

The appeals process for animal licensing ratings

To ensure fairness to businesses, local authorities must have an appeal procedure in place for businesses to dispute the star rating given in respect of their business. The appeal procedure is relevant where the business wishes to dispute the star rating given as not reflecting the animal welfare standards and risk level of their business at the time of the inspection. This should not be used if the business has made improvements to their business and wishes to be reassessed – in this case, you should apply for re-inspection.

If you consider that the star rating awarded is unfair then you may appeal to the local authority. It is strongly advised that you first discuss your concerns with the officer who undertook the licensing inspection as this may help to explain the reasons for the local authority's decision. Any informal discussion does not form part of the formal appeal process and does not change the deadline that an appeal must be lodged by the licence holder within 21 days (including weekends and bank holidays) of the date the licence was issued to appeal the star rating.

If you wish to make an appeal then this must be in writing and be submitted to the local authority by sending it to:

Commercial Environmental Health Team Leader
West Suffolk Council
West Suffolk House
Western Way
Bury St Edmunds
Suffolk
IP33 3YU

Or by e-mail to:

foodandsafety@westsuffolk.gov.uk

You may submit supporting paperwork as part of your appeal, where you believe that this is relevant.

Any appeal against a star rating will be dealt with by the Commercial Environmental Health Team Leader. This person will review the paperwork associated with the inspection, the past record of the business and any paperwork submitted as part of the appeals process.

If considered necessary, the person considering the appeal may arrange to revisit the licensed premises (although this is not always required). If a further visit to the premises is required then the cost of this visit will be charged to the licensee unless the rating is increased, in which case, no charge will be made. The cost of an additional visit can be found on our website www.westsuffolk.gov.uk in the animal licensing section.

The local authority will determine your appeal within 21 days (including weekends and bank holidays) from the date of submission and will notify you of the results of the appeal.

Please note that appeals must relate to the conditions found at the time of the licensing inspection and not to improvements that have been made since that time. If you have made improvements since the original inspection which you believe will improve your star rating then you may apply for a re-rating (please see details for this process on our website).

Further appeal

If, following an appeal to the local authority, you wish to pursue your appeal further then this can be achieved by way of judicial review. If you wish to pursue this then you are advised to seek legal advice.

Notwithstanding your appeal rights, if you believe that the local authority's licensing service has not been properly delivered then you can complain to the Local Government Ombudsman (<https://www.lgo.org.uk>). You also have recourse to West Suffolks Council's complaints procedure.