

Committee: **Executive Committee**
 Date of meeting: **15th December 2021**
 Report Subject: **Animal Health, Welfare & Licensing Service Collaboration – Powys CC Partnership – Activities & Update report – October 2021**
 Portfolio Holder: **Cllr Joanna Wilkins, Executive Member Environment**
 Report Submitted by: **David Thompson – Service Manager – Public Protection**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
26/10/21	28/10/21	30.11.21			15/11/21	15.12.21		

1. Purpose of the Report

1.1 To provide an update on the Animal Health, Welfare & Licensing work undertaken between by Powys CC on behalf of Blaenau Gwent.

2. Scope and Background

2.1 In 2012, the Authority entered into a Service Level agreement for the delivery of Animal Health, Welfare & Licensing Services. This agreement was entered into against the backdrop of significant financial challenges and a strong Welsh Government collaboration agenda.

2.2 Blaenau Gwent has a comparatively small number of relevant premises and risks, compared to other local authorities. Prior to the commencement of the collaboration, the level of resource committed to this field of work was very small, and as such, at the periphery of other mainstream services in the department. This left the service without a broad base of core knowledge and without resilience.

2.3 Situated on our northern boundary, and given the large size and rural nature of the county, Animal Health & Welfare is a major issue in Powys and this has meant that the service has developed into one of the leads in Wales in this field. The Authority continues to be comparatively well resourced to deliver these services with significant expertise and resilience built in. Powys has contingency plans in place to deal with an outbreak of any notifiable animal disease and the service demonstrates a robust response to those perpetrating breaches of the law and will take legal action when necessary. However, where appropriate, Officers will educate and advise the farming community before taking stronger action. The philosophy is to assist businesses to get it right in order to preserve a strong level playing field, whilst being prepared to take legal action against those that deliberately flout the law and who potentially put the whole industry at risk. This was the reason for setting up the partnership in 2012 and this has led to a number of key successes for Blaenau Gwent.

2.4 The functions undertaken by Powys within the Blaenau Gwent include the following:

- i. Programmed Animal Health and Welfare premises inspections on agricultural holdings, licensed or licensable animal establishment premises and any resulting enforcement work as may be necessary.
 - ii. Responding to all complaints/enquiries relating to Animal Health and Welfare issues relating to agricultural holdings, licensed or licensable animal establishment premises.
 - iii. Undertake all animal licensing functions (e.g. pet shop licensing, dog breeding establishment licences, etc.)
 - iv. All data entry, record keeping and reporting that is required of Blaenau Gwent Council for Animal Health and Welfare for the areas listed above, including animal movements.
 - v. Leading in the investigation of all notifiable diseases for Animal Health – providing Blaenau Gwent with an expert resource to call upon in the event of outbreaks – e.g. the foot and mouth outbreak in 2001.
- 2.5 **Appendix 1** – outlines the total number of premises in Blaenau Gwent covered by these arrangements - by type.
- 2.6 **Fly Grazing Horses/Straying Livestock.** As previously (including since the the discontinuation of the Authority's own impounding service a few years ago) these specific issues continue to be dealt with by Blaenau Gwent Council Officers. however Powys Animal Health Officers regularly provide advice on relevant legislation on request.
- 2.7 **Other complaints.** Persons making animal welfare complaints relating to companion animals and/or horses (not connected with licensed/licensable premises) are advised to contact the RSPCA or another suitable animal welfare organisation/charity. The SLA with Powys does not cover this work.
- 2.8 Since the commencement of the partnership (2012), Powys Animal Health Officers have undertaken the following work on behalf of Blaenau Gwent CBC.
- 352 - Inspections of agricultural holdings/records;
 - 290 - Animal Health Complaints investigated;
 - 27 – Business Advice Provided to farmers;
 - 149 - inspections of licenced premises;
 - 210 - Companion Animal Complaints investigated – related to a licensed or licensable establishment;
 - 85 - Companion Animal Enquires – related to a licensed or licensable establishment and or other enquiries signed posted to the RSPCA;

- 185 – Companion Animal Visits – these relate to a licensed or licensable establishment
- 80 – FOI Requests for information

2.9 **Recent activities** – Levels of compliance at agricultural premises are now generally good compared to the earlier years of the partnership (see section 6 below) although the service continues to proactively undertake statutory inspections and respond to complaints of welfare problems along with APHA (Animal & Plant Health Agency) veterinary surgeons, where appropriate. At present, one farmer has been subject to several joint inspections and steps are being taken help the farmer more easily comply with animal welfare and record keeping regulations (see section 6, below).

2.10 During the pandemic it was necessary to reduce the number of routine inspections to animal health and licensed premises. All none urgent and planned licensed premise welfare inspections were cancelled to safeguard the public and members of staff from possible sources of Covid infection. Any reports of non-compliance or animal welfare issues continued to be investigated and actioned as normal.

2.11 **Illegal Dog Breeding.** The pandemic has also seen a significant increase in illegal dog breeding locally, regionally and nationally as part of serious organised crime activity and Blaenau Gwent (via Powys Officers for Animal Health and BG Trading Standards Officers for consumer protection legislation) is actively participating in multi-agency activities and intelligence gathering involving the Police and the Welsh Trading Standards Regional Investigation Team. Operation Brutus, is one such local investigation with Powys Officers and the Police executing a warrant in relation to large scale illegal dog breeding and other offences. When the warrant was executed, 90 dogs were seized from the property, including 30 puppies all of which were taken into the care of the RSPCA. The Authority charged the defendant with the operation of an unlicensed dog breeding establishment and the RSPCA charged with a number of animal welfare offences relating to the dogs seized. This case is currently in the court system.

2.12 Appendices 2 to 4 Outline the Service Plans and activities for 2019/20, 2020/21 and 2021/22 (up to 19^h October 2021) respectively.

2.13 Section 6, below, also outlines a summary of some key operations completed and ongoing since the start of the partnership.

3. **Options for Recommendation**

3.1 Option 1 - That Members consider the content of the report and support the work of the service going forward.

- 3.2 Option 2 - That Members consider the content of the report and make any recommendations.
4. **Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**
- 4.1 The services outlined in this report are statutory duties and support the Corporate Plan key objectives relating to Strong & Environmentally smart Communities, Economic Development & Regeneration and an Efficient Council (specifically to be a strong and effective partner and collaborate where possible to deliver financial benefits and resilience).
5. **Implications Against Each Option**
- 5.1 ***Impact on Budget (short and long term impact)***
- 5.1.1 The annual cost of the service is outlined in the attached schedule. Legal Services have advised that these costs are commercially sensitive and so this information is exempt. The costs equate to 0.5 FTE Animal Health Officer. The service costs represent excellent value, have not increased for several years and the SLA is now due for review.
- 5.2 ***Risk including Mitigating Actions***
- 5.2.1 see paragraph 5.4.1, below.
- 5.3 ***Legal***
- 5.3.1 The service operates within the boundaries of all relevant legislation. Where cases are considered for prosecution, Powys Officers will refer cases back to Blaenau Gwent Public Protection Officers and solicitors for a decision.
- 5.4 ***Human Resources***
- 5.4.1 Powys CC, as a large rural Authority, is staffed to deliver Animal Health, Welfare & Licensing services with significant expertise and resilience built in. Blaenau Gwent has no in-house experience and expertise to deliver the services currently provided by Powys. Direct delivery would require recruitment and training, significantly increase costs for the Authority and provide less resilience.
6. **Supporting Evidence**
- 6.1 ***Performance Information and Data***
- 6.11 For a small Authority, Blaenau Gwent has a considerable number of significant Animal Health issues to deal with since the collaboration began in 2012. A Summary of the key operations is as follows:
- i **2013** – Search Warrants executed at numerous premises in relation to alleged illegal dog breeding (4 premises searched, insufficient evidence found to support allegation.)

- ii **2013** – Farmer 1 successfully prosecuted for sheep carcasses (49) at Abergavenny Magistrates Court – Fined
- iii **2014** – Search Warrant executed at sanctuary premises in relation to illegal dog breeding, illegal animal boarding and animal welfare (joint operation with RSPCA); insufficient evidence found to support allegations.
- iv **2014** – Joint Operation with CCBC and BG Officers and trusted horse charities to remove illegally grazing horses from Manmoel Common (49 horses seized and re-homed). This planned operation received Welsh Government grant funding support without which it could not go ahead.
- v **2014** – Farmer 2 prosecuted at Abergavenny Magistrates Court for Animal By-products, Animal Welfare and other offences (119 offences) – Fined a total of £5,000 and costs awarded of £2,043.
- vi **2014** – Search Warrants executed at several premises in Blaina relating to 2 individuals and alleged illegal dog breeding and Animal Welfare offences. Insufficient evidence found to support allegations.
- vii **2014** – Farmer 3 - Simple caution issued in relation to horses without passports.
- viii **2014** – Farmer 4 – prosecuted at Bridgend Magistrates Court for Animal By-products, Animal Welfare, Sheep Records and Movement Offences (112 offences) – sentenced to 12 weeks in prison, suspended for 12 months, costs £7,356 and banned from keeping livestock.
- ix **2015** – Farmer 4 – related to the above matter – contempt of court prosecution – sent to prison for 6 weeks. Operation followed to round up, care for and dispose of the farmer’s livestock as per court sentence.
- x **2015** – Farmer 2 – Operation to excavate 24 buried cattle carcasses and have them removed from site for incineration.
- xi **2017** – Farmer 2 – Conditional Simple Caution given in relation to continuing offences (see sub paragraph v, above) and Sheep records and movement offences – conditional on the farmer disposing of all livestock and giving an undertaking not to keep livestock in future.
- xii **2020** – Operation Brutus. Joint operation – Powys Officers and the Police executed a warrant to enter premises in relation to large scale illegal dog breeding and other offences. The case is currently in the court system (due to delays relating to Covid-19 and other legal arguments). The defendant has put forward a defence alleging they were subject to modern slavery, the result of which is the matter has been referred to the National Crime Agency (NCA) for their consideration. The court process is currently on hold pending a report from the NCA.

- xiii **2021** – Investigation currently underway in relation to a problematic farmer in the Abertillery area in connection with record keeping and animal welfare matters. Several joint on-farm inspections have taken place with vets from APHA and steps are being taken to reduce current stock numbers to a level that the farmer can more easily manage.
- xiv **Ongoing.** Joint working with the Police and Welsh Trading Standards Regional Investigation Team (RIT) is on-going to identify and investigate alleged illegal dog breeding within the Authority. A number of potential targets are linked to Organised Crime Groups both in and outside Blaenau Gwent which are best suited to a Regional Investigation and further action is being considered by the RIT.
- xv **Ongoing.** Trading Standards Wales is now in year two of its project looking at Licensed Dog Breeding in Wales. The project is being led by Monmouthshire County Council who have been successful in obtaining funding from Welsh Government to fund 8 licensing officer posts which were filled in the week beginning 18th October 2021. Those officers are currently undergoing intensive training and will eventually be available to assist Welsh local authorities by way of providing a reserve of licensing expertise and assistance with licensing inspections on request. In order to permit the latter, each local authority requesting assistance will be required to authorise the officers to work in their respective authority.

6.2 ***Expected outcome for the public***

- 6.2.1 Improved compliance with Animal Health, Welfare and licensing rules.

6.3 ***Involvement (consultation, engagement, participation)***

- 6.3.1 Community Services Scrutiny Committee considered this report on 15th November 2021. The Committee resolved to support Option 1 (paragraph 3.2, above). Other consultation and engagement with key stakeholders is undertaken as necessary in accordance with the Authority's enforcement policy.

6.4 ***Thinking for the Long term (forward planning)***

- 6.4.1 This is an ongoing collaboration/partnership agreement that has worked successfully since 2012, tackling key animal health problems in Blaenau Gwent.

6.5 ***Preventative focus***

- 6.5.1 The work programmed work undertaken as part of this partnership has a preventative focus aimed at promoting animal health and welfare.

6.6 ***Collaboration / partnership working***

6.6.1 This is an ongoing collaboration/partnership agreement that has worked successfully since 2012, tackling key animal health problems in Blaenau Gwent.

6.7 ***Integration (across service areas)***

6.7.1 Powys CC has worked successfully across the Authority. Most recently, Powys Officers have provided expert advice and support to the new Front Line Service, Estates and Community Safety service areas. in relation to the ongoing problems relating to straying animals/fly-grazing horses.

6.8 ***Decarbonisation and Reducing Carbon Emissions***

Not applicable.

6.9a ***Socio Economic Duty Impact Assessment***

N/A – this is an activities/performance report – no decisions are being taken.

6.9b. ***Equality Impact Assessment***

No equality issues relating to this report

7. **Monitoring Arrangements**

7.1 Reports to DMT/CLT Executive, as necessary

Background Documents /Electronic Links

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List of Appendices

1. Total Number of Premises Covered by the SLA – 2021/22
2. Activities report – 2019/20
3. Activities report – 2020/21 – impacted by Covid 19
4. Activities report – 21/22 up to 19 Oct 2021
5. Service Level Agreement Cost (Exempt item)