

## Licensable Animal Activities Pre-Application Advice and Application Assistance

Herefordshire Council Licensing Support Service now offers pre-application advice and application assistance.

These services aim to support your application(s) under The Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018 which came into effect on 1<sup>st</sup> October 2018.

Our aim is to assist you in understanding the requirements of the legislation, in applying for the relevant licensing activity and to help mitigate any problems which may arise during the application process.

### **What service is provided with the pre-application advice?**

We will:-

- Provide advice and guidance so that you can determine which licence(s), if any, are required.
- Provide advice and guidance to ensure you apply for the correct level of licensing tailored to the needs of your business.
- Provide advice and guidance in relation to licensing conditions relevant to the licensable activity.

### **How much does it cost?**

The fixed fees for this quality service include VAT and cover the cost of administration and delivery of the service. All policy and procedure documents will be completed by the applicant.

The fees are detailed in the table below. Save money by purchasing more than one service at the same time.

<i>All fees include VAT at the current rate of 20%</i>	Pre- application advice – office based – up to 30 minutes	Pre- application advice including site visit	Application assistance – office based - up to 30 minutes	Pre — application advice & application assistance. (Discounted by 5% of total)
Commercial kennels and catteries	£49	£240	£49	£321 with site visit or £93 no site visit
Home boarding for dogs	£49	£240	£49	£321 with site visit or £93 no site visit
Day care for dogs	£49	£240	£49	£321 with site visit or £93 no site visit
Selling animals as pets	£49	£240	£49	£321 with site visit or £93 no site visit

Dog breeding - Commercial	£49	£240	£49	£321 with site visit or £93 no site visit
Dog breeding – Home environment	£49	£240	£49	£321 with site visit or £93 no site visit
Hiring out horses	£49	£240	£49	£321 with site visit or £93 no site visit
Exhibition and/or training animals	£49	£240	£49	£321 with site visit or £93 no site visit
General animal licensing advice / additional time	Additional time charged at £49 per 30 minutes or any part of.		Additional time charged at £49 per 30 minutes or any part of.	

Payment for the services, which is in addition to the relevant statutory application fee, can be made by cheque, credit/debit card or cash.

We operate impartially and free from conflicts of interest advice. Businesses should be aware that it may be possible to obtain the same services as those offered by *Herefordshire Council Licensing Support Service* elsewhere. We encourage businesses to make their own investigations with alternative providers as to whether the services are available elsewhere and to obtain the best value for those services. Please note that businesses are not obligated to take up the services offered by *Herefordshire Council Licensing Support Service*.

In addition you should read the disclaimer shown at the end of the agreement.

To take advantage of our services or for any queries please do not hesitate to contact us:

email [licensing@herefordshire.gov.uk](mailto:licensing@herefordshire.gov.uk) or telephone the Licensing Team:-

01432 261761

The Animal Welfare (Licensing of Activities Involving Animals)  
Regulations 2018

Pre-Application Advice and Application Assistance

**TERMS AND CONDITIONS**

**1. The 'Pre-Application Advice' Service**

**1.1 The Licensing Service will:**

- (a) provide advice in order that the customer can determine which licence application(s), if any, are required;
- (b) provide advice to ensure the customer applies for the correct level of licensing tailored to the needs of their business;
- (c) where applicable, provide advice on meeting requirements of the relevant licensing conditions.

**2. All Services**

- 2.1 The applicant will, where requested, prove their identity by providing the Council Officer with the relevant requested ID. This may also include proof of a position held within a company or organisation and/or authority to submit the application.
- 2.2 The applicant is responsible for co-operating with the Council, providing documentation requested within a reasonable time and ensuring that all information provided to the Council Officer is accurate and true to the best of their knowledge and belief. The Council provides the services on the basis of the information provided. Any false declarations made by the applicant may result in prosecution.
- 2.3 The applicant is responsible for keeping copies of any documents provided to the Council officer.
- 2.4 Approval of any licence application(s) cannot be guaranteed.
- 2.5 The applicant should not rely on any information received as legal advice. Where the applicant has any concerns or questions in respect of their application they should consider obtaining their own independent legal advice.

- 2.6 Using any of these services will not prejudice any future statutory inspection.
- 2.7 Herefordshire Council is empowered to enforce a variety of civil and criminal statutes. It has a duty to investigate any allegations of breaches of such legislation and the provision of this service does not affect this duty in any way whatsoever.

### **3. The Fee**

- 3.1 The applicant shall pay the fee (inclusive of VAT) ("the Fee") for each service provided
- 3.2 Payment of the fee shall be made in advance of any service being undertaken.
- 3.3 Payment of the fee can be made by cheque, credit/debit card or cash. The fees are non-refundable.
- 3.4 The applicant will be required to pay any licensing application fee in addition to the fee for any of the additional services.

### **4. General Data Protection Regulations and Data Protection Act 2018**

This notice covers the treatment of personal data that Herefordshire Council may collect when you e-mail us, complete an application form, or when you complete and submit an online form on our web site.

When completing forms you may be asked for personal information such as name, address, postcode etc. from which you can be personally identified. Herefordshire Council is registered with the Information Commissioner's Office for the purpose of processing personal data in the performance of its legitimate business and is the Data Controller for the information that you supply. The legal basis for processing this data is our legal obligations under licensing legislation. We will keep your data for 6 years after the expiry of the licence.

We are obliged by legislation to make some of your information available as part of a public register. If you have valid reasons for your data not to be made public, please let us know. The data that is included in the public register is the Licence Holder, Licence Number, Licensable Animal Activity, Premises of Licensable Animal Activity, Species of Animals, Number of Animals, Star Rating and Licence Dates.

Where necessary we may have to share this personal data with partner organisations for the protection of public funds administered which may include the prevention or detection of fraud and auditing purposes.

Individuals have a number of rights under data protection law, including the right to request their information. You also have a right to make a complaint about our handling of your personal data to the Information Commissioner's Office <https://ico.org.uk/>



Further information about the processing of your personal data by the council is available on the council web site at

[https://www.herefordshire.gov.uk/info/200148/your\\_council/15/access\\_to\\_information/4](https://www.herefordshire.gov.uk/info/200148/your_council/15/access_to_information/4)

or you can contact the council's Data Protection Officer at Information Compliance & Equality, Herefordshire Council, Plough Lane, Hereford, HR4 0LE or email

[informationgovernance@herefordshire.gov.uk](mailto:informationgovernance@herefordshire.gov.uk)

## **5. Freedom of Information Act 2000**

- 5.1 Please note that pre-application advice is subject to Freedom of Information Act 2000 which means that a member of the public can make requests to see recorded information we hold on pre-application licensing matters.
- 5.2 Although there are various exceptions within the legislation that might prevent release of information, all these have to be seen again the "public interest" test. This means that the Council may refuse to disclose information only if in all circumstances of the case the public interest test in maintaining the exception outweighs the public interest in releasing the information.
- 5.3 If there are any reasons why you consider that the information should not be made public in accordance with the exception set out in the legislation for instance there are issues of commercial sensitivity, please outline them to us. We will usually consult you further if a request is made involving information given to you as pre-application advice, as the situation may have changed by the time a request is received. Herefordshire Council reserves the right to release the information where appropriate in accordance with the requirements of the legislation.

## **6. Limitation of Liability**

The Council's total aggregate liability to the applicant and the business obtaining the benefit of the services, whether in contract, tort (including negligence), for breach of statutory duty or otherwise, arising under or in connection with this agreement shall be limited to 125% of the fee for the service provided.

## **7. Intellectual Property Rights**

All intellectual property rights in any materials created or developed by the Council pursuant to this agreement or arising as a result of the provision of the services shall vest in the Council. The Council licenses all such rights to the applicant free of charge and on a non-exclusive basis to such extent as is necessary to enable the applicant to make reasonable use of the services.

## **8. Disclaimer**

The services are provided by experienced officers of the Herefordshire Council Licensing Support Service. The officers providing the advice are not legally qualified and the advice will

be solely based on the individual officer's experience of dealing with the relevant legislation. The applicant is not obliged to follow the advice provided and the form of the submission of the application remains the sole responsibility of the applicant. The use of this service carries no weight in the determination of application under The Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018 legislation and use of the service in no way fetters Herefordshire Council's decision making.

## 9. Dispute Resolution

If you or your business have any complaints or are not satisfied with the quality of the services provided please refer to the Council's Compliment, Comment & Complaint page: [https://www.herefordshire.gov.uk/info/200148/your\\_council/61/get\\_involved/7](https://www.herefordshire.gov.uk/info/200148/your_council/61/get_involved/7)

**The applicant is required to complete the section below or email [licensing@herefordshire.gov.uk](mailto:licensing@herefordshire.gov.uk) to confirm acceptance of these terms and conditions.**

Date	Signed by Applicant	Please tick which Services you wish to receive (please tick all that apply)		
		Application Advice Service	Application Assistance Service	Check & Send Service
	Print Name:			
<b>OFFICE USE ONLY</b>				
Date	Signed by Licensing Officer			
	Print Name:			