

Title: Primate Licensing

Committee: Licensing Committee

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Author: Stewart Broome, Licensing Manager

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Contact officer:

Stewart Broome, Licensing Manager

stewart.broome@eastcambs.gov.uk, 01353 616287, DF208, The Grange, Ely.

1.0 Issue

1.1 To update Members on the introduction of a new Primate licensing scheme.

2.0 Recommendations

2.1 That Members:

- i) Take note of the content of the report and agree to implement the fees shown in paragraph 4.6.

3.0 Background/Options

3.1 In 2024, the Department for Environment, Food and Rural Affairs (Defra) using powers granted to them by the Animal Welfare Act 2006, created the Animal Welfare (Primate Licences) (England) Regulations 2024.

3.2 These Regulations introduce a primate licensing scheme, setting strict rules to ensure that only private keepers who can provide zoo-level welfare standards will be able to keep primates.

3.3 The new Regulations commence on 1 April 2025, and the enforcement provisions of the Regulations commence on 1 April 2026.

3.4 It is essential that the Licensing Authority establishes a licensing framework, so officers are in a position to accept applications from 1 April 2025, as this will give persons who wish to keep primates the maximum opportunity to apply for and achieve full compliance with the required conditions before the enforcement provisions commence.

3.5 Official statutory guidance similar to that provided under the Animal Welfare (Licensing of Activities Involving Animals) (England) 2018 is expected, but at the time of writing this report, this had not been published by Defra. Officers expect this guidance will be published before the Regulations commence on the 1 April 2025 and will update Members at a future meeting. Officers can advise Members that the conditions applicable to all primate licences that the guidance will be largely based around are contained in Schedule 1 to the Regulations, and can be found at **Appendix 1**.

4.0 Arguments/Conclusions

- 4.1 The Regulations set out a specific application process, and require an inspection to be carried out prior to any application being determined. They also require a further inspection to take place on at least one occasion during the currency of licence (where issued for more than twelve months). These inspections must be conducted by a “suitable person” which is defined by the Regulations as being:
- (a) a veterinarian; or
 - (b) any other person who, in the view of the local authority, is suitably qualified and competent to carry out the inspection;
- 4.2 Once issued licences may last for up to three years, with three years being the default unless the applicant requests the licence to be issued for a shorter period, and they may be varied voluntarily by the applicant during that period to reflect any changing circumstances.
- 4.3 An application fee may be charged, and section 12 of the Regulations also permits a fee to be charged for any required inspections.
- 4.4 Licences may be also be revoked and varied without consent if considered necessary.
- 4.5 Officers are also required to provide information to the Secretary of State on an annual basis regarding the number of licences issued, primates kept, fees charged and anything additional that the Secretary of State may require.
- 4.6 The fees contained in the table below are the estimated cost recovery fees officers believe will be necessary. These will be reviewed annually when all discretionary licensing fees are reviewed.

Application fee		Maintenance fee			Initial inspection fee
New	Renewal	1yr	2yrs	3yrs	
£200	£160	£232	£466	£705	Inspection fees will be set by the inspecting vet, based on hours taken and expenses incurred, and paid directly by the applicant prior to any licence being issued.

5.0 Additional Implications Assessment

Financial Implications	Legal Implications	Human Resources (HR) Implications
Yes	No	No

Equality Impact Assessment (EIA)	Carbon Impact Assessment (CIA)	Data Protection Impact Assessment (DPIA)
No	No	No

(a) Financial implications

The impact of this legislation is expected to be minimal, but any new legislation brings with it cost implications to both the Licensing Authority and to those who are captured by the scope of the new law. This is not an optional law, and so the only way to mitigate the impact is to ensure that suitable cost recovery fees are set. Fees set at incorrect levels can adversely impact those who wish to obtain permission to operate lawfully, and equally, where fees which can be set to cost recovery are not, the shortfall must be funded by the Council, as the Council has a duty to uphold its statutory duties. This impacts on the Council's ability to spend money in other areas. The fees suggested in this report will be reviewed annually to ensure that they remain at cost recovery levels.

6.0 Appendices

6.1 Appendix 1 Primate Licence – Conditions

7.0 Background documents

The Animal Welfare (Primate Licences)(England) Regulations 2024