

Animal Welfare Charter

Licensing Committee

Date: 7th June 2016

Author:	Licensing Manager
Wards:	All
Locality Affected:	All
Parishes Affected:	All

1. Purpose and Reasons

- 1.1 To consider a period of public consultation on the proposed Animal Welfare Charter, with the objective of shaping a final document for adoption.

2. Recommendations

Committee is recommended to:

- 2.1 Agree to consult on the proposed Animal Welfare Charter, (attached at Appendix 1). and,
- 2.2 For the results of the consultation exercise to be brought back to Committee along with a revised document for adoption

3. Detail

- 3.1 Animal Welfare is a major consideration in the Council's activities in areas such as licensing, stray dogs, local authority tenants, travelling fairs and events many of which occur on the Council's land, where we have both control and responsibility.
- 3.2 The Council has a long history of improving and promoting animal welfare across its functions and with outside organisations.
- 3.3 It is recommended by such groups as the RSPCA that local authorities produce policies covering animal health and welfare issues within its areas of responsibility in the form of a clear animal welfare charter.
- 3.4 A Welfare Charter was previously brought before cabinet on 2006 but was considered unwieldy with many clauses outside of Council control. It was not felt to be fit for purpose and was not pursued. Instead, the following statement was adopted

"Swindon Borough Council confirms that it has a responsibility for the welfare of all captive and domestic animals and wild animals insofar that its activities impinge upon them. We recognise that this is a view shared by local people who care about animal welfare and any cruel treatment, abuse or neglect of animals. The Council will ensure that the welfare of all animals is considered when exercising its statutory and discretionary powers. The Council will use its best endeavours to promote improvements in animal welfare by taking account of

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animal welfare issues in the Council's operational and decision making processes".

- 3.5 Following recent complaints regarding animal welfare from members of the public and the review of all model licence conditions it is considered that this statement is now too broad to properly describe, or influence the Council's policies and procedures.
- 3.6 An improved, detailed and tightened Charter is therefore proposed, focusing on the roles of the Animal Welfare Team in particular and so is brought before Licensing Committee for consideration
- 3.7 The Charter has been drafted with the benefit of local experience, and seeks to address the issues that the Animal Welfare Team regularly deal with. The Charter provides a framework that the Council will adhere to when dealing with animal welfare concerns on its own land. The Charter is helpful in establishing expectations on those using or renting land us, and when dealing with its regulatory functions where animal welfare is a consideration, and may be used to support legal action against perpetrators of animal cruelty.
- 3.8 If supported, it is proposed to make the proposed Animal Welfare Charter, (Appendix 1) available for an 8 week period of public consultation, as soon as is practicable. This consultation will be targeted at key organisations and will include a web based response solution.
- 3.9 It is anticipated that the outcomes of the consultation exercise along with a revised Animal Welfare Charter will be brought to a future Committee for consideration and adoption.

4. Alternative Options

- 4.1 The Council could continue to rely on its general statement to cover animal welfare, however, this would not provide the comprehensive coverage of issues that the proposed Charter addresses and would leave the Council open to complaint and challenge if animal welfare issues emerge. Recent concerns regarding the maltreatment of dogs in Council owned properties, fly grazing of horses by travellers and live animals being used as prizes at fairs on Council owned land all justify a clearer and more robust approach to control.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 There are no direct financial implications arising from the report. Any public consultation will be undertaken within approved budgets.

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Legal and Human Rights Implications

- 5.2 Legal and Human Rights considerations have been taken fully into account in compiling this report. It is considered that the recommendations of this report are compatible with Convention Rights as they fully in accord with the requirements of relevant legislation. The Council is required to comply with the statutory provisions referred to in the report, which the adoption of this policy \ regime will ensure it does. All other legal and human rights implications have been considered in the preparation of this report.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.3 XXXX The proposed Animal Welfare Charter seeks to reduce crimes against animals.

Diversity Impact Assessment

- 5.4 A Diversity Impact Assessment has been completed and is available on request.

Risk Management

- 5.5 If approved the consultation exercise will be undertaken in conjunction with the Council's Communications Team.

6. Consultees

- 6.1 The Board Director, Resources (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

7. Background Papers

- 7.1 Animal Boarding Establishments Act 1963
- 7.2 Animal Welfare Act 2006
- 7.3 Breeding of Dogs 1973 (and 1999 Act)
- 7.4 Control of Horses Act 2015
- 7.5 Dangerous Wild Animals Act 1976
- 7.6 Performing Animals (Regulation) Act 1925
- 7.7 Pet Animals Act 1951
- 7.8 Riding Establishments Act 1964 & 1970
- 7.9 Zoo Act 1981

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8. Appendices

8.1 Appendix 1 - Proposed Animal Welfare Charter