of the Council's resource base.

5.2 Continued provision of a high quality animal licensing regime which ensures all relevant legislative compliance.

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6. **Supporting documents**

6.1 Appendix 1 – Proposed New Animal Licensing Fees.



**Andrew McPherson**  
**Head of Regulatory Services & Waste Solutions**

## Appendix 1

### Proposed Animal Licensing Fees

License Type	Current Charge	Proposed Charge	Scottish Average	Number of Current Licences
Pet Shop Licence (initial application)	£114	£145	£142.99	0
Pet Shop Licence (renewal)	£84	£135	£136.42	12
Zoo Licence (excluding any Zoo Inspector fee)	£457	£457	£404.47	2
Animal Boarding Licence (initial application)	£114	£151	£150.59	21
Animal Boarding Licence (renewal)	£84	£145	£144.38	2
Animal Boarding Licence - Home Boarder (initial application)	£46	£130	£129.31	2
Animal Boarding Licence - Home Boarder (renewal)	£46	£125	£124.69	23
Riding Establishments Licence (initial application) - Excluding Vet Fee	£114	£210	£210.56	0
Riding Establishments Licence (renewal) - Excluding Vet Fee	£84	£200	£201.67	7
Breeding of Dogs Licence (initial Application)	£114	£175	£174.13	1
Breeding of Dogs Licence (renewal)	£84	£157	£156.88	8
Dangerous Wild Animal Licence - 1 year licence (initial application) - Excluding Vet fee	£114	£200	£199.14	0
Dangerous Wild Animal Licence - 1 year licence (renewal) - Excluding Vet fee	£84	£190	£189.65	1
Dangerous Wild Animal Licence Variation - Excluding Vet fee if applicable	£9	£30	N/A	N/A