

## **APPEALS AND REGULATORY COMMITTEE**

**Wednesday, 26th September, 2018**

Present:-

Councillor Bellamy (Chair)

Councillors    A Murphy  
                      Bingham  
                      Derbyshire  
                      Miles

Councillors    T Murphy  
                      Niblock  
                      Perkins

\*Matters dealt with under the Delegation Scheme

**105    DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS  
RELATING TO ITEMS ON THE AGENDA**

No declarations of interest were received.

**106    APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors A Diouf, Hill and P Innes.

**107    NEW ANIMAL LICENSING LEGISLATION AND FEES 2018/19 (A270)**

The Senior Environmental Health Officer presented a report on the new statutory Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 and recommending the delegation of decisions in relation to the determination of licences and enforcement action to the Assistant Director in Health and Wellbeing and Environmental Health Team Leader (Food and Health and Safety and Communicable Disease) by the 1st October 2018 and the adoption of the proposed fees and charges in relation to animal licensing as of 1st October 2018.

The report outlined the background to the new legislation which amalgamated and replaced a number of pieces of legislation that governed the licensing of animals and allowed licensing authorities to charge a reasonable amount to cover the cost of considering the grant,

renewal or variation of a licence without generating a profit from these charges. It explained the processes for dealing with appeals against the authority's decision to grant or renew a licence or to revoke a licence and for hearing representations against decisions to vary or suspend a licence or to impose conditions on a licence.

Details of the proposed fees and charges were included at paragraph 4.7 of the report. It was confirmed that these fees and charges were calculated to cover the expected costs to the Council of activities in relation to animal licensing, including additional training of staff.

**\* RESOLVED –**

- (1) That from 1 October 2018, the power to determine appeals against decisions to vary or suspend licences be delegated to the Assistant Director for Health and Wellbeing, or where the Assistant Director believes that there is wider social or economic issues being raised by the written representation, to be heard by a panel of the Appeals and Regulatory Committee.
- (2) That from 1 October 2018, the power to decide to commence enforcement action and to determine appeals against a risk assessment score be delegated to the Assistant Director for Health and Wellbeing and/or their authorised delegate (in accordance with the requirements detailed in the "The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 Procedural guidance notes for local authorities July 2018").
- (3) That from 1st October 2018, the proposed fees and charges in relation to animal licensing set out in paragraph 4.7 of this report be adopted.
- (4) That the Local Government and Regulatory Law Manager be delegated authority to draft appropriate amendments to the Council's constitution to allow representations by licence holders against the variation or suspension of licences to be determined by the Assistant Director for Health and Wellbeing, or where the Assistant Director believes that there is wider social or economic issues being raised by the written representation, by a panel of the Appeals and Regulatory Committee.

- (5) That the Local Government and Regulatory Law Manager be delegated authority to draft appropriate amendments to the Council's constitution to allow appeals against risk assessment scores to be determined by the Assistant Director for Health and Wellbeing.