

NOTIFICATION OF KEY DECISION TO BE TAKEN


GENERAL EXCEPTION NOTICE

DETAILS OF DECISION	
Title of Report	Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 – Fees & Charges
Description/Nature of matter requiring Key Decision	To approve the schedule of fees and charges for 2018-2019 in respect of applications for animal licences under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.
Decision taker	Cabinet Member for Finance, Performance and Brexit
Date by which Key Decision must be taken	October 2018
Reason why it was impracticable for decision to be on the Forward Plan	The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 were enacted on 1 st April 2018 with a commencement date of 1 October 2018. The DEFRA draft guidance for setting the licence fees was however only circulated in September 2018 which was after the publication of the October forward plan. No timetable had been given for the release of this guidance, and it was therefore not possible to predict its release in order to include the decision on the forward plan.
Reason why the decision cannot wait for inclusion in the next Forward Plan	The next Forward Plan to be published relates to decision to be taken from December 2018 onwards. The existing animal licences expire in November 2018 and these can not be extended until April 2019 as the Acts that they were granted under were repealed on the 1 October 2018. It is the duty of the Council to licence animal establishments upon receipt of an application. It is also necessary to set appropriate fees for the new licences to allow this to happen. Failure to licence as appropriate is a breach of the Animal Welfare Act and associated regulations. Those businesses involved in the animal industry will not be able to continue their activities lawfully and there is a potential for suing for loss of revenue and instigating a judicial review against the council, which in turn will have reputational implications for the Council.

ORIGINATING AUTHOR'S DETAILS

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General Exception Notice cleared by:

Chief Officer / Director	Deborah Collins Strategic Director of Environment & Leisure 
Date	18 October 2018

Everton Roberts
For Proper Constitutional Officer
Dated: 18 October 2018