

LOCAL AUTHORITY CHARTER FOR THE WELFARE OF ANIMALS

'The greatness of a nation and its moral progress can be judged by the way its animals are treated.' Gandhi

1. Introduction

- 1.1 The Council produced its first Animal Welfare Charter in 1986. This revised charter develops further the commitment of the Council to animal welfare. In adopting the charter the Council hopes that it will provide an example to other agencies, individuals and organisations to prevent the unnecessary suffering of animals.
- 1.2 Animals are capable of feeling, of enjoying a state of well-being and are capable of suffering. The Council recognises the needs of animals as sentient beings (as defined by the European Union Protocol under the Lisbon Treaty which came into force in December 2009) and that they should have a life free from cruel treatment and unnecessary suffering.
- 1.3 In formulating and implementing all relevant policy and in the use of its enforcement powers the Council shall, since animals are sentient beings, pay full regard to the welfare requirements of animals.
- 1.4 Under the Animal Welfare Act, people have a duty of care towards animals in their charge.
- 1.5 All domestic animals should be able to enjoy the five basic freedoms developed by the Farm Animal Welfare Council:
 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.
 3. **Freedom from Pain, Injury or Disease** – by prevention or rapid diagnosis and treatment.
 4. **Freedom to Express Normal Behaviour** - by providing sufficient space, proper facilities and company of the animal's own kind.
 5. **Freedom from Fear and Distress** – by ensuring conditions and treatment which avoid mental suffering.
- 1.6 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.
 - Educating and advising residents and visitors to the Council Area on relevant animal welfare issues.
 - Providing up-to-date advice on animal welfare matters to organisations involved with animals and to the public.
 - Seeking to influence, both within and outside the Council's area, persons who could have an impact on important welfare issues.
- 1.7 When there are areas of animal welfare concern where the Council is unable to take direct action, as a responsible body, it may decide to make its views known via the Local Government Association, to Members of Parliament, Members of the European Parliament and the Government.
- 1.8 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.
- 1.9 The Council will ensure that this Charter is produced and made widely available to members of the public, employees and other interested parties and will be available on the Council's website.

2 Enforcement and responsibilities

- 2.1 The Council is responsible for the licensing and enforcement of licence conditions in respect of a range of activities involving animals, including dog breeding, pet shops, animal boarding, riding establishments and zoos. The Council also has a role in enforcement of a range of other statutory powers in relation to dogs (including dangerous dogs), stray dogs and dog fouling.
- 2.2 The Council will liaise with West Midlands Police in relation to offences for which they have powers of seizure and arrest and with all other relevant bodies to help ensure the efficient enforcement of Animal Welfare legislation and to prevent cruelty to animals.
- 2.3 In order to fulfill its statutory responsibilities under animal health and welfare 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.
- e) respond to reports of stray dogs, dangerous dogs and irresponsible dog ownership.
- f) liaise closely with other enforcing agencies to ensure a coordinated approach to animal welfare.

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

2.4.1 ***Companion animals***

The Council recognises that many animals can suffer neglect and cruelty and that it is right that measures be taken to protect them in such circumstances.

2.4.1.1 **Pet ownership**

- a) The Council considers that a pet should only be purchased once the prospective purchaser has the necessary equipment, facilities, time and financial means or the level of interest, expertise and knowledge necessary for the proper keeping of the animal and understands the responsibilities entailed by ownership of the pet. It is clear that some homes are unsuitable for the keeping of certain pets. Some personal circumstances could mean that adequate provision for pets is difficult if not impossible.
- b) The Council will encourage owners to ensure that their pets have a suitable environment to avoid distress or suffering. Particular attention will be drawn to the inadequate standards for cages, which appear to be commonly accepted for many birds and small mammals e.g. canaries and budgerigars, rabbits and guinea pigs.
- c) The Council believes leaving animals unattended at home during the day should be discouraged unless adequate provisions for their welfare is provided. Leaving animals for long periods in motor vehicles, especially in hot weather, should not occur.
- d) The Council will adopt a plan for helping older people who are pet owners and, working with local animal shelters and re-homing charities, a strategy for dealing with companion animals if their owners pass away.
- e) The Council will support responsible pet ownership activities and re-homing schemes of local animal welfare charities and ensure up-to-date details about re-homing and subsidised veterinary services for residents who need advice or information is made available via appropriate means.
- f) The Council supports the humane training of animals by the Police, other public protection agencies and for those who help the disabled.

- g) This Council abhors the deliberate injuring of animals to make fraudulent insurance claims and will work with other agencies to bring perpetrators to justice.
- h) The Council will use its influence to include clauses about pet ownership in social and other tenancy agreements. These would include:
- i. Whether pets are allowed in the accommodation and if so, how many and of what species.
 - ii. Breeding of animals should be prohibited on the premises, encouraging responsible pet ownership and reducing the number of unwanted pets. All dogs and cats in local authority social housing must be microchipped and neutered/spayed. The Council will make information about any reduced cost neutering schemes available to residents.
 - iii. Roaming and unattended animals. People who repeatedly allow their animals to stray should have written warnings that unless the problem is resolved, the animal will be re-homed, or they will be asked to leave the accommodation.
 - iv. Rules on fouling. There should be strict penalties for owners who persistently refuse to clean up after their animals. Faeces should be removed regularly from gardens so as to prevent nuisance to neighbours and protect the health of the animal and tenants. A person may be guilty of an offence if they do not clear up after their dog on designated land as defined under the Dogs (Fouling of Land) Act 1996 and be liable for a fine upon conviction.
 - v. Excessive noise. If pets, particularly dogs, are causing a noise nuisance, the owners will be advised to seek help from an animal behaviour counsellor. If the problem persists they should be given the option of re-homing the animal.
 - vi. If it is suspected that animals are being neglected, in consultation with the RSPCA, the owner should be asked to re-home the pet.
 - vii. Housing providers should also require that all tenants provide details of any animals kept in their properties in case of emergencies such as evacuations, fire or flood. All tenants should be encouraged to carry the RSPCA emergency cards. They could also be encouraged to have signs in their windows stating that they have pets that require safekeeping in an emergency.
 - viii. All empty properties, especially those recently vacated, should be checked for abandoned pets.
 - ix. Housing providers should prohibit the keeping of pets on balconies or communal walkways. Tethered pets may be in danger from falling or being strangled. Others may be neglected or suffer from extremes of weather.
 - x. Housing providers should prohibit the tethering of any animals (usually goats, dogs and equines) on any land under their control. There should be a suitable policy for warnings and subsequent removals if this condition is breached.

- xi. Housing providers should ensure staff are suitably trained, so they can recognise different species of animals, especially common exotic species; are aware of basic welfare standards and able to spot signs of neglect or cruelty.

2.4.1.2 Pet Shops

- a) The display of animals in pet shops can lead to impulse buying without proper thought for the future well-being of the pet.
- b) The Council will devise specific licences for each individual shop listing the species that may be sold and the numbers held in stock. Any pet shop would then only be licensed to sell those species whose welfare could be assured in the shop. The shop staff would need to have the necessary knowledge and facilities to be able to provide animals with the appropriate care.
- c) The Council will impose at least one annual inspection, by a suitably qualified and experienced person, for each shop in addition to spot-checks by an environmental health officer or animal welfare officers. Where shops are selling exotic species, the person carrying out the inspection should be qualified and experienced in the care of exotic species.
- d) On application forms for new pet shop licences, applicants should be asked to provide details of any existing prosecutions for cruelty or neglect of animals. They should also state whether they have had a pet shop licence refused on a previous occasion.
- e) The Council will require pet shops to employ suitably-qualified or experienced staff (to NVQ or BTEC levels), provide suitable training for all staff in animal welfare issues and only employ staff to undertake these duties who can demonstrate acceptable levels of animal husbandry experience.
- f) In the interests of species conservation and preserving biodiversity, this Council does not permit wild-caught animals to be sold as pets.
- g) This Council requires that pet shop owners and businesses comply with their licensing conditions.
- h) This Council is opposed to pet fairs and considers them to be illegal. The Council will ensure, wherever possible, that any such events do not take place

2.4.2 Domestic Dogs

- a) To control and protect dogs in the community, the Council will fully utilise its Dog Warden Service. Working with other animal agencies, the Council will encourage responsible ownership by encouraging owners to have pets

neutered -resulting in a reduction in the number of stray dogs, fouling, traffic hazards, etc.

- b) The Council supports the introduction of a properly financed and organised National Dog Registration Scheme using microchipping as a system of permanent identification and promotes the legal obligation for all dogs to wear a collar and tag when in public.
- c) The Council will continue to promote responsible dog ownership and believes it has an important role in advising and educating the public.
- d) The Council will endeavour to re-home dogs that come into its care. The Council will provide a stray dog service including an out of hours service. Dogs will only be destroyed in exceptional circumstances, and then only having taken into account veterinary advice, and always in a humane way.
- e) The Council encourages all dog owners to humanely train their dogs and will make information available on the subject for those who are interested.

2.4.3 *Transport of Live Animals*

Very large numbers of animals are transported from farms, poultry rearing establishments etc. to markets, slaughterhouses and ports. The Council's Animal Welfare Officers will vigorously enforce the laws which control these activities to ensure that animals are properly watered, are not overcrowded, are fit to travel and vehicles are suitable for such use and will encourage those in charge of the animals at any time during transportation to be appropriately trained. To achieve these objectives, the Council will, as appropriate, liaise with other local authorities, DEFRA and other duly authorised enforcement agencies, where animals have been, are, or are to be transferred through its area.

2.4.5 *Exotic Animals*

- a) The Council will continue to enforce rigorously the Dangerous Wild Animals Act 1976 and will do all it legally can to discourage the keeping and sale of unsuitable animals.
- b) The Council will also ensure that its Animal Welfare Officers are knowledgeable in the farming or keeping of 'exotic' animals for food, e.g. wild boar, ostriches.
- c) The Council is opposed to the import and sale of bush meat.

2.4.6 *Dog and Cat Breeding*

- a) The Council has a statutory responsibility to enforce conditions in premises where dogs are bred under the Breeding of Dogs Act 1973 and will rigorously enforce it.

- b) The Council is strongly opposed to irresponsible and uncontrolled private and commercial breeding of puppies and kittens, such as puppy farms. It will prosecute unlicensed breeders; ensure breeders keep detailed records as required under the Act, so Council officers can check numbers of litters born; check Kennel Club registers, local press adverts and trading standards records to keep an independent check on breeders and middlemen (when checking against a breeder's KC affix, the Council will look at all the addresses on the KC database to identify any multiple registrations); and introduce annual inspections in addition to the initial veterinary inspection undertaken by a suitably qualified person. The cost of this annual visit will be recovered through the cost of the licence.
- c) The Council does not approve of the breeding of animals to produce changes in bodily form and/or function which are detrimental to their health or quality of life.

2.4.7 Horses and Ponies

- a) The Council's Animal Welfare Officers, in conjunction with a veterinary officer, will continue to ensure that horse riding establishments comply with licensing conditions.
- b) The Council will seek to limit the keeping of horses where there is inadequate provision for grazing and will seek the provision of off road riding and exercise areas away from vehicles to limit risks to horses and riders.
- c) The Council will enforce the Protection Against Cruel Tethering Act 1988 and will not allow the tethering of horses and ponies over protracted periods and/or without access to water, adequate grazing and shelter on land owned or managed by the Council.
- d) The Council will not allow the following practices at show jumping and eventing held on Council owned land or managed land:
 - i) competitions where obstacles are unreasonably difficult;
 - ii) the use of training or riding methods which cause distress or suffering;
 - iii) the use of drugs to alter the performance of the horse or to enable it to compete.

2.4.8 Animal Diseases

The Council will put in place 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.

2.4.9 **Wildlife**

- a) This Council believes that the rich variety of wildlife in its area is an important treasure to be protected and safeguarded. Wild animals have the capacity to suffer stress and pain through direct abuse and through direct and indirect stress placed upon them by the destruction, reduction and pollution of their food, water and habitats. All wildlife, from insects to birds, mammals and plants require a healthy environment in which to fulfill their life cycle requirement.
- b) This Council will produce a Local Biodiversity Action Plan. The plan will outline the strategic framework for protecting wildlife and habitats in the area. Specific policies in the plan will protect local species, their welfare and habitats and aim to sustain a viable network of local ecosystems in which wild animals can fulfill their life cycles.
- c) Taking into account national and local strategies which directly affect the welfare of wild animals, this Council will ensure, wherever possible, the welfare of wild animals is protected.
- d) The Council recognises that changes to the natural environment through planning policy, 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. All negative impacts on wildlife habitats shall be mitigated for.
- e) A database of local wildlife species, both animals and plants, and habitats is seen as integral to fulfilling the Council's biodiversity objectives and will assist in monitoring biodiversity objectives and wild animal welfare in the area.
- f) Where the Council has rare, threatened and legally protected species of animal and plants within its administrative jurisdiction it will work to ensure their continued survival through research, habitat management, public education and monitoring.
- g) The Council supports the construction of road crossings and other innovative measures to safeguard wild animals in the area. Wherever possible, the Council will ensure that developers safeguard the welfare of wild animals and their habitats.
- h) The Council will, wherever possible, alert developers to the presence of protected species of animal or plant 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.
- i) The Council will encourage the use of management and legal agreements as part of the Planning process to mitigate for habitat loss and to ensure

adequate management of land which may be affected by development or set aside for mitigation and, further, will encourage the designation of Local Nature Reserves as a positive commitment to safeguarding wild animals and their habitats.

- j) The Council will encourage the development and use of educational and interpretative materials to raise awareness of wild animals in the area.
- k) The Council will consult with local residents and groups who have considerable local knowledge, experience and expertise in the welfare and study of wild animals to assist in the formation of strategies and action plans to support wildlife in the area.
- l) The Council opposes the indiscriminate destruction of animal habitats. This will be borne in mind when granting planning consents. Developers will be required to mitigate where damage is unavoidable.
- m) Management of the Council's parks, gardens and open spaces will be modified where possible to give greater priority to ecological considerations and uncontrolled public access will be ended for the most sensitive areas/habitats.
- n) The Council will endeavour to develop and promote linked habitats so that wildlife is not stranded in "island" refuges but is able to make use of wildlife corridors, both formally designated and informally provided through public areas and private gardens.

2.4.10 Zoos

- a) The Council is responsible for licensing zoos in its area under the Zoo Licensing Act 1981. The Act requires regular formal inspection of zoos by a team, including one or more external inspectors, one being directly appointed by the local authority and others from the Secretary of State's list of competent people.
- b) There are currently no zoos within the Council's area. If an application for a zoo license is received the Council will ensure that the formal inspection covers all features of the zoo, which are directly or indirectly relevant to the health, welfare and safety of both the visiting public and the animals. The inspection shall have regard to the latest version of the Secretary of State's Standards of Modern Zoo Practice which requires zoos to contribute in as many ways as possible to the education of visitors..

3 Policy decisions in relation to council activities and other concerns

- 3.1 The Council is a large purchaser of products and services and where relevant will take into account animal welfare issues when specifying products or services. Only cleaning products and cosmetics certified under the Humane Cosmetics Standard as not tested on animals will be purchased. An ethical code will be

drawn up relating to Council purchasing and an annual audit reported to Members.

- 3.2 The Council will only allow circuses that include performing animals on any Council owned or managed land where:
- a) The circus must be open to inspection by the RSPCA and/or a veterinary surgeon appointed by the Council at any time
 - b) The circus is a member of the Circus Proprietors Association

The Council will use its statutory powers to prevent inappropriate performing animal acts in theatres wherever possible..

- 3.3 The Council will seek to ensure that at least one vegetarian option, to the specification of the Vegetarian Society will appear on all menus in Council run facilities or establishments where the Council has influence – including schools and other educational facilities. Wherever possible, meat products will be sourced from welfare friendly suppliers.
- 3.5 The Council realises that the use of real or imitation fur on robes and other garments relating to Council office may cause offence to many local people who see real fur as cruel and unnecessary. The Council therefore only uses the historic Mayoral robe which has real fur for display and educational purposes only. The Mayoral robe for official engagements uses synthetic fur only.
- 3.6 CLIMATE CHANGE: This Council recognises that climate change is happening and will have serious consequences for animals as well as people. The Council will do all it can to help meet local, national and international targets to reduce the production of greenhouse gases and to conserve energy.
- 3.7 The Council will not allow the giving of live animals as prizes at fun fairs on Council owned or managed land.
- 3.8 The Council is opposed to the unnecessary use of agrochemicals and pesticides and in the furtherance of this policy the Council will:
- a) ensure that its horticultural staff work closely with animal welfare and organic gardening groups to use methods of weed control etc. which are not harmful to wildlife and, wherever possible, weeds are controlled by the use of alternative methods to chemicals. If chemicals must be used, they should be of a type that have minimum effect on the environment.
 - b) ensure that, where practicable and desirable, hedgerows and roadside banks under Council control will be managed to conserve, enhance and create habitats for animals and encourage the growth of wild flowers.
- 3.9 The Council is opposed to the use of snares and other traps which cause suffering to animals. It approves of live traps only when appropriate animal

welfare conditions are applied and new/renewed licences on Council owned/managed land to use such traps will include a clause reflecting this.

- 3.10 The Council will encourage those who fish in Council controlled waters or from Council controlled land to adopt the following code of practice based on the Medway Report:
- a) The use of double and treble hooks should be avoided.
 - b) Fish that have swallowed the hook and those intended for food should be killed humanely before any attempt is made to unhook them. Anglers should know how to kill a fish humanely.
 - c) To assist in removing hooks all anglers should possess suitable "disgorgers" appropriate to the size and species of the fish they are likely to catch.
 - d) Anglers should use barbless hooks which cause less injury to the fish and, being easier to remove, reduce the amount of handling required.
 - e) If keep nets are used, fish should be confined for the shortest possible time to reduce the risk of injury.
 - f) Great care should be taken when handling fish to minimise damage to their protective layer of mucus. Damage to this layer increases the chance infection and reduces the ability of the fish to survive.
 - g) "Playing" of fish, especially those to be returned to the water and the use of ultra-fine tackle which necessitates such "playing" should be avoided.
 - h) In view of the dangers posed to wildlife and other animals by discarded fishing tackle, anglers should not use lead weights and should ensure the safe disposal of unwanted or tangled fishing tackle.
- 3.11 Angling clubs fishing in Council controlled waters or from Council controlled land will be encouraged to arrange for younger members to receive guidance from qualified instructors concerning the biology of fish and their relationships with other animals in order to help reduce the incidence of inconsiderate behaviour towards them.

4 Education

- 4.1 The Council, as an Education Authority, will:
- (a) encourage the management of school grounds as ecological reserves.
 - (b) encourage the use of videos and computer simulations for teaching anatomy and physiology in schools as opposed to more traditional methods involving dissection of animals.
 - (c) explain to school children the law in relation to both protected species and animal welfare.
 - (d) encourage the study of animals, their welfare, conservation and the responsible ownership of pets. Each school will be encouraged to have an "Animal Welfare Policy" of its own. Animal welfare groups should be asked to provide speakers and educational material.
 - (e) where animals are allowed in schools and looked after by pupils during holidays, the written consent of the parents/carers should be obtained.

5 Farms in Council ownership

- 5.1 Livestock on Council owned farms will be housed and managed in a way that provides for the highest possible standards of animal welfare. As a minimum, the RSPCA's standards for farm animals will be applied. These standards will be regularly reviewed, updated and monitored to ensure that the welfare of the animals is as good as possible.

6 Educating and advising residents and visitors to the area and commercial establishments on relevant animal welfare issues

- 6.1 The Council's Public Protection service will continue to develop its advisory and social welfare role. This will include, where possible, promotional campaigns on good pet ownership, talks to voluntary groups and schools and the provision of information stands at suitable venues.
- 6.2 The Council will endeavour to produce a series of leaflets on relevant animal welfare issues for distribution to all licensed pet shops, dog breeders, cat and dog boarders, riding establishments and keepers of dangerous wild animals.
- 6.3 The Council will assist DEFRA in ensuring that the proprietors of commercial enterprises involving animals are provided with a range of advisory leaflets etc
- 6.4 The Council will support and attend the West Midlands Animal Welfare Liaison Group

7 Pest control

The Council recognises that it may be required to control pests. In such circumstances, the Council will seek to employ non-lethal control measures whenever possible and only kill pest species (using the most humane and least toxic methods possible) when there are no other methods available and where they present a serious threat to the health or well-being of the local community.

8 Seeking to influence, both within and outside the Council's area, persons who could have an impact on important animal welfare issues

- 8.1 The role of the Council to influence derives from its status as a democratically elected body able to reflect the views of the community. As a large organisation the Council has the ability to influence the animal welfare debate and to support and encourage other organisations with similar interests who operate peacefully and within the law.
- 8.2 The Council supports legislation changes to bring about a ban on animals in circuses.

9 Safe houses

Working with other relevant agencies and animal welfare organisations, the Council will ensure that secure facilities are available for pets owned by people or

families requiring temporary accommodation in safe housing. Women, in particular, are all too frequently the victims of domestic violence. Sometimes the victims will not seek refuge for fear of leaving the family pet behind.

10 Fireworks, etc

This Council is concerned by the levels of distress caused to animals both wild and domestic by fireworks and supports a noise limit of 120 decibels for such. The Council will seek to limit public displays of fireworks, Chinese lanterns and balloons to areas which cause least harm and distress to animals and will not permit on its land or at its events the release of balloons or Chinese lanterns (both of which can harm wildlife and farm animals).

11 Council emergency planning

The Council will ensure that the welfare needs of pets and animals are taken into consideration when preparing for and responding to major incidents and emergencies. E.g. Our Rest Centre Plans in coordination with the RSPCA has considered the welfare needs of pets and animals where appropriate.