

Animal Welfare Charter

Licensing Committee

Date: 7th June 2016

SWINDON BOROUGH COUNCIL CHARTER FOR THE WELFARE OF ANIMALS

Introduction

1.1 The Council supports the view that all animals are sentient creatures and have a right to life free from cruel treatment and unnecessary suffering. It recognises that animals are capable of feeling, of enjoying a state of well-being and capable of suffering.

1.2 The Council considers that people have a duty of care towards animals in their charge and that such animals have the right to enjoy the five basic freedoms:

1. Freedom from hunger and thirst - by ready access to fresh water and a diet to maintain full health and vigour.
2. Freedom from discomfort - by providing an appropriate environment including shelter and a comfortable resting area.
1. 3. Freedom from pain, injury or disease - by prevention or rapid diagnosis and treatment.
2. 4. Freedom to express normal behaviour - by providing sufficient space, proper facilities and company of the animal's own kind, if appropriate.
5. Freedom from fear and distress - by ensuring conditions and treatment which avoid mental suffering.

1.3 The Council will take these five freedoms into account when exercising its statutory powers in relation to animal health and welfare matters.

1.4 The Council believes that it has a moral responsibility for the welfare of all captive and domestic animals and all wild animals in-so-far that its activities impinge upon them. The Council will work to achieve these objectives in the following key areas:-

- Using its enforcement powers fairly and firmly on animal welfare matters.
- Exercising control through policy decisions in relation to activities it controls.
- Providing up-to-date advice on animal welfare matters to organisations involved with animals and to the public.

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- By working with main strategic partners such as the Police and animal welfare charities.

1.5 The Council will amend and update this Animal Welfare Charter as necessary to reflect changes in national legislation, public opinion and local and national circumstances.

2 Enforcement and responsibilities

2.1 The Council has a role in enforcement of a range of statutory powers in respect of animal related legislation.

2.2 This includes licensing and enforcement of licence conditions for: Dog Breeding, Pet Shops, Animal Boarding, Dangerous Wild Animals, Riding Establishments and Zoos.

2.3 In order to fulfil its statutory responsibilities under this legislation the Council will:

- a) Employ a core of trained and experienced personnel and where necessary and appropriate call upon the expertise of others to assist in the process;
- b) Produce, apply and regularly review conditions attached to licences issued by the Council to provide adequate protection for animals and promote their welfare;
- c) Prepare and distribute to all involved, material explaining the provisions of the law and licence conditions so as to promote a better understanding of the law and greater compliance with the various statutes;
- d) Inspect premises and carry out such enquiries as required prior to their licence application being determined to ensure that they will comply with the licence conditions;

2.4 The Council also has a statutory duty in regards to stray dogs. The procedure for stray dogs is detailed in the Stray Dogs Policy but in brief the Council agrees to fulfil its statutory duties by:

- a) Operating a full Dog Warden service during office hours to respond to stray dog complaints and remove stray dogs to the pound
- b) Operate an out of hours Acceptance Point that members of the public can take a stray dog.
- c) Liaise closely with other enforcing agencies to ensure a co-ordinated approach to animal welfare.

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2.5 The Council works closely with Wiltshire Police to share joint responsibility in the investigation and enforcement of dangerous dogs complaint. A Police Protocol document shared with Wiltshire Police and Wiltshire Council details these responsibilities.

2.6 The Council also works closely with the RSPCA in the investigation and enforcement of animal welfare complaints.

2.7 The Council will exercise its legal enforcement and other powers in relation to the following:

2.7.1 Licensing

- a) The Council will not allow the sale of puppies in pet shops without specific standard conditions being adhered to and only by agreement of the licensing committee.
- b) The Council will encourage pet shops to provide suitable care and welfare information to prospective owners about the animal they are purchasing.
- c) The Council will urge pet shops to employ suitably-qualified staff (to NVQ or BTEC levels), provide suitable training for all staff in animal welfare issues and only employ staff who can demonstrate acceptable levels of animal husbandry experience

2.7.2 Companion Animals

- a) The Council will particularly encourage and support the re-homing of rescued animals from recognised societies and establishments.
- b) The Council will continue to promote responsible dog ownership and believes it has an important role in advising and educating the public. To control and protect dogs in the community, the Council will fully utilise its Dog Warden Service and continue to develop its advisory and social welfare role.
- c) This will include promotional campaigns on good pet ownership, talks to voluntary groups and schools and the provision of display and information stands at suitable venues.
- d) A leaflet detailing all legislation relating to dog ownership is available both on the Council's website and in hard copy on request.

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- e) The Council will endeavour to re-home dogs that come into its care. Dogs will only be destroyed in abnormal circumstances, and then only having taken into account veterinary or professional behavioural advice, and always in a humane way.

The Council will also:

- f) Encourage the neutering of dogs as part of its animal welfare education activities.
- g) Work with charities to assist owners in finding help for costs of neutering/microchipping/veterinary fees
- h) Audit its canine records on a regular basis.
- i) The Council encourages all dog owners to humanely train their dogs and will make information available on the subject for those who are interested.

2.7.2 Horses and Ponies

The Council will not allow the flygrazing of horses and ponies on Council owned land. Enforcement under the Control of Horses Act 2015 will be carried out as necessary as per the Control of Horses Guidance.

3 Pets in council housing.

3.1 The Council's tenancy agreement includes clauses about pet ownership in the tenancy agreement such as:

- a) Cats or dogs not being permitted in high rise flats
- b) Dogs not being allowed in flats with communal gardens
- c) Permission is required for more than one cat or dog in a property
- d) Livestock is not permitted in Council properties
- e) Tenants are responsible for the behaviour of their animals. This includes not allowing them to stray, foul or cause excessive noise. Tenants are also not permitted to breed from their dog or cat without permission from the Council.

3.2 If it is suspected that animals are being neglected, the owner should be asked to re-home the pet.

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3.3 All empty properties, especially those recently vacated, shall be checked for abandoned pets.

3.4 Housing providers should ensure staff are suitably trained so they are aware of basic welfare standards and able to spot signs of neglect or cruelty.

3.5 Housing officers will work closely with the Animals team at the Council to assist tenants and advise or take action where necessary.

4 Giving Animals as prizes

4.1 It is Council policy that the conditions for hiring or letting any of the Councils' facilities – premises or land – shall include a clause specifically banning the provision of live creatures, animals or fish, as prizes.

4.2 The Council opposes the giving of animals as prizes because:

- a) No preparation of animal housing, feeding or how the animal should be kept is available
- b) The prize winner may have little knowledge about the pet's husbandry requirements in question or how to be a responsible owner
- c) The prize may be accepted without proper consideration or thought to the animal in question

4.2 The Council encourages other private premises or landowners to follow this lead.

4.3 Licensing officers will ensure that licensees are aware of their duty of care under the Animal Welfare Act 2006.

5 Animal Diseases

The Council has contingency plans with regard to notifiable diseases such as foot and mouth, anthrax, swine vesicular disease, rabies etc., which will limit the spread of the diseases, and subsequent suffering, to other healthy animals. The Council will ensure, with the assistance of Defra, that staff are trained in emergency procedures and work closely with relevant local agencies and that the welfare of animals effected by such actions is paramount.

6 Wildlife

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6.1 Taking into account national and local strategies which directly affect the welfare of wild animals, the Council will ensure, wherever possible, the welfare of wild animals is protected.

6.2 The Council recognises that changes to the natural environment through land use changes or changes in management practices may directly or indirectly adversely affect the ability of habitats and ecosystems to sustain viable populations of wild animals and plants.

6.3 The County has rare, threatened and legally protected species of animal within its administrative jurisdiction. The Council will therefore endeavour to ensure their continued survival through habitat management, public education and monitoring.

6.4 The Council will ensure that where practicable, and desirable, hedgerows and roadside banks under Council control will be managed to conserve, enhance and create safe habitats for birds and animals during the breeding season, and encourage the growth of wild flowers.

6.5 Through its planning functions, the Council will, wherever possible, work with developers to ensure the appropriate safeguarding of protected species of animal on any proposed development site, or where they reside nearby and may be affected by loss of habitats, and will alert them to relevant legislation protecting wild animals and their habitats. The safeguarding of species may involve compensatory habitat provision which would normally be provided by the developer.

6.6 The Council will encourage the use of management and legal agreements as part of the Planning process to ensure adequate on-going management of land, which may be affected by development and, further, will encourage the designation of Local Nature Reserves as a positive commitment to safeguarding wild animals and their habitats, where this is justified.

6.7 The Council is opposed to the use of snares and other traps which cause suffering to animals. It approves of live traps only when certain conditions are adhered to, particularly the need for them to be under the control of a skilled person adhering strictly to legislative controls.

7 Other activities

7.1 The Council will not allow on any Council owned or managed land, rodeos, circuses or travelling menageries which include non domestic animals, and will use its statutory powers to prevent non domestic animals acts in theatres wherever possible.

8 Safe Houses

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8.1 Working with other relevant agencies and animal welfare organizations, the Council will provide information on secure facilities for pets owned by people or families requiring temporary accommodation in safe housing.

9 Fireworks and events

9.1 The Council has regards to animal welfare when considering an event, including fireworks displays, proposed to the Event Safety and Advisory Group (ESAG). Although ESAG does not have powers to prohibit an event, if support is not given by the group, the event rarely proceeds.

10 Council emergency planning

10.1 Council emergency plans, including those drawn up for mass evacuations, includes provisions for companion and other animals.