
LICENSING FEES AND CHARGES FOR 2018 - 2019

Purpose of the Report

1. The purpose of this report is to invite Members to determine the licence fees relating transport licensing and animal welfare licensing. The fees are based on the cost recovery of administering and where appropriate enforcing the relevant legislation relating to such licences.

Background

2. In respect of licensing in general, legislation permits the Council to recover all or part of the costs of providing the licensing service, including its administration and control (i.e. enforcement or supervision). It does not permit the Council to profit from its fees and charges thus ring fencing the income to the Licensing service. The Council may, however, choose to subsidise the service.
3. While Full Council previously determined the levy of all fees and charges in respect of the provision of the licensing service, a report which invited Full Council to delegate the setting of those fees and registrations that are within the remit of the General Licensing Committee to that Committee was considered by Full Council at their meeting on 28 January 2016.
4. Full Council duly approved the delegation and the Council's Constitution was amended accordingly. This enables in depth consideration to be given by members in a specialist committee, whenever the need arises.

Information and Analysis

5. In this financial year, savings have been made due to the Private Sector and Licensing Manager's post being withdrawn during the review of the Community Safety Section, and the loss of the Licensing Officer post holder which remains vacant at this present time.
6. The Section has also seen an increase in the general work load, due to a number of factors, one of which has been the realisation of the paperless office which was commenced this year.
7. Members will be pleased to note that since the introduction of the paperless office Licensing has reduced its carbon footprint by reducing business costs associated with paper and printer costs and has enabled us to conduct business in a mobile environment which has resulted in faster responses to our customers whilst improving the security of documents and increased office efficiency.

8. We have also agreed the introduction of a "licensing" scheme for home to school transport drivers and operators which will be implemented before the end of this current financial year which will involve a licensing process comparable with taxi licensing where officers will vet applicants to the same standards to ensure that drivers and operators who carry our most vulnerable members of the public are protected at all times.
9. From 1 October 2018, in accordance with the provisions of the Animal Welfare Act 2006, the Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018 was introduced. This legislation repeals or amends all of the animal welfare legislation in an attempt to modernise animal welfare legislation and seeks to licence and control other activities which are currently outside of the scope of the older Acts. This will require additional commitment for the Section for the foreseeable future.

Review of Service

10. The Licensing Service has undergone a review in light of the above changes and it has been decided that the post of Licensing Officer will be replaced with that of Assistant Licensing Manager.
11. In addition, in light of the increased workload of the section, an additional post of Licensing Support Officer is required in order to maintain and improve service provision.
12. It is intended to fund the additional costs of the Licensing Support Officer and Assistant Licensing Manager from annual income split across the two budgets.
13. Once the new posts have been realised and income for the year 2019/2020 can be assessed to produce a projected year end out turn then the fees should be reviewed fully to ensure that they are set at the correct level to achieve the correct level of income to licence fees.

Taxi Licensing Fees

14. A review of the taxi licensing fees was undertaken for the current financial year, which showed that at the end of the last financial year the carry forward income for Hackney Carriages was £34,228 and £28,509 for private hire, giving a total carry forward of £62,373.
15. It is therefore proposed that all fees in respect of hackney carriage and private hire vehicles, driver and operators will be held for a third year at their current levels.
16. In respect of driver licences the additional income from last year will be used to retain the current fee charged for driver licences which aims to reduce the surplus income by £20k during the period of this financial year.

Animal Welfare Licence fees

17. A costings exercise in relation to the application processing and licensing and inspection of animal welfare premises has been carried out in order that the fees reflect the cost to the Council for providing this service. The new legislation will require officers to spend considerably more time in the short term and this is reflected in the proposed fees and charges below.
18. Businesses which make provision for the boarding of dogs and cats, the selling of pets, the breeding of dogs or the hiring of horses will have to apply for a licence as their current licence expires.
19. In addition, where the Authority issued a Performing Animals Registration, it was on the basis that the registration would not expire, whereas the new Regulations will require anyone keeping or training animals for exhibition will require a licence that will last for three years.
20. The new Regulations which came into force on 1 October 2018 amended or repeal various statutes in respect of animal welfare licensing, and require that the costs for the application and compliance or enforcement costs are procured separately.
21. In addition, businesses which are well run, have documented procedures in place and have a proven track record of compliance in the past, can obtain a one, two or three year licence with a star rating of between 1 and 5 stars.
22. It is proposed that the following fees should be applied to licences in respect of animal welfare licensing, however, fees should be reviewed annually. A copy of the full breakdown of licensing fees is attached at Appendix 1 to this report.

Type of Application	Type of Licence	Fee
Breeding of Dogs	Grant	1 Year Licence £245.00 2 Year Licence £290.00 3 Year Licence £335.00
	Renewal	1 Year Licence £215.00 2 Year Licence £260.00 3 Year Licence £305.00
Pet Vending - Commercial	Grant	1 Year Licence £252.00 2 Year Licence £297.00 3 Year Licence £342.00
	Renewal	1 Year Licence £222.00 2 Year Licence £267.00 3 Year Licence £312.00
Pet Vending - Home	Grant	1 Year Licence £245.00 2 Year Licence £290.00 3 Year Licence £335.00
	Renewal	1 Year Licence £215.00 2 Year Licence £260.00 3 Year Licence £305.00
Keeping or Training Animals for Exhibition	Grant	3 Year Licence £235.00
	Renewal	3 Year Licence £215.00

Hiring Out Horses	Grant	1 Year Licence £265.00 2 Year Licence £310.00 3 Year Licence £355.00
	Renewal	1 Year Licence £235.00 2 Year Licence £280.00 3 Year Licence £325.00
Boarding of Dogs and Cats - Commercial	Grant	1 Year Licence £305.00 2 Year Licence £350.00 3 Year Licence £395.00
		1 Year Licence £275.00 2 Year Licence £320.00 3 Year Licence £365.00
Boarding of Dogs and Cats - Home Boarding	Grant	1 Year Licence £245.00 2 Year Licence £290.00 3 Year Licence £335.00
	Renewal	1 Year Licence £215.00 2 Year Licence £260.00 3 Year Licence £305.00
Boarding of Dogs - Day Care Up to 7 dogs	Grant	1 Year Licence £245.00 2 Year Licence £290.00 3 Year Licence £335.00
	Renewal	1 Year Licence £215.00 2 Year Licence £260.00 3 Year Licence £305.00
Boarding of Dogs - Day Care 8 +dogs	Grant	1 Year Licence £305.00 2 Year Licence £350.00 3 Year Licence £395.00
	Renewal	1 Year Licence £275.00 2 Year Licence £320.00 3 Year Licence £365.00
Dog Boarding Franchise IN Darlington	Grant	£130.00 + £10.00 per host + £65 per host inspection fee + £45.00 annual enforcement fee per year
	Renewal	£100.00 + £10.00 per host + £60.00 per host + £45.00 annual enforcement fee per year
Dog Boarding Franchise OUT Darlington	Grant	£60.00 + £65.00 per host
	Renewal	£55.00 + £60 per host

Additional Fees	Fee
Cost Per additional licensable activity - Grant and Renewal	£65.00 each
Mandatory mid licence inspection fee - Grant and Renewal	£30.00 each
Variation of Licence where no inspection is required	£35.00 each
Variation of Licence where inspection is required	£90.00 each
Application for Re- Rating	£70.00 each
Copy Licence	£15.00
Administration Fee	£35.00

23. Members will be aware that when estimating the income that may come into the Authority, it is very much a forecast based upon the numbers of current licences at that moment in time and may not be entirely accurate.

Recommendation

24. Members are invited to :-

- i) Approve that the taxi licensing fees will continue at their current rate from 1 April 2018.
- ii) Approve that the fees in respect of animal welfare licensing be approved as detailed above

Reasons

25. The recommendations are put forward to ensure that the costs of delivering the licensing service can be met directly from the relevant licence fees.

Ian Williams
Director of Economic Growth

Background Papers

The Local Government (Miscellaneous Provisions) Act 1976

The Deregulation Act 2015

The Animal Welfare Act 2006

Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018

Appendices

Appendix 1 - Full costing breakdown for animal welfare charges

APPENDIX 1

Type of Licence - Breeding of Dogs		Fee	Duration Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£130.00
		Mandatory mid licence inspection fee	£70.00
		Annual Enforcement Fee payable for each year of licence	£45.00
	Renewal	Application Fee includes inspection fee	£100.00
		Mandatory mid licence inspection fee	£70.00
		Annual Enforcement Fee payable for each year of licence	£45.00
			1 Year Licence £245.00
			2 Year Licence £290.00
			3 Year Licence £335.00
			1 Year Licence £215.00
			2 Year Licence £260.00
			3 Year Licence £305.00

Please note - A vets fee is also payable where a vets inspection is either required by law or deemed necessary by Darlington Borough Council

Type of Licence - Selling Animals as Pets - Commercial		Fee	Duration Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£130.00
		Mandatory mid licence inspection fee	£77.00
		Annual Enforcement Fee payable for each year of licence	£45.00
	Renewal	Application Fee includes inspection fee	£100.00
		Mandatory mid licence inspection fee	£77.00
		Annual Enforcement Fee payable for each year of licence	£45.00
			1 Year Licence £252.00
			2 Year Licence £297.00
			3 Year Licence £342.00
			1 Year Licence £222.00
			2 Year Licence £267.00
			3 Year Licence £312.00

Type of Licence - Selling Animals as Pets - Home		Fee	Duration Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£130.00
		Mandatory mid licence inspection fee	£70.00
		Annual Enforcement Fee payable for each year of licence	£45.00
	Renewal	Application Fee includes inspection fee	£100.00
		Mandatory mid licence inspection fee	£70.00
		Annual Enforcement Fee payable for each year of licence	£45.00
			1 Year Licence £245.00
			2 Year Licence £290.00
			3 Year Licence £335.00
			1 Year Licence £215.00
			2 Year Licence £260.00
			3 Year Licence £305.00

Type of Licence - Keeping or Training Animals for Exhibition		Fee	Duration Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£100.00
		Annual Enforcement Fee payable for each year of licence	£135.00
	Renewal	Application Fee includes inspection fee	£80.00
		Annual Enforcement Fee payable for each year of licence	£135.00
			3 Year Licence £235.00
			3 Year Licence £215.00

Type of Licence - Hiring Out Horses			Fee	Duration Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£145.00	1 Year Licence £265.00
		Mandatory mid licence inspection fee	£75.00	2 Year Licence £310.00
		Annual Enforcement Fee payable for each year of licence	£45.00	3 Year Licence £355.00
	Renewal	Application Fee includes inspection fee	£115.00	1 Year Licence £235.00
		Mandatory mid licence inspection fee	£75.00	2 Year Licence £280.00
		Annual Enforcement Fee payable for each year of licence	£45.00	3 Year Licence £325.00

Type of Licence - Boarding of Dogs and Cats - Commercial			Fee	Duration Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£170.00	1 Year Licence £305.00
		Mandatory mid licence inspection fee	£90.00	2 Year Licence £350.00
		Annual Enforcement Fee payable for each year of licence	£45.00	3 Year Licence £395.00
	Renewal	Application Fee includes inspection fee	£140.00	1 Year Licence £275.00
		Mandatory mid licence inspection fee	£90.00	2 Year Licence £320.00
		Annual Enforcement Fee payable for each year of licence	£45.00	3 Year Licence £365.00

Type of Licence - Boarding of Dogs and Cats† - Home Boarding			Fee	Duration Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£130.00	1 Year Licence £245.00
		Mandatory mid licence inspection fee	£70.00	2 Year Licence £290.00
		Annual Enforcement Fee payable for each year of licence	£45.00	3 Year Licence £335.00
	Renewal	Application Fee includes inspection fee	£100.00	1 Year Licence £215.00
		Mandatory mid licence inspection fee	£70.00	2 Year Licence £260.00
		Annual Enforcement Fee payable for each year of licence	£45.00	3 Year Licence £305.00

† Please note that Cats may only be boarded in pens constructed for that purpose and shall be kept in garden - check this is right

Type of Licence - Boarding of Dogs - Dog Day Care - up to 7 dogs			Fee	Duration Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£130.00	1 Year Licence £245.00
		Mandatory mid licence inspection fee	£70.00	2 Year Licence £290.00
		Annual Enforcement Fee payable for each year of licence	£45.00	3 Year Licence £335.00
	Renewal	Application Fee includes inspection fee	£100.00	1 Year Licence £215.00
		Mandatory mid licence inspection fee	£70.00	2 Year Licence £260.00
		Annual Enforcement Fee payable for each year of licence	£45.00	3 Year Licence £305.00

Type of Licence - Boarding of Dogs - Dog Day Care - 8+ dogs			Fee	Duration Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£185.00	1 Year Licence £305.00
		Mandatory mid licence inspection fee	£75.00	2 Year Licence £350.00
		Annual Enforcement Fee payable for each year of licence	£45.00	3 Year Licence £395.00
	Renewal	Application Fee includes inspection fee	£155.00	1 Year Licence £275.00
		Mandatory mid licence inspection fee	£75.00	2 Year Licence £320.00
		Annual Enforcement Fee payable for each year of licence	£45.00	3 Year Licence £365.00

Type of Licence - Boarding of Dogs - Franchise - based within Darlington Borough Council			Fee
Type of Application	Grant	Application Fee includes initial licence inspection	£130.00 + £10.00 per host
		Mandatory mid licence inspection fee	£65.00 - per host
		Annual Enforcement Fee Payable for each year of the licence	£45.00
	Renewal	Application Fee includes inspection fee includes inspection fee	£100.00 + £10.00 per host
		Mandatory mid licence inspection fee	£60.00 - per host
		Annual Enforcement Fee payable for each year of licence	£45.00

Type of Licence - Boarding of Dogs - Franchise Out of LA Area			Fee
Type of Application	Grant	Application Fee	£60.00
		Mandatory mid licence inspection fee	£65.00 - per host
	Renewal	Application Fee	£55.00
		Mandatory mid licence inspection fee	£60.00 - per host

Additional Fees	Fee
Cost Per additional licensable activity - Grant and Renewal	£65.00 each
Mandatory mid licence inspection fee - Grant and Renewal	£30.00 each
Variation of Licence where no inspection is required	£35.00 each
Variation of Licence where inspection is required	£90.00 each
Application for Re- Rating	£70.00 each
Copy Licence	£15.00
Administration Fee	£35.00

Notes

1. A new application would be required for the following changes to a business
 - Change of Address of premises where animals are kept or accommodated
 - Change of Business Owner
 - Addition of a new licensable activity
2. A variation of licence would be required for the following proposed amendments
 - Changes to the number of animals licensed
 - Changes to the identity of animals licensed (where animals are identified on the licence)
 - A change of licence holder's address (where no animals are kept or accommodated at those premises)
 - The addition or removal of a host premises for dog boarding activities
 - Changes to the plan of the premise that are being used to keep or accommodate animals
3. It is not possible to combine the activity of 'Keeping or Training Animals for Exhibition Only' with any other licensable activity on one licence. This is because such licenses must by law, be for a three year duration and do not qualify for a Star Rating. Where this activity does take place at the same premises as another activity, a reduced fee may be applicable.