

Report to Licensing committee
05 September 2019
Report of Head of citywide services
Subject Animal Activity Licensing

Item

5

Purpose

To update and inform members on the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 and the changes in the way in which animal boarding, dog breeding, pet shops, and riding establishments are licensed and the commencement of the licensing of the keeping of animals for exhibition.

Recommendation

To approve the proposed 2019-2020 fees for animal activity licensing as detailed in Appendix 3 of the report to come into force on 01 January 2020.

Corporate and service priorities

The report helps to meet the corporate priorities of an inclusive economy and people living well.

Financial implications

Mail shot to pending licence holders to be met from existing budget.

Ward/s: All Wards

Cabinet member: Councillor Maguire - Safe and sustainable city environment

Contact officers

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Background documents

None

Report

Introduction

1. The new [The Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018](#) provides for the licensing of persons involved in England in selling animals as pets, providing or arranging for the provision of boarding for cats or dogs, hiring out horses, breeding dogs and keeping or training animals for exhibition. This replaces the requirement in England, to be registered under the Performing Animals (Regulation) act 1925 or to obtain a licence under the Pet Animals Act 1951; the Animal Boarding Establishments Act 1963; the Riding Establishments Act 1964 or the Breeding of Dogs Act 1973.
2. The regulations provide for local authorities to be the licensing authorities. Any person wishing to carry on any of these activities in England must obtain a licence from their local authority. Carrying on any of these activities without a licence would commit an offence and that person would be liable to imprisonment for up to six months, a fine or both.
3. [Department for Environment Food & Rural Affairs \(DEFRA\) has issued Procedural guidance notes for local authorities October 2018](#). The guidance for local authority inspectors on licensing activities involving animals, explains the conditions that businesses need to meet in order to receive an animal activities licence. This guidance covers
 - a) dog breeding
 - b) pet selling
 - c) hiring out horses
 - d) boarding for dogs and cats
 - e) home boarding for dogs
 - f) dog day care
 - g) keeping or training animals for exhibition
4. The Regulations came into effect on 1 October 2018.

Changes

5. [The Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018](#) define the animal based activities that require licences as follows:
 - a) Selling animals as pets (or with a view to their being later resold as pets) in the course of a business including keeping animals in the course of a business with a view to their being so sold or resold.
 - b) Providing or arranging for the provision of accommodation for other people's cats or dogs in the course of a business on any premises where the provision of that accommodation is a purpose of the business.
 - c) Hiring out horses in the course of a business for either riding, instruction in riding, or both.

- d) Breeding three or more litters of puppies in any 12-month period; or breeding dogs and advertising a business of selling dogs.
- e) Keeping or training animals for exhibition in the course of a business for educational or entertainment purposes, either to any audience attending in person, or by the recording of visual images of them by any form of technology, or both.

Fee setting

- 6. There are overarching general conditions and specific conditions relating to each animal activity laid out in the Regulations. All new licences issued from 1 October 2018, under these Regulations will contain these nationally set conditions.
- 7. The new regime requires a 'qualified inspector' to carry out the inspections, and in the case of the grant of a dog breeding establishment and at grant and renewal of horse riding establishments they must be accompanied by a veterinary surgeon who must be listed with the Royal College of Veterinary Surgeons.
- 8. Under the new arrangements, the inspection process will be much more comprehensive, and will provide the premises with a 'risk rating'. This process will establish whether the business is 'low risk' or 'higher risk' based on the level to which it meets the standards set out in regulations and guidance. It will be awarded a rating of between one and five, which will determine the length of the licence (with the exception of 'Keeping and Training Animals for Exhibition' for which all licences will be issued for 3 years as default). Operators of businesses will be able to appeal their risk rating, or request a reassessment of their rating if they have made improvements. The rating will be displayed on the licence and included in the Council's public register, published on the Norwich City Council website.

Licence Fees

- 9. The guidance details that animal licence activity fee can include charges for the consideration of the **application**, the reasonable anticipated costs of consideration of a licence holder's **compliance** with these Regulations, the reasonable anticipated costs of **enforcement** in relation to any licensable activity of an unlicensed operator and any fees in relation to the provision of information to the secretary of state.
- 10. The table in Appendix 1 detail how the current advertised fee of £409 was calculated.
- 11. The table in Appendix 2 details how the proposed fee structure for 01 January 2020 to 31 March 2020 was calculated.
- 12. The table in Appendix 3 is the proposed fees for Animal Activities for the period 01 January 2020 - 31 March 2020 derived from the calculations in Appendix 2
- 13. Norwich City Council will keep a register of local RCVS registered vets willing to undertake inspections. The veterinary inspector must be appointed by the local

authority not the operator. The vet will be RCVS registered or in the case of horses RCVS listed. On inspections they will be accompanied by a suitably qualified local authority inspector. When an inspection is required vets on the register will be approached and asked for their availability, any conflict of interest and the cost of the inspection. This cost will be borne by the operator who will be invoiced, unless the inspection is the result of a complaint in which case the cost is factored into the enforcement fee.

Publicising the Changes

14. Information has been updated on the Norwich city council's website, detailing the changes and the new conditions. A fee of £409 was set for 2018-19, whilst the fees were calculated and the necessary software updates were made to receive applications and fees online. The new fee structure will come into force on 01 January 2020 and fees updated on 1 April 2020 when the 2020-2021 on-costs and overheads uplift is known.
15. Where renewals/enquiries have been received, Environmental Health Officers have been conducting inspections and advising applicants of their rating as required using the LA guidance, see Appendix 4 for current licence holders. There are some licence fees pending, once the software has been upgraded to record necessary detail and produce a licence these operators will be invoiced for £409 as currently advertised on our website.
16. [The Licensing - Animal welfare](#) webpage was updated in October 2018, this will be updated again to
 - a. Link to the table of Animal activity licensing fees, Appendix 3
 - b. Link to an Animal activities licensing – Privacy notice, Appendix 5
 - c. Link to the Public Register, Appendix 4
 - d. Link to a Frequently asked questions page, Appendix 6

Calculation of current animal activity licence fees

Pet Shop/Animal Boarding/Dog Breeding/Dangerous Wild Animals: grant / renewal

Task	Officer	Time	Hourly rate (Cost	
Application costs				
Initial Enquiry Customer Contact	CCT operator - Grade 3 - SCP 22	20	25.95	8.65
Post Application Forms	Licensing Assistant - Grade 4 - SCP 26	15	27.78	6.95
Application received - check correct forms, fee etc received	Licensing Assistant - Grade 4 - SCP 26	15	27.78	6.95
Application received - details entered on to Uniform	Licensing Assistant - Grade 4 - SCP 26	20	27.78	9.26
Process Licence Fee	Admin Officer - Grade 2 - SCP 18	10	24.21	4.04
Check application details	Licensing Assistant - Grade 4 - SCP 26	10	27.78	4.63
Arrange site inspection	Environmental Officer (Food and Safety) - Grade 7 - SCP 38	15	34.51	8.63
Site inspection preparation	Environmental Officer (Food and Safety) - Grade 7 - SCP 38	30	34.51	17.26
Site visit including travel to and from site	Environmental Officer (Food and Safety) - Grade 7 - SCP 38	120	34.51	69.02
Post site inspection decision work	Environmental Officer (Food and Safety) - Grade 7 - SCP 38	30	34.51	17.26
Decision on whether to issue licence	EP, Licensing and Markets Manager - Grade 10 - SCP 50	20	42.55	14.18
Licensing advice*	Environmental Officer (Food and Safety) - Grade 7 - SCP 38	60	34.51	34.51
			Subtotal	201
Enforcement / maintenance costs				
Initial complaint received by customer contact	CCT operator - Grade 3 - SCP 22	10	25.95	4.33
Complaint investigation & resolution**	Environmental Officer (Food and Safety) - Grade 7 - SCP 38	120	34.51	69.02
Regulatory and compliance enquiries***	Environmental Officer (Food and Safety) - Grade 7 - SCP 38	60	34.51	34.51
Site visit and report preparation by vet****				100.00
			Subtotal	208
Total				409

Figures include increases for 2018-2019

Hourly rate is calculated by adding basic salary + pension + employer NI + organisational costs (CDS recharges)

* Environmental Health Officer yearly advice 4 hours (240 minutes) divided by 4 applications received in the preceeding financial year.

** Based on one complaint a year

*** 6 calls a year @ 10 mins per call

****Based on vet charges of £500 for visit/report to one premise; divided by 5 premises licensed in preceeding financial year

Task	Officer	Grade	Boarding for cats or dogs	Selling animals as pets	Hiring out horses	Breeding Dogs	Keeping or training animals for exhibition (3 years)	Minutes	Hourly rate (including indirect & on-costs)	Cost			
APPLICATION COSTS													
<u>Reviewing and granting/refusing licence including renewals</u>													
Open and examine application documentation sense check	Licensing Assistant - Grade 4 - SCP 26	4	£7.93	£7.93	£7.93	£7.93	£7.93	15	£31.72	£7.93			
Enter application details on to the system (Uniform - licensing)	Licensing Assistant - Grade 4 - SCP 26	4	£5.29	£5.29	£5.29	£5.29	£5.29	10	£31.72	£5.29			
Check and enter Licence Application Fee receipt on to Uniform	Licensing Assistant - Grade 4 - SCP 26	4	£5.29	£5.29	£5.29	£5.29	£5.29	10	£31.72	£5.29			
Review application and arrange site inspection	Env. Officer (Food and Safety) - Grade 7 - SCP 38	7	£13.17	£13.17	£13.17	£13.17	£13.17	20	£39.52	£13.17			
Enter application details on to the system (Uniform - commercial)	Env. Officer (Food and Safety) - Grade 7 - SCP 38	7	£6.59	£6.59	£6.59	£6.59	£6.59	10	£39.52	£6.59			
Site inspection including travel to and from site	Env. Officer (Food and Safety) - Grade 7 - SCP 38	7	£158.08	£158.08	£158.08	£158.08	£158.08	240	£39.52	£158.08			
Raise NCC Purchase Order for vet (if required)	Env. Officer (Food and Safety) - Grade 7 - SCP 38	7			£19.76	£19.76		30	£39.52	£19.76			
Env. Health to notify applicant of online payment and check payment received	Env. Officer (Food and Safety) - Grade 7 - SCP 38	7	£9.88	£9.88	£9.88	£9.88	£9.88	15	£39.52	£9.88			
Vet inspection (if required) applicant will be invoiced	Vet Fee full cost paid by operator	Vet											
Cost of finance officer processing the Purchase Order and Invoice	Grade 5 Finance officer	5	£5.69	£5.69	£5.69	£5.69	£5.69	10	£34.15	£5.69			
Preparation of inspection report and decision on rating/licence period	Env. Officer (Food and Safety) - Grade 7 - SCP 38	7	£79.04	£79.04	£79.04	£79.04	£79.04	120	£39.52	£79.04			
Notify licensing of decision using Uniform (licensing)	Env. Officer (Food and Safety) - Grade 7 - SCP 38	7	£6.59	£6.59	£6.59	£6.59	£6.59	10	£39.52	£6.59			
Enter decision of licence and reason for ratings on to the system (Uniform - licensing)	Env. Officer (Food and Safety) - Grade 7 - SCP 38	7	£6.59	£6.59	£6.59	£6.59	£6.59	10	£39.52	£6.59			
Write to applicant to inform of decision and ask for grant fee if applicable	Env. Officer (Food and Safety) - Grade 7 - SCP 38	7	£13.17	£13.17	£13.17	£13.17	£13.17	20	£39.52	£13.17			
			£317.30	£317.30	£337.06	£337.06	£317.30						
COMPLIANCE AND ENFORCEMENT COSTS (GRANT)													
<u>Grant costs - administering and monitoring compliance of all licences</u>													
Check and enter Licence Grant Fee receipt on to Uniform	Licensing Assistant - Grade 4 - SCP 26	4	£5.29	£5.29	£5.29	£5.29	£5.29	10	£31.72	£5.29			
Print, sign and send licence with details of appeals process	Licensing Assistant - Grade 4 - SCP 26	4	£7.93	£7.93	£7.93	£7.93	£7.93	15	£31.72	£7.93			
Update details on NCC Register, maintaining database of star ratings and cost of licences	Licensing Assistant - Grade 4 - SCP 26	4	£7.93	£7.93	£7.93	£7.93	£7.93	15	£31.72	£7.93			
Cost of reviewing a rating for an appeal (not including an inspection)	Env. Officer (Food and Safety) - Grade 10	10	£98.26	£98.26	£98.26	£98.26	£98.26	120	£49.13	£98.26			
One unannounced visit during period of licence including travel to and from site	Env. Officer (Food and Safety) - Grade 7 - SCP 38	7	£79.04	£79.04	£79.04	£79.04	£79.04	120	£39.52	£79.04			
Raise Purchase Order for statutory vet inspections (invoiced in addition if required)	Env. Officer (Food and Safety) - Grade 7 - SCP 39	7			£19.76	£19.76		30	£39.52	£19.76			
Cost of finance officer processing the Purchase Order and Invoice	Grade 5 Finance officer	5	£5.69	£5.69	£5.69	£5.69	£5.69	10	£34.15	£5.69			
Statutory vet inspection (one unannounced visit for duration of the licence)	Vet Fee full cost paid by operator	Vet				Vet Fee invoiced							
Statutory annual vet inspection (if required) applicant will be invoiced	Vet Fee full cost paid by operator	Vet			Vet Fee invoiced								
Administration of renewal reminder	Licensing Assistant - Grade 4 - SCP 26	4	£5.29	£5.29	£5.29	£5.29	£5.29	10	£31.72	£5.29			
Provision of information to secretary of state annually	Licensing Assistant - Grade 4 - SCP 26	4	£5.29	£5.29	£5.29	£5.29	£5.29	10	£31.72	£5.29			
			£214.71	£214.71	£234.47	£234.47	£214.71						
Enforcement													
Cost of reviewing complaint, gathering information	Env. Officer (Food and Safety) - Grade 7 - SCP 38	7	£19.76	£19.76	£19.76	£19.76	£19.76	30	£39.52	£19.76			
Cost of unannounced visit following complaint including travel time	Env. Officer (Food and Safety) - Grade 7 - SCP 38												

Task	Officer	Grade	Boarding for cats or dogs	Selling animals as pets	Hiring out horses	Breeding Dogs	Keeping or training animals for exhibition (3 years)	Minutes	Hourly rate (including indirect & on-costs)	Cost
OTHER COSTS (to be charged separately - they do not form part of the licence fee)										
Request for Re-inspection after the granting of a licence, a new rating must not be given on the basis of documentary evidence only.										
Review written request for reinspection, decide if accepted	Env. Officer (Food and Safety) - Grade 7 - SCP 38	7	£13.17	£13.17	£13.17	£13.17	£13.17	20	£39.52	£13.17
Review original inspection report and prepare for revisit	Env. Officer (Food and Safety) - Grade 7 - SCP 38	7	£19.76	£19.76	£19.76	£19.76	£19.76	30	£39.52	£19.76
Arrange site inspection	Env. Officer (Food and Safety) - Grade 7 - SCP 38	7	£9.88	£9.88	£9.88	£9.88	£9.88	15	£39.52	£9.88
Site inspection including travel to and from site	Env. Officer (Food and Safety) - Grade 7 - SCP 38	7	£79.04	£79.04	£79.04	£79.04	£79.04	120	£39.52	£79.04
Raise Purchase Order for vet (if required)	Env. Officer (Food and Safety) - Grade 7 - SCP 38	7			£19.76	£19.76		30	£39.52	£19.76
Cost of finance officer processing the Purchase Order and Invoice	Grade 5 Finance officer	5	£5.69	£5.69	£5.69	£5.69	£5.69	10	£34.15	£5.69
Vet inspection (if required)	Vet Fee full cost paid by operator	Vet								
Prepare report on reinspection and decide rating/licence period	Env. Officer (Food and Safety) - Grade 7 - SCP 38	7	£19.76	£19.76	£19.76	£19.76	£19.76	30	£39.52	£19.76
Notify licensing of decision	Env. Officer (Food and Safety) - Grade 7 - SCP 38	7	£6.59	£6.59	£6.59	£6.59	£6.59	10	£39.52	£6.59
Write to applicant to inform of decision	Env. Officer (Food and Safety) - Grade 7 - SCP 38	7	£13.17	£13.17	£13.17	£13.17	£13.17	20	£39.52	£13.17
Enter licence details on to the system (Uniform - licensing)	Licensing Assistant - Grade 4 - SCP 26	4	£5.29	£5.29	£5.29	£5.29	£5.29	10	£31.72	£5.29
Print, sign and send licence with details of appeals/rerating process	Licensing Assistant - Grade 4 - SCP 26	4	£7.93	£7.93	£7.93	£7.93	£7.93	15	£31.72	£7.93
Update details on NCC Register, maintaining database of star ratings and cost of licences	Licensing Assistant - Grade 4 - SCP 26	4	£7.93	£7.93	£7.93	£7.93	£7.93	15	£31.72	£7.93
			£188.21	£188.21	£207.97	£207.97	£188.21			

Request for variation that does not require re-inspection										
Open and examine application documentation to vary sense check	Licensing Assistant - Grade 4 - SCP 26	4	£7.93	£7.93	£7.93	£7.93	£7.93	15	£31.72	£7.93
Process variation Fee	Licensing Assistant - Grade 4 - SCP 26	4	£5.29	£5.29	£5.29	£5.29	£5.29	10	£31.72	£5.29
Review request, decide on variation and record decision	Env. Officer (Food and Safety) - Grade 7 - SCP 38	7	£39.52	£39.52	£39.52	£39.52	£39.52	60	£39.52	£39.52
Notify licensing of decision	Env. Officer (Food and Safety) - Grade 7 - SCP 38	7	£6.59	£6.59	£6.59	£6.59	£6.59	10	£39.52	£6.59
Print, sign and send amended licence	Licensing Assistant - Grade 4 - SCP 26	4	£7.93	£7.93	£7.93	£7.93	£7.93	15	£31.72	£7.93
Update details on database and NCC Register, maintaining database of star ratings and cost	Licensing Assistant - Grade 4 - SCP 26	4	£7.93	£7.93	£7.93	£7.93	£7.93	15	£31.72	£7.93
			£75.18	£75.18	£75.18	£75.18	£75.18			

Licence transfer fee (on death of licence holder)										
Open and examine application documentation sense check.	Licensing Assistant - Grade 4 - SCP 26	4	£7.93	£7.93	£7.93	£7.93	£7.93	15	£31.72	£7.93
Check and enter Licence Transfer Fee receipt on to Uniform	Licensing Assistant - Grade 4 - SCP 26	4	£5.29	£5.29	£5.29	£5.29	£5.29	10	£31.72	£5.29
Make decision on application	Licensing Assistant - Grade 4 - SCP 26	4	£15.86	£15.86	£15.86	£15.86	£15.86	30	£31.72	£15.86
Enter application details on to the system (Uniform - licensing)	Licensing Assistant - Grade 4 - SCP 26	4	£5.29	£5.29	£5.29	£5.29	£5.29	10	£31.72	£5.29
Check, sign and post new licence documents	Licensing Assistant - Grade 4 - SCP 26	4	£7.93	£7.93	£7.93	£7.93	£7.93	15	£31.72	£7.93
Update details on database and NCC Register, maintaining database of star ratings and cost	Licensing Assistant - Grade 4 - SCP 26	4	£7.93	£7.93	£7.93	£7.93	£7.93	15	£31.72	£7.93
			£50.22	£50.22	£50.22	£50.22	£50.22			

Copy of Licence										
Open and examine application documentation sense check	Licensing Assistant - Grade 4 - SCP 26	4	£7.93	£7.93	£7.93	£7.93	£7.93	15	£31.72	£7.93
Check and enter fee receipt on to Uniform	Licensing Assistant - Grade 4 - SCP 26	4	£5.29	£5.29	£5.29	£5.29	£5.29	10	£31.72	£5.29
Check, sign and post new licence documents	Licensing Assistant - Grade 4 - SCP 26	4	£7.93	£7.93	£7.93	£7.93	£7.93	15	£31.72	£7.93
			£21.15	£21.15	£21.15	£21.15	£21.15			

Table of Animal activity licensing fees

Table of proposed fees for Animal Activities for the period 01 January 2020 - 31 March 2020

Licensable Activity	Total Application or Renewal fee	Compliance fee			Enforcement fee			Total of Grant fees Compliance + Enforcement			Total of Application and Grant fees		
Animal Boarding to include:		1 year	2 year	3 year	1 year	2 year	3 year	1 year	2 year	3 year	1 year	2 year	3 year
Dog boarding	£317	£215	£215	£215	£24	£48	£72	£239	£263	£287	£556	£580	£604
Home boarding for dogs	£317	£215	£215	£215	£24	£48	£72	£239	£263	£287	£556	£580	£604
Dog day care	£317	£215	£215	£215	£24	£48	£72	£239	£263	£287	£556	£580	£604
Cat boarding	£317	£215	£215	£215	£24	£48	£72	£239	£263	£287	£556	£580	£604
Dog breeding	£337	£234	£234	£234	£24	£48	£72	£259	£283	£307	£596	£620	£644
	In addition the operator will be invoiced for the full cost of the application Vet inspection and the subsequent compliance Vet inspection (one for the duration of the licence)												
Hiring out horses	£337	£234	£333	£432	£24	£48	£72	£259	£381	£504	£596	£718	£841
	In addition the operator will be invoiced for the full cost of the application Vet inspection and the subsequent annual compliance Vet inspections												
Selling animals as pets	£317	£215	£215	£215	£24	£48	£72	£239	£263	£287	£556	£580	£604
Keeping or training animals for exhibition	£317	£215 3 year licence			£72 3 year licence			£287 3 year licence			£604 3 year licence		
Appeal the star rating within 21 days of licence issue	Businesses have 21 calendar days following the issue of their licence in which to appeal the star rating given as not reflecting the animal welfare standards and risk level of their business at the time of the inspection. This should not be used if the business has made improvements to their business. If an appeal decision cannot be made on the basis of paperwork alone, the costs of any additional inspection related to the appeal will be borne by the applicant unless it results in a higher rating being awarded.												
Combination of licensable activity	Where operators are undertaking a combination of activities eg dog boarding and dog breeding the operator will pay the highest of the total of application and grant fees plus an additional fee for each activity for the preparation of report										£79 cost of preparation of an additional activity report		
Request for Re-rating after the granting of a licence	Request for Re-inspection after the granting of a licence, a new rating must not be given on the basis of documentary evidence alone if re-rating results in the licence being lengthened an additional enforcement cost will be charged												
Animal boarding											£188		
Dog breeding											£208		
Hiring of horses											£208		
Selling animals as pets											£188		
Variations to reduce the number of animals or licensable activities	Where a change in conditions of the licence is requested which does not warrant a re-inspection										£75 administrative fee		
Transfer due to death	If a licence holder dies, the personal representative of the deceased can take on the licence provided that they inform the local authority within twenty-eight days of the death that they are now the operators of the licensable activity.										£50 administrative fee		
Copy of a licence	Cost of checking request and processing the licence and fee										£21 administrative fee		

Public Register

The number of licences currently being processed is as follows

Licence start date	Licence end date	Licence Category	Trading Name	Star Rating
01-Jan-2019	31-Dec-2021	Selling animals as pets	Maidenhead Aquatics Norwich	5 star *****
01-Jan-2019	31-Dec-2021	Day care for dogs	Bridget's Dog Boarding	5 star *****
01-Jan-2019	31-Dec-2021	Day care for dogs	Sue Harvey @ Muddy Paws	5 star *****
01-Jan-2019	31-Dec-2021	Selling animals as pets	Jollyes The Pet Superstore	5 star *****
01-Jan-2019	31-Dec-2021	Selling animals as pets	Pets at home Ltd	5 star *****
01-Jan-2019	31-Dec-2021	Day care for dogs	Petpals (Norwich)	4 star ****
01-Jan-2019	31-Dec-2021	Selling animals as pets	Notcutts	5 star *****

Animal activities licensing – Privacy notice

About us

Norwich City Council is the data controller for Animal activities licensing within Norwich and we have a legal obligation to process your personal information. You may contact our data protection and information security officer by emailing dataprotection@norwich.gov.uk or by calling 0344 980 3333.

What will we do with your data?

We use it to process your licence application.

We intend to keep your data for 7 years, as stated in our retention policy available on our website.

What are your rights?

You have the right to request access to your personal information; ask for errors to be corrected; restrict how your information is used; object to how it is processed; or request that your data is deleted. You also have the right to lodge a complaint with the Information Commissioners Office if you are not happy with how your data is processed.

What are the consequences of you not providing data?

We will be unable to process your licence application.

How will we share your data?

We will only use this information in conjunction with your application and any licence issued. This may include checks with a Veterinary Surgeon / Practitioner, DEFRA, RSPCA, UKAS-accredited body, Planning Service, Trading Standards, Animal Welfare Team and Legal Team and referral to the Council's Licensing Committee.

A Public Register is maintained on Norwich City Council website which details

- Licence Unique Reference Number
- Trading Name
- Licence Start Date
- Licence Expiry Date
- Licence Category
- Star Rating

Apart from where previously stated, we do not pass your details to third parties unless we are lawfully able to do so for the prevention and detection of crime and fraud, or for the collection of taxes.

Animal activity licensing frequently asked questions

The process of providing a risk rating

Q1. When should businesses be rated?

Businesses should be rated following an inspection that takes place prior to grant/renewal of the licence or a requested re-inspection. Businesses may also be re-rated following an unannounced or additional inspection (e.g. following a complaint), if major issues are highlighted that require follow up action.

Q2. When should new businesses be rated?

New businesses should be rated following their initial inspection.

Q3. Where businesses have a licence for multiple activities within the scope of the regulations, should each activity be rated separately?

The licence holder should receive only one rating, which must cover all the activities. Where they are meeting different standards for different activities (e.g. meeting the higher standards for dog breeding, but the minimum standards for dog boarding), the overall score should reflect the lower of the two.

Q4. What information should the local authority provide with the star rating following the inspection at which a rating was determined?

The following information should be provided in writing:

- (a) The star rating itself.
- (b) Details of why the business was rated as it was. This should include a list of the higher standards that the business is currently failing to meet, or a list of the minimum standards that the business is failing to meet if it is considered to be in the minor failing category. This should also include a copy of the risk management table showing the scores under each point. Details recorded must be sufficient to support the score given for each element to facilitate internal monitoring or enable review where an appeal is made.
- (c) Details of the appeals process and the deadline by which an appeal must be made.

The appeals process

To ensure fairness to businesses, local authorities must have an appeal procedure in place for businesses to dispute the star rating given in respect of their business. The appeal procedure is relevant where the business wishes to dispute the star rating given as not reflecting the animal welfare standards and risk level of their business at the time of the inspection. This should not be used if the business has made improvements to their business and wishes to be reassessed – in this case, they should apply for re-inspection

Q5. How can a business appeal their star rating?

If a business wishes to appeal the star rating given by the 'inspecting officer' (i.e. the officer undertaking the inspection) on behalf of the local authority, the appeal should be made in writing (including by email) to the local authority.

A business disputing a rating should be encouraged to discuss this informally first with the 'inspecting officer' so that there is an opportunity to help explain to the business how the rating was worked out, as this may help resolve the matter without the business having to lodge an appeal. Any such discussions do not form part of the formal appeal process and do not change the deadline within which an appeal must be lodged. This should be made clear to the business so that they may lodge an appeal, and may subsequently withdraw it, if they wish.

Businesses have 21 days (including weekends and bank holidays) following the issue of their licence in which to appeal the star rating.

Q6. How will a local authority determine the outcome of the appeal?

The appeal should be determined either by the head of the department that issued the licence within the local authority, or by a designated deputy, or by the equivalent in another authority. No officer involved in the production of the rating, or in the inspection on which the rating is based should consider the appeal.

The local authority then has 21 days (including weekends and bank holidays) from the date they receive the appeal to consider the appeal, within which time they must issue a decision to the business.

A local authority will determine the outcome of an appeal by considering the paperwork associated with the inspection and the past record of the business. In some circumstances, a further visit to the establishment may be required. The appeal process should be transparent. The costs of any additional inspections related to the appeal will be borne by the applicant unless it results in a higher rating being awarded. This will depend on the nature of the dispute and whether a decision can or cannot be made on the basis of the paperwork.

Q7. What if the business disagrees with the outcome of the appeal?

If the business disagrees with the outcome of the appeal, they can challenge the local authority's decision by means of judicial review. The business also has recourse to the local authority complaints procedure (including taking the matter to the Local Government Ombudsman where appropriate) if they consider that a council service has not been properly delivered

Requests for re-inspections for re-rating purposes

To ensure fairness to businesses, local authorities must have a procedure in place for undertaking re-inspections at the request of the business for re-assessing their star rating.

The re-inspection mechanism applies in cases where businesses with ratings of '1' to '4' have accepted their rating and have subsequently made the necessary improvements to address non-compliances identified during the local authority's previous inspection. Businesses should be aware that re-inspection for re-rating purposes could lead to a lower rating being awarded rather than an increase in rating.

Q8. Who pays for a re-inspection visit?

Re-inspection falls under full cost recovery, and so the business will be required to pay for the costs of the inspection.

Q9. When is the inspection carried out?

The re-inspection should be carried out within three months of receipt of the request. Where an inspection does not occur within the three months, the business can raise the issue with the head of the licensing department within the local authority. If the matter cannot be resolved, the business has recourse to the local authority complaints procedure.

Q10. How many re-inspections can a business request?

There is no limit to the number of re-inspection visits a business can request, however, there will be a fee for each visit charged at full cost recovery.

Q11. How should a business request a re-inspection?

The request should be made in writing (including by email) and should outline the case for a re-inspection, i.e. it should indicate the actions that have been taken by the business to improve the level of compliance or welfare since the inspection and, where appropriate, should include supporting evidence. The supporting case should refer to those actions that the local authority informed the business would need to be made in order to achieve a higher rating.

Q12. Must the local authority accede to all requests for re-inspections?

No. If the case made by the business is not substantiated or insufficient evidence is provided, the local authority can refuse to undertake a re-inspection on that basis. In doing so, the local authority must explain why the request is being refused at this stage and should re-emphasise the priority actions that must be taken in order to improve the rating and indicate what evidence will be required for agreement to a re-inspection to be made on further request. If the business disagrees with the local authority's decision to refuse a request for a re-inspection, they can raise the issue with the head of the licensing department within the local authority. If the matter cannot be resolved, the business has recourse to the local authority complaints procedure.

Q13. Where there is a supporting case, must a re-inspection be made or can a new rating be given on the basis of documentary evidence?

A re-inspection must be made. A new rating must not be given on the basis of documentary evidence only.

Q14. Where a re-inspection is to be undertaken, should this be unannounced?

This will depend on the reason for the re-inspection. This can be by appointment, unless an unannounced visit is necessary to ensure that compliance is checked properly (e.g. if the non-compliance was related to cleanliness standards).

Q15. If standards have not improved or have deteriorated at the time of the re-inspection, should a lower rating be given?

At the time of the re-inspection, the local authority officer should not only check that the required improvements have been made, but should also assess the ongoing standards. This means that the rating could go up, down or remain the same as can the length of the licence.

Q16. Should the ratings be published?

The star rating must be added to the licence and the licence should be displayed by the business. In addition, the local authority will maintain a list of licensed businesses and their associated ratings on their website. This will include

- Licence Unique Reference Number
- Licence start date
- Licence end date
- Licence Categories
- Trade Name
- Star Rating

Q17. Can a licence be suspended, varied or revoked?

A local authority may at any time vary a licence:

- (a) On the application in writing of the licence holder, or
- (b) On their own initiative, with the consent in writing of the licence holder.
- (c) In addition to the above a local authority may suspend, vary or revoke a licence without the consent of the licence holder if:
 - i. The licence conditions are not being complied with,
 - ii. There has been a breach of the Regulations,
 - iii. Information supplied by the licence holder is false or misleading, or
 - iv. It is necessary to protect the welfare of an animal.

Such a suspension, variation or revocation of a licence will normally take effect 7 working days after the decision has been issued to the licence holder unless the reason is to protect the welfare of an animal in which case you may stipulate that the decision has immediate effect.