

# Non-Statutory Licensing Committee

28 November 2018

**Time** 10.30 am **Public Meeting?** YES **Type of meeting** Licensing

**Venue** Committee Room 3 - 3rd Floor - Civic Centre

## Membership

**Chair** Cllr Alan Bolshaw (Lab)

**Vice-chair** Cllr Rita Potter (Lab)

### Labour

Cllr Greg Brackenridge  
Cllr Celia Hibbert  
Cllr Keith Inston  
Cllr Milkinderpal Jaspal  
Cllr Anwen Muston  
Cllr John Rowley  
Cllr Zee Russell  
Cllr Jacqueline Sweetman

### Conservative

Cllr Jane Stevenson  
Cllr Wendy Thompson

Quorum for this meeting is three Councillors.

## Information for the Public

If you have any queries about this meeting, please contact the Democratic Services team:

**Contact** Donna Cope, Democratic Services Officer  
**Tel/Email** Tel: 01902 554452 Email: [donna.cope@wolverhampton.gov.uk](mailto:donna.cope@wolverhampton.gov.uk)  
**Address** Democratic Services, Civic Centre, 1st floor, St Peter's Square,  
Wolverhampton WV1 1RL

Copies of other agendas and reports are available from:

**Website** <http://wolverhampton.moderngov.co.uk>  
**Email** [democratic.services@wolverhampton.gov.uk](mailto:democratic.services@wolverhampton.gov.uk)  
**Tel** 01902 555046

Please take note of the protocol for filming and recording of, and use of social media in, meetings, copies of which are displayed in the meeting room.

Some items are discussed in private because of their confidential or commercial nature. These reports are not available to the public.

# Agenda

## Part 1 – items open to the press and public

<i>Item No.</i>	<i>Title</i>
1	<b>Apologies for absence</b>
2	<b>Declarations of interest</b>
3	<b>Licensing Sub-Committee - 14 September 2018 - Minutes</b> (Pages 1 - 6)
4	<b>Licensing Sub-Committee - 21 September 2018 - Minutes</b> (Pages 7 - 12)
5	<b>The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.</b> (Pages 13 - 22)

CITY OF  
WOLVERHAMPTON  
COUNCIL

## Licensing Sub-Committee

### Minutes - 14 September 2018

## Attendance

### Members of the Licensing Sub-Committee

Cllr Alan Bolshaw (Chair)  
Cllr Rita Potter  
Cllr Jane Stevenson

### Employees

Elaine Moreton	Section Leader, Licensing
Sarah Hardwick	Senior Solicitor
Donna Cope	Democratic Services Officer

*Item No.*     *Title*

**1            Apologies for absence**

There were no apologies for absence.

**2            Declarations of interest**

There were no declarations of interest.

**3            Exclusion of press and public**

Resolved:

That, in accordance with section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business as they involve the likely disclosure of exempt information falling within paragraph 1 of Schedule 12A to the Act relating to any individual.

**4            Application for a Private Hire Vehicle Driver's Licence (AK)**

The Chair invited Elaine Moreton, Section Leader, Licensing, and the Applicant (AK) into the Hearing. The Chair led round-table introductions and outlined the procedure to be followed.

The Section Leader, Licensing, outlined the report regarding an application for a Private Hire Vehicle Driver's Licence, which had been circulated to all parties in advance of the meeting. The matter had been referred to the Sub-Committee by an authorised employee of the council for further consideration to be given as to whether AK was a fit and proper person to hold a Private Hire Vehicle Driver's Licence due to the information outlined in the report. AK confirmed that the information contained within the report was accurate.

All parties were invited to question the Section Leader on the report. No questions asked.

The Chair invited AK to make representations.

AK detailed the situations that had led to his conviction for robbery. He stated that he was young and had fallen into the wrong crowd. He acknowledged the severity of the offence and was remorseful.

All parties were invited to question AK on his submission.

In response to questions from the Sub-Committee, and the Section Leader, AK discussed his personal circumstances and elaborated further on the situations that lead to his convictions. He stated that he had been reckless but was now a changed person and family man.

The Chair invited AK to make a final statement.

AK requested that the Sub-Committee received three-character references from associates of his. The Sub-Committee agreed to the request (copies filed with these minutes).

AK acknowledged his offences and stated they were committed a long time ago when he was young and reckless. He stated he was now a changed person and wanted the best for his family.

AK and the Section Leader left the room to allow the Sub-Committee to determine the matter.

The Chair invited all parties to return.

The Chair detailed the decision of the Sub-Committee.

Resolved:

That, having considered all the evidence presented at the Hearing, both written and oral, the Sub-Committee resolved to depart from the Council Guidelines relating to Relevance of Convictions and Breaches of Licence Conditions and grant AK a Private Hire Vehicle Driver's Licence for a period of 12 months, subject to AK passing the knowledge test, a satisfactory medical, and producing documentation of his immigration status/ right to work in the UK.

## 5 **Application for a Private Hire Vehicle Driver's Licence (AM)**

The Chair invited Elaine Moreton, Section Leader, Licensing, and the Applicant (AM) into the Hearing. AM was accompanied by a friend, Ms Aleema Khan. The Chair led round-table introductions and outlined the procedure to be followed.

The Section Leader, Licensing, outlined the report regarding an application for a Private Hire Vehicle Driver's Licence, which had been circulated to all parties in advance of the meeting. The matter had been referred to the Sub-Committee by an authorised employee of the council for further consideration to be given as to whether AM was a fit and proper person to hold a Private Hire Vehicle Driver's Licence due to the information outlined in the report. AM confirmed that the information contained within the report was accurate.

All parties were invited to question the Section Leader on the report. No questions asked.

Sarah Hardwick, Senior Solicitor, queried details within the mini-panel report regarding the Council Guidelines relating to Relevance of Convictions and Breaches of Licence Conditions. The Section Leader, Licensing, offered clarification on the matter for which all parties were in agreement.

The Chair invited AM to make representations.

AM stated that he had been a Private Hire Vehicle Driver before and had received no complaints. He disputed the conviction regarding benefit fraud and claimed it was due to a misunderstanding regarding his address.

All parties were invited to question AM on his submission.

In response to questions from the Sub-Committee, Senior Solicitor and the Section Leader, AM discussed his previous Private Hire Vehicle Driver's licence held with Newport City Council and elaborated further on the situations that lead to his convictions.

Following further questioning, AM disputed the details submitted by Newport City Council regarding his conduct and DVLA Driving Licence suspension.

All parties agreed to adjourn the meeting to allow the Section Leader to obtain further details regarding the Applicant's DVLA Driving Licence suspension.

The meeting was adjourned at 11.25am and the Section Leader, AM and Aleema Khan left the room.

The meeting reopened at 11.45am and the Section Leader, AM and Aleema Khan re-entered the room.

The Sub-Committee considered the additional DVLA information provided by the Section Leader. It was agreed that the information was not helpful, and concerns were still held regarding the details from Newport City Council that had been disputed by the applicant.

Resolved:

The Sub-Committee considered all the evidence presented at the Hearing, both written and oral, and agreed to defer the decision pending further information from Newport City Council.

## **6 Application for a Private Hire Vehicle Driver's Licence (ZK)**

The Chair invited Elaine Moreton, Section Leader, Licensing, and the Applicant (ZK) into the Hearing. The Chair led round-table introductions and outlined the procedure to be followed.

The Section Leader, Licensing, outlined the report regarding an application for a Private Hire Vehicle Driver's Licence, which had been circulated to all parties in advance of the meeting. The matter had been referred to the Sub-Committee by an authorised employee of the council for further consideration to be given as to whether ZK was a fit and proper person to hold a Private Hire Vehicle Driver's Licence due to the information outlined in the report. ZK confirmed that the information contained within the report was accurate.

All parties were invited to question the Section Leader on the report. No questions asked.

The Chair invited ZK to make representations.

ZK detailed the situations that had led to his convictions and stated he had been wrongly accused for the offence in 2001. He claimed that at the time of the offence he was new to the country and naive to the situation.

All parties were invited to question ZK on his submission.

In response to questions from the Sub-Committee, Senior Solicitor and the Section Leader, ZK discussed his personal circumstances and elaborated further on the situations that lead to his convictions.

The Chair invited ZK to make a final statement.

ZK apologised to all parties and stated he needed to support his family.

ZK and the Section Leader left the room to allow the Sub-Committee to determine the matter.

The Chair invited all parties to return.

The Chair detailed the decision of the Sub-Committee.

Resolved:

That, having considered all the evidence presented at the Hearing, both written and oral, the Sub-Committee resolved to depart from the Council Guidelines relating to Relevance of Convictions and Breaches of Licence Conditions and grant ZK a Private Hire Vehicle Driver's Licence for a period of 12 months, subject to ZK passing the knowledge test, a satisfactory medical, and producing documentation of his immigration status/ right to work in the UK.

This page is intentionally left blank

CITY OF  
WOLVERHAMPTON  
COUNCIL

## Licensing Sub-Committee

### Minutes - 21 September 2018

## Attendance

### Members of the Licensing Sub-Committee

Cllr Alan Bolshaw (Chair)  
Cllr Rita Potter  
Cllr Jane Stevenson

### Employees

Elaine Moreton	Section Leader, Licensing
Sarah Hardwick	Senior Solicitor
Donna Cope	Democratic Services Officer

*Item No.*    *Title*

**1        Apologies for absence**

There were no apologies for absence.

**2        Declarations of interest**

There were no declarations of interest.

**3        Exclusion of press and public**

Resolved:

That, in accordance with section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business as they involve the likely disclosure of exempt information falling within paragraph 1 of Schedule 12A to the Act relating to any individual.

**4        Application for a Private Hire Vehicle Driver's Licence (AS)**

The Chair invited Elaine Moreton, Section Leader, Licensing, and the Applicant (AS) into the Hearing. AS was accompanied by his wife and Solicitor, Mohammed Ikram. The Chair led round-table introductions and outlined the procedure to be followed.

The Section Leader, Licensing, outlined the report regarding an application for a Private Hire Vehicle Driver's Licence, which had been circulated to all parties in advance of the meeting. The matter had been referred to the Sub-Committee by an authorised employee of the council for further consideration to be given as to whether AS was a fit and proper person to hold a Private Hire Vehicle Driver's Licence due to the information outlined in the report. AS confirmed that the information contained within the report was accurate.

All parties were invited to question the Section Leader, Licensing, on the report and the Section Leader answered accordingly.

The Chair invited AS to make representations.

Mr Mohammed Ikram made representations on behalf of his client and confirmed that AS previously held a Private Hire Vehicle Driver's licence with Walsall Council for 20 years, receiving no complaints. He detailed the circumstances that led to the allegations against his client and emphasised that no formal charges were imposed as the allegations were dropped. He discussed his client's current personal circumstances and stated AS was a hardworking family man with no convictions.

All parties were invited to question AS and Mr Ikram on the submission.

In response to questions asked, AS, his wife and Mr Ikram gave further details surrounding the allegations made and explained that all issues within the family had been resolved.

The Chair invited AS to make a final statement and Mr Akrim did so on behalf of his client. He stated that AS was a mild-mannered gentleman of good character with no convictions. He confirmed that all allegations against his client had been dropped and emphasised his client's unblemished history as a taxi driver.

AS, his wife, Mr Akrim (applicant's solicitor) and the Section Leader left the room to allow the Sub-Committee to determine the matter.

The Chair invited all parties to return.

The Chair detailed the decision of the Sub-Committee.

Resolved:

That, having considered all the evidence presented at the Hearing, both written and oral, the Sub-Committee resolved to depart from the Council Guidelines relating to Relevance of Convictions and Breaches of Licence Conditions and grant AS a Private Hire Vehicle Driver's Licence for a period of 12 months, subject to AS passing the knowledge test, a satisfactory medical, and producing documentation of his immigration status/ right to work in the UK.

## **5 Review of a Private Hire Vehicle Driver's Licence (VA)**

The Chair invited Chris Howell, Licensing Manager, Elaine Moreton, Section Leader, Licensing, and the Applicant (VA) into the Hearing. The Chair led round-table introductions and outlined the procedure to be followed.

The Section Leader, Licensing, outlined the report regarding a review of a Private Hire Vehicle Driver's Licence, which had been circulated to all parties in advance of the meeting. The matter had been referred to the Sub-Committee by an authorised employee of the council for further consideration to be given as to whether VA was a fit and proper person to hold a Private Hire Vehicle Driver's Licence due to the information outlined in the report. VA confirmed that the information contained within the report was accurate.

All parties were invited to question the Section Leader on the report. No questions asked.

The Chair invited Chris Howell, Licensing Manager, to make representations.

The Licensing Manager did so. He outlined the incident of 5 July 2018 in which he witnessed VA working whilst not wearing his Private Hire Vehicle Driver's badge. He stated that VA claimed to have finished shopping, left his badge at home and would retrieve it before starting work. The Licensing Manager referred to the GPRS tracking evidence within the report which indicated VA did not return home to collect his badge.

All parties were invited to question the Licensing Manager on his submission.

In response to questions from the Sub-Committee, Senior Solicitor and VA, the Licensing Manager explained the importance of drivers wearing their badges and disputed claims made by VA regarding the incident.

Sarah Hardwick, Senior Solicitor, requested clarification on the contents of Page 5 of the Supplementary Information pack.

Elaine Moreton, Section Leader Licensing, explained that the evidence in question, confirmed that VA had been working the minute before being approach by the Licensing Manager.

The Chair invited VA to make representations.

VA explained the incident of 5 July 2018. He stated he had just finished a job and had taken his badge off, placing it on the passenger seat, before going to use the toilet. He claimed that the Licensing Manager did not verbally introduce himself, leading VA to believe he was plying for hire.

All parties were invited to question VA on his submission.

In response to questions from the Sub-Committee, Senior Solicitor and the Section Leader, VA confirmed that when approached by the Licensing Manager, his badge was on the passenger seat as he was taking a break. He explained that he hadn't logged off the 'platform' as he didn't want to lose potential fares and denied having any conversation with the Licensing Manager during the incident. VA was unable to provide a clear answer when asked if he was suggesting the Licensing Manager had lied but confirmed he had not met the Licensing Manager before the 5 July 2018 and therefore could not provide an explanation as to why the Licensing Manager would fabricate evidence.

He confirmed that following his interaction with the Licensing Manager, he drove to a shop in Chapel Ash to use the toilet facilities.

Following this submission, the Sub-Committee consulted the GPRS tracking evidence within the report and noted that VA's version of events did not correspond.

The Chair invited VA to make a final statement.

VA claimed that because the Licensing Manager hadn't verbally introduced himself there had been a misunderstanding and stated it wasn't practical to log off the 'platform' during every break.

VA, the Licensing Manager and the Section Leader left the room to allow the Sub-Committee to determine the matter.

The Chair invited all parties to return.

The Chair detailed the decision of the Sub-Committee.

Resolved:

That, having considered all the evidence presented at the Hearing, both written and oral, the Sub-Committee resolved that VA was not a fit and proper person and therefore they determined to suspend the Private Hire Vehicle Driver's Licence for a period of 6 weeks in accordance with section 61 of the Local Government

(Miscellaneous Provisions) Act 1976 and paragraph 5.1.19 (a) of the Guidelines relating to Relevance of Convictions and Breaches of Licence Conditions.

The applicant's right of appeal was detailed by the Senior Solicitor.

6 **Application for a Private Hire Vehicle Driver's Licence (QZ)**

QZ was unable to attend. Hearing adjourned to a future date.

7 **Application for a Personal Licence in respect of Mr Horace Gilmore Mccalla.**

West Midlands Police were unable to attend due to mis-communication.

Hearing adjourned to a specified date, that being 16 October 2018, in accordance with paragraph 11 of the Licensing Act 2003 (Hearing) Regulations 2005.

This page is intentionally left blank

<p>CITY OF WOLVERHAMPTON COUNCIL</p>	<h2 style="margin: 0;">Non-Statutory Licensing Committee</h2> <p style="margin: 0;">28 November 2018</p>
--	--

<b>Report title</b>	The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.	
<b>Wards affected</b>	All	
<b>Accountable director</b>	Ross Cook, Service Director of City Environment	
<b>Originating service</b>	Licensing Services	
<b>Accountable employee(s)</b>	Michelle James	Licensing Policy Manager
	Tel	01902 556796
	Email	michelle.james@wolverhampton.gov.uk
<b>Report to be/has been considered by</b>	None	

**Recommendations for decision:**

1. To consider and approve the fees and charges proposed to provide the service for the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.
2. To agree to the proposed changes in the Scheme of Delegation.

**Recommendation for noting:**

The Licensing Committee is asked to note:

1. The implementation of the new Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

## 1.0 Purpose

1.1 This report is submitted for the Licensing Committee to note regulations made under the Animal Welfare Act 2006. The new regulations are known as the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

## 2.0 Background

2.1 Following recent legislative changes to the Animal Welfare Act 2006, Regulations have been made to amend the licensing regime to a single status licence application and licence to cover a range of different licensable activities. These Regulations are known as The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

2.2 These reforms took effect on 1 October 2018.

2.3 The City of Wolverhampton Council (CWC) is currently responsible for the functions in relation to the licensing and registration of various animal-related activities. Licences have previously been issued under a number of different legislative provisions.

2.4 A Table detailing the current licensable activity for Animal Welfare and the legislation that the licences were issued under can be found below:

Regulated Activity	Legislation	No of current Licences
Keeping a boarding establishment for cats or dogs (kennels, catteries, home boarding, day care facilities)	Animal Boarding Establishments Act 1963	14
Keeping a riding establishment	Riding Establishments Act 1964 Riding Establishments Act 1970	0
Keeping a breeding establishment for dogs	Breeding of Dogs Act 1973 Breeding and Sale of Dogs (Welfare) Act 1999	2
Performing Animals	Performing Animals (Regulation) Act 1925	2
Keeping a pet shop	Pet Animals Act 1951	6

2.5 Under the new law, several animal related activities will now be covered under a single type of licence known as an Animal Activity Licence rather than the number of different legislative regimes.

“The Animal Welfare Act 2006 Act is the enabling legislation for new regulations that cover the licensing of activities involving animals. The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 repeals and amends the following legislation previously used: -

- Animal Boarding Establishments Act 1963
- Breeding of Dogs Act 1973
- Breeding of Dogs Act 1991
- Pet Animals Act 1951
- Performing Animals (Regulation) Act 1925
- Riding Establishments Act 1964.”

2.6 It should be noted that there are additional animal licences which do not fall under scope of the new licensing regime. The new regulations do not have any impact on the licensing of dangerous wild animals or zoos. These functions are unaffected by this legislative amendment and continue as previously under their existing legislative provisions of the Dangerous Wild Animals Act 1976 and the Zoo Licensing Act 1981.

2.7 The legislation is accompanied by new nationally set licence conditions and guidance.

2.8 These regulations came into effect on 1 October 2018 and replace the licensing and regulation detailed in the above table of items at 2.4. A link to the regulations may be found at <https://www.legislation.gov.uk/ukdsi/2018/9780111165485> for your reference.

2.9 The major differences incorporated into this new licencing regime are:

- A licence will authorise more than one activity  
*(As an example, animal boarding and dog breeding activities will be able to be authorised on the same licence)*
- Licences can be issued on a one, two or three year period  
*(this will be assessed by a formal risk assessment)*
- Standard licence conditions are prescribed by the regulations rather than each authority determining its own.
- The number of litters before a Dog Breeding licence is required has been reduced from five litters to three.
- New powers exist for licensing authorities to vary, suspend and revoke licences. These can be used for non-compliance or where it is necessary to intervene to protect the welfare of an animal.

2.10 All existing licences issued under the previous licensing regime will continue to be in force until they expire. The majority of existing licenses will expire on 31 December 2018.

- 2.11 Any new licences issued from the 1 October 2018, will fall under the new regime. Applications will need to be made in accordance with the new regulations after this date.
- 2.12 All animal welfare establishments must now meet the same minimum standards nationwide. If they do not meet the required standards, they cannot hold a licence.
- 2.13 These establishments will be inspected on a risk assessment basis. Star awards are to be issued to licenced premises and according to their rating, licences may be issued for 1, 2 or 3 years duration. Well managed establishments will score a lower risk rating. As a result, they may hold a licence for a longer term and require fewer inspections and interventions.
- 2.14 Inspections should be carried out by experienced officers. There is a requirement for all officers to have achieved a qualification to inspect Animal Welfare establishments by 2021. This qualification will involve a one-week long training course with assignments. Recovery of these costs will be addressed through the fees and charges.
- 2.15 Premises must be inspected when the application is made, and a further unannounced inspection must be carried out during the licence validity period.
- 2.16 The regulations include stricter controls than before on dog breeding establishments and this may result in an increase in applications. This is as a result of the licensing requirement reducing from five to three litters. Additionally, breeders who sell puppies as a business will also require licensing regardless of the number of litters once reaching a given financial threshold.
- 2.17 New suspension, variation and revocation powers exist for officers within the new regime affording more control over the wellbeing and welfare of the animals licenced.

### **3.0 Fees and Charges**

- 3.1 It will be necessary for CWC to implement the new regime and approve the new fees and charges.
- 3.2 In order to meet the regulations, in setting the fees and charges, a full cost recovery basis has been used.
- 3.3 The newly proposed fees include:
- Time spent assessing, administering and processing applications
  - Time allocation of experienced Licensing Officers reviewing applications
  - System storage of applications
  - The assessment of suitability of applicants and the review of relevant offences
  - Undertaking necessary site inspections and any follow up visits. This is a new requirement.
  - Decision making on whether to issue a licence
  - The cost of issuing licences in a format that can be displayed.

- Ongoing compliance with the regulations
  - Training of officers to meet the new, stricter, requirements
- 3.4 These fees and charges have been calculated having followed the advice in the documents issued by the Department for Environment Food and Rural Affairs entitled Procedural Guidance Notes for Local Authorities dated October 2018, and the Local Government Association document Open for Business, LGA Guidance on locally set licence fees.
- 3.5 In accordance with recent case law, fees have been calculated in two parts. The first being the issue and administration of the system and the second part to be paid post grant and relate to ongoing matters such as follow up inspections. If a licence application is unsuccessful, the applicant will not be required to pay the second part of the licence fee.
- 3.6 The proposed fees and charges for the Animal Welfare Regime are set out in the table attached as Appendix 1.
- 3.7 A review of the cost to deliver the service has taken place and it is anticipated the fees and charges as proposed will be sufficient to cover these costs. However, at this stage, the volume of licences is difficult to predict. Therefore, the position will be reviewed after 12 months and a further update will be brought to committee.
- 3.8 Nationwide, fees have risen significantly following the new regulations. As a result, it should be borne in mind that the smaller premises requiring licensing are likely to be those who are greater affected. This could potentially risk those businesses as a result of a greater financial commitment. Alternatively, there is also potential for an increased number of businesses operating outside of the licensing regime. It is therefore important that our calculated charges are revised more frequently than the three year adjustment normally expected of the licensing regime. Whilst recognising that there is a risk to smaller businesses, there is similarly a duty upon each authority to ensure that their charges enable full cost recovery. For this reason, the fees have been calculated using a very conservative estimate for inspection costs and will need to be kept under careful review.
- 3.9 Additionally, in order to address the Constitution, the Licensing Committee is requested to determine that Licensing Officers are permitted to GRANT a licence under the Constitution scheme of delegation to Licensing Officers where there are no concerns or issues with the licence application.
- 3.10 Where there are concerns, the Licensing Committee is requested to delegate powers to the Licensing Manager or Section Leader to determine on behalf of CWC. Where matters are complex or contentious, Officers request the ability to refer the matter to a Licensing Sub-Committee for determination.

3.11 All decisions with regards to noting the report and agreement of fees are finalised by this Committee. No further reports have been considered or are to be considered in this regard.

#### **4.0 Financial implications**

4.1 The legislation requires additional inspections (and upgraded fee calculations) which impact upon staffing levels to address the additional requirements. This can be met through existing personnel resources.

A review of the cost to deliver the service has taken place and it is anticipated the fees and charges as proposed will be sufficient to cover these costs. For the reasons outlined in the body of the report, this will be kept under careful review. [MK/20112018/P]

#### **5.0 Legal implications**

5.1 Generally, Section 13 of the Regulations provide that a local authority may charge such fees as it considers necessary for:

- The consideration of an application for the grant, renewal or variation of a licence including any inspection relating to that consideration, and for the grant, renewal or variation.
- The reasonable anticipated costs of consideration of a licence holder's compliance with these regulations and the licence conditions and the reasonable anticipated costs of enforcement in relation to any licensable activity of an unlicensed operator.

The fee charged for the consideration of an application for the grant renewal or variation of a licence and for any inspection relating to that consideration must not exceed the reasonable costs of that consideration and related inspection.

5.2 All other legal implications are contained within the body of the report. [SH/14112018/D]

#### **6.0 Equalities implications**

6.1 There are no known equalities implications contained within this licensing report.

#### **7.0 Environmental implications**

7.1 There are no known Environmental implications as this report addresses an updated legislative requirement to amend already existing licensing regimes.

#### **8.0 Human resources implications**

8.1 There are no known Human resources implications of this report

## **9.0 Corporate landlord implications**

9.1 The contents of this report have no direct impact upon CWC's property portfolio.

## **10.0 Schedule of background papers**

- 10.1 The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018  
DEFRA – Procedural Guidance Notes for Local Authorities dated October 2018  
LGA – Open for Business – LGA Guidance on locally set licence fees dated May 2017.
- 10.2 Appendix 1 Proposed Fees and Charges

This page is intentionally left blank

<b>Calculation of proposed costs – Key</b>	
<b>(A) TOTAL PAYABLE FOR INITIAL APPLICATION COSTS</b>	
<b>(B)</b> Visit to inspect during licence validity	
<b>(C)</b> Visits and advice to unlicensed premises	
<b>(D)</b> As appropriate Vet fees - payable directly to the Vet	
<b>(E)</b> An additional £67 is payable per licence type if more than one licence type is included	

## PROPOSED FEES AND CHARGES FOR ALL LICENCE TYPES

INITIAL APPLICATION COSTS	(A)	£173	£173	£173
		One Year	Two Year	Three Year
<b>GRANT COSTS</b>	(B)	£67	£67	£67
	(C)	£33	£67	£100
	(D)	As determined	As determined	As determined
	(E)	Plus additional	Plus additional	Plus additional
<b>FULL LICENCE FEE (initial plus grant)</b>		<b>£273</b>	<b>£307</b>	<b>£340</b>
Re-evaluation of premises which require RE-RATING				£67
Variation of Licence – without visit				£28
Variation of licence – with visit				£61
Transfer of Licence				£26

This page is intentionally left blank