

15th November 2022

REPORT NO. OS2219

KEY DECISION? NO

REVIEW OF LICENSING FEES

SUMMARY AND RECOMMENDATIONS:

This report outlines the background and current fees for the Animal, Scrap Metal and Street Trading licensing regimes and proposes new fee scales as set out in the tables in the appendices.

Cabinet is recommended to:

- Approve the proposed Animal Licensing and Scrap Metal Dealer Fees as outlined in this report.

1. INTRODUCTION

- 1.1. The purpose of this report is to seek Cabinet approval for the amendment of the current Animal and Scrap Metal Licensing fees.

2. BACKGROUND

- 2.1. The Council is facing significant financial pressures in the current year due to the impact of inflation on costs and uncertainty around interest rates and the wider UK economy.
- 2.2. In common with many other local authorities, the Council is also forecasting a funding gap over the Medium-Term Financial Strategy (MTFS) period. A Savings and Transformation Programme is already in place with the Council working on a number of cost reduction and income generation workstreams to mitigate the financial sustainability risk outlined in the MTFS.
- 2.3. In light of the above, it is essential that services review their costs and ensure fees and charges are set at an appropriate level and on the basis of full cost recovery.

3. DETAILS OF THE PROPOSAL

General

- 3.1. Details of the proposed animal licensing fees and how they have been calculated are given in the Corporate Governance and Audit Standards Committee (CGAS) report at Appendix 1.
- 3.2. Details of the proposed scrap metal and street trading licensing fees and how they have been calculated are given in the CGAS report at Appendix
- 3.3. The proposed fees have been referred to CGAS as a consultee who have recommended implementation of the proposed fees, and consultation in accordance with the street trading legislation.

Alternative Options

- 3.4. If the recommendations of this report are not implemented, fees would remain unchanged, and we would not accurately recover the costs, or structure our fees appropriately. Licensing fees would continue to come to Cabinet for approval

4. IMPLICATIONS (of proposed course of action)

Risks

- 4.1. There are no risks associated with this report.

Legal Implications

- 4.2. The Council is obliged to work within the relevant regulations to structure fees appropriately and avoid any income over and above a cost recovery basis. There are no other legal implications for this report

Financial and Resource Implications

- 4.3. If fees are not amended, cost recovery is not achieved, and the budgetary impact is demonstrated in the appendices

Equalities Impact Implications

- 4.4. There are no equalities implications arising from this report.

Other

- 4.5. There are no community safety implications arising from this report.

5. CONCLUSIONS

- 5.1. The proposed fee scale for animal and scrap metal dealer licensing is recommended to Cabinet for approval to ensure cost recovery is achieved in accordance with legislation

BACKGROUND DOCUMENTS:

None

CONTACT DETAILS:

Report Author – Shelley Bowman - Licensing Manager
Head of Service – James Duggin – Head of Operations

Appendix 1 CGAS Report in respect of Animal Licensing Fees

**CORPORATE
GOVERNANCE & AUDIT
STANDARDS
COMMITTEE**

**COUNCILLOR MAURICE SHEEHAN
(OPERATIONAL SERVICES PORTFOLIO
HOLDER)**

26th July 2022

REPORT NO. OS2212

KEY DECISION? NO

REVIEW OF ANIMAL LICENSING FEES

SUMMARY AND RECOMMENDATIONS:

This report outlines background and current fees for the Animal Licensing regime and proposes a new fee scale as set out in the table in Appendix A to take effect from 1st August 2022.

Recommendation to the Cabinet that these proposed new fees are agreed to take effect from that date.

6. INTRODUCTION

- 6.1. The purpose of this report is to seek the Committee's approval for the amendment of the current Animal Licensing fees from 1st August 2022.

7. BACKGROUND

- 7.1. The Council is facing significant financial pressures in the current financial year due to the impact of inflation on costs and uncertainty around interest rates and the wider UK economy.
- 7.2. In common with many other local authorities, the Council is also forecasting a funding gap over the Medium-Term Financial Strategy (MTFS) period. A Savings and Transformation Programme is already in place with the Council working on a number of cost reduction and income generation workstreams to mitigate the financial sustainability risk outlined in the MTFS.
- 7.3. In light of the current year's financial pressures and the funding gap over the medium-term, services are expected to review their services to ensure costs are minimised and income from fees and charges take into account issues of cost recovery. This report sets out the position on Animal Fees and should be seen in the wider context of strong budgetary control and robust financial management as a proportionate and balanced response.

- 7.4. Responsibility for the Animal Licensing regime has recently moved from Environmental Health to the Licensing Team. The previous qualified inspector left the authority some time ago, and therefore the inspection activities are currently contracted to the City of London. The fees and charges for the service have not been reviewed since this change was made and a new fee structure is essential to secure cost recovery.

8. DETAILS OF THE PROPOSAL

General

- 8.1. Under the Animal Welfare Act 2018, local authorities may only charge on a cost recovery basis and there is guidance in respect of how fees should be calculated.
- 8.2. The current costs are not recovered by the Council.
- 8.3. Our current fees are generally below our neighbouring authorities, whereas the proposed fees would put us above a number of the authorities, although not all. Some have a different fee scale for some licence types. The comparison with neighbouring authorities is outlined in Appendix B.
- 8.4. It is proposed that fees are amended for the ongoing service to achieve full cost recovery as far as we are able to in accordance with the legislation. The proposed new fee scale is outlined in Appendix A.
- 8.5. The difference that the proposed fees are likely to make to the budget for the remainder of this financial year, and next financial year are outlined in Appendix C.

Alternative Options

- 8.6. No change. Fees would remain unchanged and we would not recover the costs we are able to.
- 8.7. The Licensing Team are currently producing a business case to consider training an animal inspector in-house, which is likely to reduce costs, and therefore enable us to set our fees accordingly. However, if this is the agreed course of action, it takes some time for someone to become qualified, as there is a lengthy period of study, followed by the requirement to carry out a number of supervised inspections to demonstrate competence. Therefore, this will not resolve the issue in the short term, so it is appropriate to set fees based on the current arrangements, as they will be reviewed again on a regular basis.

9. IMPLICATIONS

Risks

- 9.1. There are no risks associated with this report.

Legal Implications

- 9.2. The Council is obliged to work within the relevant regulations to avoid any income over and above a cost recovery basis. There are no other legal implications for this report.

Financial and Resource Implications

- 9.3. If fees are not increased, cost recovery is not achieved and there will continue to be a budgetary shortfall in running the animal licensing service as demonstrated by Appendix C.

Equalities Impact Implications

- 9.4. There are no equalities implications arising from this report.

Community Safety Implications

- 9.5. There are no community safety implications arising from this report.

10. CONCLUSIONS

- 10.1. The new fee scale is recommended to the Committee to be implemented from 1st August 2022 to ensure cost recovery is achieved in accordance with the legislation.

BACKGROUND DOCUMENTS:

None

CONTACT DETAILS:

Report Author – Shelley Bowman - Licensing Manager
Head of Service – James Duggin – Head of Operations

Appendix A Current and proposed fees

Licence Types		Proposed Fees					Current Fees	
		Application Fee	Enforcement fee (dependent on length of licence)				Application Fee	Enforcement Fee
1 yr	2yr		3yr					
Kennels and catteries	New	£460.59	£193.18	£193.18	£193.18		£219.00	£71.00
	Renewal	£370.92	£193.18	£193.18	£193.18		£101.00	£71.00
Home Boarders	New	£344.31	£193.18	£193.18	£193.18		£212.00	£59.00
	Renewal	£295.03	£193.18	£193.18	£193.18		£101.00	£59.00
Dog Day Care	New	£437.33	£193.18	£193.18	£193.18		£212.00	£59.00
	Renewal	£382.25	£193.18	£193.18	£193.18		£101.00	£59.00
Breeders	New	£477.72	£206.77	£220.37	£233.96	+Vet fee*	£240.00	£72.00
	Renewal	£370.92	£206.77	£220.37	£233.96		£125.00	£72.00
Pets for Sale	New	£554.83	£206.77	£220.37	£233.96		£240.00	£72.00
	Renewal	£466.39	£206.77	£220.37	£233.96		£125.00	£72.00
Animals for exhibition	New	£554.83	£0.00				£212.00	£59.00
	Renewal	£466.39	£0.00				£101.00	£59.00
Dangerous Wild Animals	New	£554.83	£0.00	£0.00	£0.00	+ Vet Fee*	Enquire	
	Renewal	£466.39	£0.00	£0.00	£0.00	+ Vet Fee*	Enquire	
Hiring Horses	New	£570.75	£324.15	£455.12	£586.09	+ Fee per Horse	£240.00	£79.00
	Renewal	£433.66	£324.15	£455.12	£586.09	+ Fee per Horse	£139.00	£79.00
	Fee per horse			First 10 horses		£18.00	*Vet Fee as invoiced to RBC	
				Next 11-50 horses		£12.00		
			Each horse over 51		£9.60			

Zoo	New / Renewal	Price on Application					Price on Application	
Miscellaneous								
Minor Variation		£15.10					£75.00	
Re-Rating or Major variation		£159.53					£50.00	
Additional copy of Licence		£5.92					£30.00	

Appendix B Current fees charged by neighbouring authorities

		Basingstoke & Deane			Guildford			Hart			Surrey Heath			Waverley			Rushmoor Proposed		
		App	Enf	Total	App	Enf	Total	App	Enf	Total	App	Enf	Total	App	Enf	Total	App	Enf	Total
Licence Types																			
Kennels and catteries	New	*270	*268	538	400	123	523	*352	N/A	352	195	113	308	398	312	710	460.59	193.18	653.77
	Renewal	*206	*258	464	400	123	523	*352	N/A	352	185	113	298	398	312	710	370.92	193.18	564.10
Home Boarders	New	215	215	430	400	123	523	252	N/A	252	155	86	241	346	312	658	344.31	193.18	537.49
	Renewal	153	208	361	400	123	523	252	N/A	252	145	86	231	346	312	658	295.03	193.18	488.21
Dog day care	New	N/A	N/A	N/A	400	123	523	252	N/A	252	155	86	241	398	312	710	437.33	193.18	630.51
	Renewal	N/A	N/A	N/A	400	123	523	252	N/A	252	145	86	231	398	312	710	382.25	193.18	575.43
Breeders	New	*270	*268	538	400	123	523	**277/377	N/A	277/377	195	113	308	346	312	658	477.72	206.77	684.49
	Renewal	*206	*258	464	400	123	523	**277/377	N/A	277/377	185	113	298	346	312	658	370.92	206.77	577.70
Pets for Sale	New	270	268	538	400	123	523	***252/352	N/A	252/352	195	113	308	346	312	658	554.83	206.77	761.60
	Renewal	206	258	464	400	123	523	***252/352	N/A	252/352	185	113	298	346	312	658	466.39	206.77	673.17
Animals for exhibition	New	270	268	538	143	72	215	352	N/A	352	0	0	0	346	312	658	554.83	0.00	554.83
	Renewal	206	258	464	143	72	215	352	N/A	352	0	0	0	346	312	658	466.39	0.00	466.39
Dangerous Wild Animals	New	N/A	N/A	N/A	N/A	N/A	N/A	377	N/A	377	*2172	0	2172	N/A	N/A	N/A	554.83	0.00	554.83
	Renewal	N/A	N/A	N/A	N/A	N/A	N/A	377	N/A	377	*1086	0	1086	N/A	N/A	N/A	466.39	0.00	466.39
Hiring Horse	New	270	268	538	400	123	523	#275/375	N/A	275/375	N/A	N/A	N/A	*398/476/549	338	736 - 887	570.75	324.15	894.90
	Renewal	206	258	464	400	123	523	#275/375	N/A	275/375	N/A	N/A	N/A	N/A	N/A	N/A	433.66	324.15	757.81
Zoo	New	683	0	683	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	On App	On App	On App
	Renewal	411	0	411	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	On App	On App	On App
Minor Variation		24	N/A	24	92	N/A	92	126	N/A	126	53	N/A	N/A	N/A	N/A	N/A	15.10	N/A	15.10
Re-Rating or Major variation		233	N/A	233	224	N/A	233	126	N/A	126	100	N/A	N/A	208	N/A	208	159.53	N/A	159.53
Additional copy of Licence		24	N/A	24	N/A	N/A	24	126	N/A	126	28	N/A	N/A	N/A	N/A	N/A	5.92	N/A	5.92
Notes		* more than 20 animals or 1 bitch: otherwise as per home boarders						*over 20 animals **less than/more than 3 bitches ***Domestic/Commercial #up to 20/over 20			* per animal			* 1-8/9-15/15+ horses NB: £156 for each additional visit / inspection			Enforcement fee may differ dependent on duration of licence granted. The above is based on a 1 year licence.		

NB: All authorities add Vets fees where required based on the assessment needed at the time

Appendix C Expected income

August 2022 – March 2023			Financial Year 23/24		
Current Fees	Proposed Fees	Difference	Current Fees	Proposed Fees	Difference
£1890	£4442.56	+£2552.56	£3177	£9466.98	+£6289.98

Appendix 2 CGAS Report in respect of Street Trading and Scrap Metal Fees

**CORPORATE
GOVERNANCE & AUDIT
STANDARDS
COMMITTEE**

**COUNCILLOR MAURICE SHEEHAN
(OPERATIONAL SERVICES PORTFOLIO
HOLDER)**

26th September 2022

REPORT NO. OS2216

KEY DECISION? NO

REVIEW OF SCRAP METAL AND STREET TRADING LICENSING FEES

SUMMARY AND RECOMMENDATIONS:

This report outlines background and current fees for the Scrap Metal and Street Trading licensing regimes and proposes a new fee scale as set out in the tables in Appendix A.

The Corporate Governance and Audit Standards Committee are recommended to:

- Approve the proposed Scrap Metal Dealer Fees as outlined in this report, to take effect from 1st October 2022; and
- Approve consultation in accordance with legislation in respect of the Proposed Street Trading Fees and where no significant representations are received that they take effect from 1st December 2022

11. INTRODUCTION

11.1. The purpose of this report is to seek the Committee's approval for the amendment of the current Scrap Metal and Street Trading Licensing fees.

12. BACKGROUND

12.1. The Council is facing significant financial pressures in the current financial year due to the impact of inflation on costs and uncertainty around interest rates and the wider UK economy.

12.2. In common with many other local authorities, the Council is also forecasting a funding gap over the Medium-Term Financial Strategy (MTFS) period. A Savings and Transformation Programme is already in place with the Council working on a number of cost reduction and income generation workstreams to mitigate the financial sustainability risk outlined in the MTFS.

- 12.3. In light of the current year's financial pressures and the funding gap over the medium-term, services are expected to review their services to ensure costs are minimised and income from fees and charges take into account issues of cost recovery. This report sets out the position on Scrap Metal and Street Trading Fees and should be seen in the wider context of strong budgetary control and robust financial management as a proportionate and balanced response.
- 12.4. In addition, the current fee structure for these regimes does not separate the administration and enforcement costs as required by the Provision of Services Regulations 2009.

13. DETAILS OF THE PROPOSALS

General

Scrap Metal Dealers

- 13.1. Under the Scrap Metal Dealers Act 2013, local authorities may only charge on a cost recovery basis and there is guidance in respect of how fees should be calculated.
- 13.2. Having reviewed our current costs against some recent changes in structure and process, our current fees no longer accurately reflect the cost of administering the regime.
- 13.3. Our current fees are generally below our neighbouring authorities, the proposed fees would put us below some and above others dependent on the licence type. The comparison with neighbouring authorities is outlined in Appendix B – Table 1.
- 13.4. It is proposed that fees are amended for the ongoing service to achieve full cost recovery as far as we are able to in accordance with the legislation. The proposed new fee scale is outlined in Appendix A – Table 1.
- 13.5. The difference that the proposed fees are likely to make to the budget for the remainder of this financial year, and next financial year are outlined in Appendix C – Table 1.

Street Trading

- 13.6. Under the Local Government (Miscellaneous Provisions) Act 1982, local authorities may charge what is reasonable for the grant of a street trading consent.
- 13.7. Having reviewed our current costs against some recent changes in structure and process, our current fees and fee structure no longer accurately reflect the cost of administering the regime.
- 13.8. Both our current and the proposed fees are generally below our neighbouring authorities, although fee structures differ between authorities. The

comparison with neighbouring authorities is outlined in Appendix B – Table 2. It also appears that some authorities include the cost of rent of the pitch itself where on Council land e.g. town centres. Rushmoor charge separately for the rent of any land which is owned by them, therefore the fees proposed cover only the street trading consent element.

- 13.9. It is proposed that fees are amended for the ongoing service to achieve full cost recovery as far as we are able to in accordance with associated legislation. The proposed new fee scale is outlined in Appendix A – Table 2.
- 13.10. As part of this proposal, it is recommended that we remove the current fee for charitable street trading. If a trader is giving the profits from their trading to charity, this would fall under a charitable collection permitted by other legislation and licensed with no fee and is therefore exempt from street trading. In light of this, the charitable fee is not applied to any street trading application and is therefore not necessary.
- 13.11. The difference that the proposed fees are likely to make to the budget for the remainder of this financial year, and next financial year, based on current applications are outlined in Appendix C – Table 2. However, several event organisers choose not to have street trading at their event on liaison with the licensing team due to the current fee. Given that it is proposed that we separate events and have a different fee for them in the new structure, in acknowledgement of the short-term duration of the licence, we may see an increase in applications of this nature.
- 13.12. Before varying changes to the fees, the legislation requires local authorities to give notice to current licence holders and publish a notice in a local newspaper advertising the proposed changes and giving a reasonable period for representations. It is proposed that we allow a period of 28 days for representations, and if there are no significant representations received within this period, that the proposed fees are implemented with effect from 1st December 2022.

Alternative Options

- 13.13. No change. Fees would remain unchanged and we would not accurately recover the costs, or structure our fees appropriately.

14. IMPLICATIONS

Risks

- 14.1. There are no risks associated with this report.

Legal Implications

- 14.2. The Council is obliged to work within the relevant regulations to structure fees appropriately and avoid any income over and above a cost recovery basis. There are no other legal implications for this report.

Financial and Resource Implications

- 14.3. If fees are not amended, cost recovery is not achieved, and the budgetary impact is demonstrated by Appendix C.

Equalities Impact Implications

- 14.4. There are no equalities implications arising from this report.

Community Safety Implications

- 14.5. There are no community safety implications arising from this report.

15. CONCLUSIONS

- 15.1. The proposed fee scale for scrap metal dealers is recommended to the Committee to be implemented from 1st October 2022 to ensure cost recovery is achieved in accordance with the legislation.
- 15.2. The proposed fee scale for street trading is recommended to the Committee to be subject to public consultation for a period of 28 days, and if no significant representations are received to be implemented from 1st December 2022. Where significant representations are received, it is recommended that they are bought back to the Committee for consideration.

BACKGROUND DOCUMENTS:

None

CONTACT DETAILS:

Report Author – Shelley Bowman - Licensing Manager
Head of Service – James Duggin – Head of Operations

Appendix A Current and proposed fees

Table 1 – Scrap Metal Dealers

	Current Fee	Proposed Application Fee	Proposed Enforcement Fee (payable on grant)	Proposed Total	Variance (£)	Variance (%)
Collectors Licence						
New	£160	£228.07	£45.31	£273.38	+£113.38	+71%
Renewal	£160	£202.20	£45.31	£247.51	+£87.51	+55%
Change of details / replacement licence	-	£18	-	£18	-	-
Site Licence						
New	£400	£283.95	£90.62	£374.57	-£25.43	-6%
Renewal	£400	£193.33	£90.62	£283.95	-£116.05	-29%
Variation of Licence	£80	£193.33	-	£193.33	+£113.33	+71%
Change of details / replacement licence	-	£5.92	-	£5.92	-	-

Table 2 – Street Trading

	Current Fee	Proposed Application Fee	Proposed Enforcement Fee (payable on grant)	Proposed Total	Variance (£)	Variance (%)
New	£342	£183.60	£67.97	£251.56	-£90.44	-26%
Renewal	£342	£160.94	£67.97	£228.91	-£113.09	-33%
Charitable	£117.50	-	-	-	-	-
One off Event (up to 7 days)	£342	£183.60	-	£183.60	-£158.40	-46%
Change of Details e.g. name, address	-	£5.92	-	-	-	-

Appendix B Current fees charged by neighbouring authorities

Table 1 – Scrap Metal Dealers

	Basingstoke & Deane	Guildford	Hart	Surrey Heath	Waverley	Rushmoor Proposed
Collectors Licence						
New	£313	£187	£363	£219	£443	£273.38
Renewal	£313	£187	£363	£219	£237	£247.51
Change of details / replacement licence	£28	-	£56	-	£422	£18
Site Licence						
New	£423	£204	£405	£435	£484	£374.57
Renewal	£423	£204	£405	£435	£278	£283.95
Variation of Licence	£79	-	£118	-	£484	£193.33
Change of details / replacement licence	£28	-	£36	-	-	£5.92

Table 2 – Street Trading

Basingstoke & Deane		Hart		Surrey Heath			Waverley		Rushmoor Proposed			
Street trading consents		<ul style="list-style-type: none"> • 12 months: £513 • three months: £131 (seasonal consent, only one issued per calendar year) 		Charge For	Initial Cost	Renewal Cost	Total Cost	Description	Fee	New	251.56	
Annual street trading consents (new)	£860			Fast Food / Ice Cream Vehicles or stalls	£2,158	£1,079	N/A	Sole trader, annual consent	£376	Renewal	228.91	
Annual street trading consents (renewal)	£503			Other Food Vehicles or Stalls / Non-Food Traders (incl stalls)	£1,262	£631	N/A	Schedule 2 event, up to 50 traders, annual consent	£484	One off event	183.60	
Each additional van	£36			Daily Charge for Stall in Town Centre	N/A	N/A	£48	Schedule 2 event, 51 traders or more, annual consent	£497			
Short term consents (monthly for example Xmas trees)	£276			Weekly Charge for Stall in Town Centre	N/A	N/A	£202	Schedule 2 event, up to 50 traders, single event	£441			
Replacement badge	£28			Monthly Charge for Stall in Town Centre	N/A	N/A	£664	Schedule 2 event, 51 traders or more, single event	£454			
Replacement consent	£28			Annual Charge – Out of Town Food Traders (One day per week)	£586	£293	N/A					
				Annual Charge – Camberley Town Centre – markets/events 37 days a year (to include 25 markets and 12 events)	£2,482	£1,241	N/A					
				Initial Licence Premium = Renewal x 2								

Appendix C Expected impact on income

Table 1 – Scrap Metal Dealers

October 2022 – March 2023			Financial Year 23/24		
Current Fees	Proposed Fees	Difference	Current Fees	Proposed Fees	Difference
£400	£283.95	-£116.05	£880	£1026.48	+£146.48

Table 2 – Street Trading

December 2022 – March 2023			Financial Year 23/24		
Current Fees	Proposed Fees	Difference	Current Fees	Proposed Fees	Difference
£1368	£915.64	-£452.36	£5130	£3343.03	-£1786.97