

Title of meeting: Cabinet and Council
Date of meeting: 3 and 7 July 2015
Subject: Animal Welfare
Report by: Michael Lawther, City Solicitor
Wards affected: All
Key decision: No
Full Council decision: Yes

1. Purpose of report

1.1. To advise members of the Council's position with regard to the animal welfare charter presented to Council in a notice of motion on 17 March 2015.

2. Recommendation

2.1. Cabinet ask Council to note the position as set out below.

3. Background

3.1. At Full Council on 17 March 2015, following a notice of motion, it was resolved by Council that where appropriate, an animal welfare charter be adopted. Each of the Council services who have responsibility for the activity identified in the charter have been asked for their response and these are set out below together with the current level of compliance with the charter.

	<i>Charter proposal</i>	<i>Service response</i>
1	To oppose vivisection by ensuring that chemicals used on Portsmouth City Council premises have not been tested on animals through clauses in future tenders for cleaning services and to support moves to ban all experimental procedures concerned with cosmetics and the use of animals for other purposes where non-animal methodologies exist.	All teams use approved supplier Whiteman and Parish for cleaning materials. Whiteman and Parish confirm they only use ethically sourced products that are not tested on animals.
2	To ban circuses on Portsmouth City Council owned land that	Circuses are currently permitted on City Council land provided the acts



	<p>feature animals other than horses, ponies, guard dogs or domesticated animals.</p>	<p>are undertaken by horses, ponies or dogs only. Performing birds are not permitted.</p> <p>The Council is unable to further licence these activities as the Council's powers do not extend to the use of animals in performance however where entertainment consists of live or recorded music after 23:00 hours to an audience of over 500 persons there are some licensing requirements on land which the Council does not own.</p>
3	<p>To discourage the use of animals as prizes on land owned by Portsmouth City Council</p>	<p>See point 2 above. It is not considered possible for the Licensing Authority to make representations on the grant of a licence on the grounds of animal welfare as this does not meet the statutory criteria for a relevant representation (prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm). The Council could impose covenants to ensure compliance on land which it owns which is subject to a lease or licence. This may reduce the commercial value of some land.</p>
4	<p>To work with partners in the city, such as the RSPCA and local vets, to encourage responsible pet ownership via measures including:</p> <ul style="list-style-type: none">• Promoting the neutering of households pets.• Encouraging practices such as micro-chipping, worming, de-fleeing, regular vaccinations, nail clipping and dental hygiene.• Educating residents about responsible ownership of	<p>The City Council runs Dog Kennels at Great Salterns Farm on Burrfields Road, Portsmouth.</p> <p>The Council does not have authority to enforce or prosecute in respect of animal welfare. As a Local Authority the Chartered Institute of Environmental Health (CIEH) model licence conditions are followed together with guidance for Dog Boarding establishments and the kennel facility was built and is maintained and operated in line with this guidance.</p>



	<p>exotic animals and the challenges they pose.</p> <ul style="list-style-type: none">• Supporting community action events held by the RSPCA and other animal welfare organisations• Supporting educational campaigns to promote responsible dog ownership and knowledge of the bylaws and Central Government legislation.	<p>All of our kennel procedures and practices are in line with the CIEH model, in particular we adhere to the 5 welfare needs as highlighted in the Animal Welfare Act 2006. These include</p> <ul style="list-style-type: none">• Somewhere suitable to live• A proper diet• Ability to express normal behaviour;• A need to be housed with or apart from other animals• Protection from and treatment for illness and injury
5	<p>To condemn the production, sale and consumption of foie gras.</p>	<p>No connection with Council services. The Council has no power to regulate such sales other than through covenants imposed through any land leased or licensed. This may reduce the commercial value of some land.</p>
6	<p>Support the ban on the sale of wild animal skins</p>	<p>No connection with Council services. The Council has no power to regulate such sales other than through covenants imposed through any land leased or licensed. This may reduce the commercial value of some land.</p>
7	<p>Ensure the sale of animals or livestock on PCC land is strictly prohibited; permit the show or display of animals on PCC land only with prior written consent (animals may be subject to inspection by PCC appointed vets or animal welfare organisations) and ensure compliance with animal gatherings legislation where animals are brought together for a show or exhibition on PCC land.</p>	<p>No connection with Council services. The Council has no power to regulate such sales other than through covenants imposed through any land leased or licensed. This may reduce the commercial value of some land.</p>
8	<p>To work to ensure any Mayoral and ceremonial robes do not contain real fur.</p>	<p>All ceremonial robes are comprised of fake fur.</p>

9	To use only humane methods of pest control for managing populations of birds and small mammals and ensure all pest control treatments by the City Council are carried out humanely by trained and experienced personnel	Pest Control team use poisons as part of an effective pest control service provided to residents and businesses within the city. This may be considered a breach of humane pest control methods.
10	To work with partners to promote information initiatives designed to educate residents about humane methods of pest control at home.	No education currently provided.
11	To promote the safe disposal of everyday items that pose a danger to animals, including plastic bags, balloons, tin cans, glass bottles and elastic bands	No education currently provided.

4. Equality impact assessment (EIA)

4.1. An equality impact assessment is not required as the recommendations do not have a negative impact on any of the protected characteristics as described in the Equality Act 2010.

5. Legal Implications

5.1. The City Solicitor's comments so far as they are relevant are incorporated within this report.

6. Finance Comments

6.1. Not applicable.

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 Signed by: City Solicitor

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location