

ANIMAL WELFARE CHARTER

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Animal Welfare Charter

1. Introduction

This Charter has been adopted by the London Borough of Lewisham to reflect the concerns of local people who care about animal welfare and the cruel treatment, abuse or neglect of animals. This Charter sets out the Council's continued commitment to animal welfare.

The Council believes that animals have a positive impact on society and that through the conservation of their habitat and their companionship they can have psychological, emotional and social benefits to its residents.

The Charter supports the view that all animals have a right to life that is free from cruel treatment and unnecessary suffering. It also recognises that animals are capable of feeling, capable of enjoying a state of well being, and equally capable of suffering.

Section 9 (2) of the Animal Welfare Act 2006 sets out the five basic needs of animals and these are based on the five freedoms and are defined below:

- The need for a suitable environment;
- The need for a suitable diet;
- The need to be able to exhibit normal behaviour patterns;
- The need to be housed with, or apart from other animals;
- The need to be protected from pain, suffering, injury and disease.

The Council will take into account the five needs when exercising its statutory powers in relation to animal health and welfare matters and when developing future policy.

This Charter does not cover every aspect of animal welfare, but it does aim to detail those areas that the Council considers important and where it feels it can have some influence as a responsible and representative public body.

Where there are areas that the Council is unable to take direct action, as a responsible body it will make its views known, where it considers it appropriate to do so, via the Local Government Association and/or to Members of Parliament, the European Parliament and Government.

2. Statutory Responsibilities

2.1 Stray dogs

Under the Clean Neighbourhoods and Environment Act 2005 the Council has sole responsibility for the collection and detention of stray dogs. Sections 149 and 150 of the Environmental Protection Act 1990 (EPA 1990) outline the Council's duties with regards to discharging this role.

To comply with the legislation the Council will continue to appoint staff in the role of Animal Welfare Officers. Officers employed in this role will all be trained in dog handling and

behaviour by a recognised organisation or company. In particular officers will be trained to recognise the signs of nervous and aggressive behaviour and how to handle a dog appropriately, preventing further stress and risk of injury to both animal and handler. In particular the Animal Welfare Service will:

- Attend locations within the borough, where practicable, to apprehend and detain stray dogs during normal office hours (Monday – Friday, 9.00am – 5.00pm). At all other times the Council will operate a reception centre;
- Deal with all dogs in accordance to the stray dog procedure;
- Scan dogs for a microchip and check dogs for a tag and tattoo. Where identification is found, attempts will be made to contact the owner;
- Seek veterinary treatment for dogs where necessary. The Council has a comprehensive procedure to ensure that sick and injured stray dogs receive veterinary care.

Under the EPA 1990 dogs must be kept for a statutory seven day period, unless recommended to euthanize on welfare grounds. After this period the dog becomes the property of the Council and can be re-homed or euthanized. The Council recognises that seven days is a short period of time to find a lost dog and will therefore endeavour to keep dogs for a minimum of 10 days, where possible. Dogs will only be euthanized after this period on veterinary or behavioural advice.

Dogs will be boarded in kennels approved by the Councils Animal Welfare Service and where necessary a copy of the Boarding Establishments Licence will be attained. Officers will ensure that dogs are boarded in accordance with the Animal Welfare Act 2006, and if there are concerns for an animal's welfare these will be raised with the owner of the establishment and if necessary with the RSPCA and the Police.

For the last four years Lewisham Councils Animal Welfare Service has achieved a Gold in the RSPCA's Community Animal Welfare Footprint Awards for its stray dog services. These awards celebrate good practice by rewarding those organisations exceeding basic and statutory service requirements with the aim of achieving higher animal welfare standards. Each Footprint has three levels – bronze, silver and gold – which carry progressively more demanding criteria. Lewisham Council will continue to work towards maintaining a Gold Footprint Award service and ensuring that high standards of animal welfare are maintained when carrying out its statutory stray dog function.

2.2 Licensed establishments

The Council has a statutory obligation to licence certain establishments within the borough, these being:

- Pet shops;
- Dog breeding establishments;
- Dog and cat boarding establishments;
- Riding establishments;
- Owners of dangerous wild animals;
- Zoos.

The Council is committed to ensuring that high standards of animal welfare are achieved and maintained at all of its licensed premises. The Council will apply and regularly review conditions attached to licences to provide adequate protection for animals and promote their welfare within the bounds of licensing objectives.

Annual inspections and unannounced visits will be undertaken to verify that licence conditions are being adhered to and that licences should be granted or renewed. Records of these inspections will be kept and shared with partner agencies if requested. Inspections will be carried out by both Licensing and Animal Welfare Officers.

Lewisham Council will continue to seek advice from other agencies and appoint officers and vets to carry out inspections on their behalf if specialist knowledge is required, for example inspection of pet shops selling reptiles or the granting of a licence under the Dangerous Wild Animals Act 1991.

The Council will investigate reports of unlicensed activity and/or breach of licence conditions and take relevant actions.

2.3 Animal health

The Council has contingency plans with regard to notifiable disease, which aims to limit spread of the disease and prevent the subsequent suffering of healthy animals. The Council will work in partnership with Defra and other organisation to ensure that only staff that have been trained to work in these environments will do so.

3. Enforceable legislation

In addition to its statutory functions, the Council is authorised under a range of other legislation to aid it in preventing antisocial behaviour with animals and promoting high levels of animal welfare.

3.1 Animal Welfare Act 2006

The Council has a dedicated Animal Welfare Service and in addition to their statutory duties they also respond to animal welfare concerns and complaints raised by partner agencies and members of the public.

The Animal Welfare Act was introduced in 2006 and places a duty of care on people to ensure they take reasonable steps in all circumstances to meet the welfare needs of their animals to the extent required by good practice.

Officers are authorised under the Animal Welfare Act 2006 and will continue to support and assist the RSPCA and the Police in this role, to alleviate the suffering of animals in distress.

3.2 The Control of Horses Act 2015

Lewisham Council does not permit the grazing or tethering of horses on any Council land either owned or managed. Such practices pose a risk not only to the animals themselves but also to the wider public. Where horses are found the Control of Horses Act 2015 will be enforced.

3.3 Dangerous Dogs Act 1991

Under section 1 of the Dangerous Dogs Act it is prohibited to own one of the following four breeds of dog, unless they have been registered on the Index of Exempted Dogs.

- Pit Bull Terrier Type;
- Dogo Argentino;
- Fila Brasileiro;
- Japanese Tosa.

Section 3 of the Act makes it an offence for any dog to be out of control. A dog is considered to be out of control if it injures a person (or assistance dog) or behaves in such a way that there is reasonable fear that it will injure someone. The Council will continue to support the Police in enforcing the Dangerous Dogs Act 1991 and will refer any complaints which come under this Act to them.

3.4 Dog Control Orders

The Council recognises that owning a dog can bring a lot of enjoyment and happiness. However, owners need to ensure that they are responsible and that their dog does not cause a nuisance to others.

The Dog Control Orders apply borough wide and an offence under the Dog Control Orders can result in an on-the-spot £75 fine and fines of up to £1,000. Offences include:

- Fouling on land by dogs and failing to remove dog faeces;
- Not keeping a dog on a lead;
- Not putting, and keeping a dog on a lead when directed to do so by an authorised officer;
- Taking more than four dogs onto specified areas;
- Permitting a dog to enter land from which dogs are excluded.

The Dog Control Orders will be superseded by Public Space Protection Orders created under the Anti-Social Behaviour, Crime and Policing Act 2014 by the end of 2017.

Further information on the Dog Control Orders and any new Public Space Protection Orders can be found on the Council's website www.lewisham.gov.uk.

3.5 Horse Passports Regulations 2009

Under the Horse Passport Regulations 2009 all foals born after 1st July 2009 and all horses applying for a first passport must be microchipped. The Council supports the implementation of the regulations and will take action where complaints are raised.

4. Responsible Animal Ownership

4.1 Introduction

Whilst the Council supports animal ownership, it encourages its residents to thoroughly research the needs of the animal before acquiring one. It is a pet shop licence condition that free literature is available on each species of animal sold.

The Animal Welfare Service works closely with internal and external partners such as Battersea Dogs and Cats Home, the RSPCA and the Celia Hammond Animal Trust to promote responsible animal ownership by:

- Offering free microchipping of dogs when they have been collected as strays;
- Arranging events in the community to promote free microchipping and behaviour advice;
- Running a discounted neutering scheme for people on low income;
- Issuing the Dogs Trust discounted neutering vouchers;
- Running a schools education programme;
- Producing a Green Dog Walkers newsletter;
- Co-ordination of the Borough Action for Responsible K9's (BARK) – a multi-agency approach to dog related anti-social behaviour.

4.2 Borough Action for Responsible K9's

BARK is a multiagency project chaired by Lewisham Council to target the issues surrounding anti-social behaviour with dogs and the irresponsible use and mistreatment of dogs. Partners meet bi-monthly to discuss any issues raised and formulate a resolution. Its aims are:

- To educate the community on dog welfare and the implications of irresponsible ownership;
- To reduce the levels of anti-social behaviour linked with the misuse of dogs;
- To reduce the number of incidents where dogs are mistreated;
- To protect and reassure the community by reducing irresponsible activities involving dogs, with the appropriate use of education, information and legislation.

The partnership does this through:

- Reassurance – Holding events to promote awareness of current legislation, provide advice and assistance and to inform the residents of Lewisham that issues regarding dogs are being addressed.
- Intelligence – The sharing of information between partnership organisations to tackle dog related issues.
- Prevention – Schools education programme, community talks and visits to educate members of the public about responsible animal ownership and current animal legislation.
- Enforcement – Regular multi-partnership patrols across the borough, proactively intervening where offences or mistreatment of dogs is apparent, making use of welfare legislation where appropriate.

4.3 Housing Policies

The Council will continue to support and assist Housing Partners in ensuring its residents meet high standards of welfare for the animals they own.

Where concerns are raised the Animal Welfare Service will work in partnership with the provider to ensure that its residents are educated on what is required to improve the animal's welfare and where necessary ensure that enforcement action is taken.

4.4 Animals in Schools and nurseries, including hatching egg projects

In line with advice from the RSPCA, the Council discourages the keeping of animals in a classroom environment. Classrooms can be noisy and frightening places for some animals and it is very difficult to look after any animals needs properly in these environments. Furthermore it is difficult to guarantee the welfare of animals bred in the school environment.

5. Deceased Animals

The Council recognises that losing an animal can be very distressing for its owners. Therefore the Council has a policy to check all deceased domestic animals collected on a public highway for a microchip. Where a microchip is identified the Animal Welfare Service will attempt to contact the owner and inform them. Where possible owners will be given the opportunity to claim their pet.

6. Performing Animals

The Council will not allow its premises or land, either owned or managed, to be used by circuses, animal exhibitions or shows and other like enterprises of entertainment where caged and / or performing wild animals are used.

Permitted performances involving animals will include, but are not limited to, the following:

- Dog shows;
- Bird of Prey Displays;
- Animals used in theatre shows or filming;
- Dog agility events;
- Performances involving equestrian acts;
- The showing of domestic animals.

The Performing Animals (Regulation) Act 1925 requires any person who exhibits or trains performing (vertebrate) animals to be registered with a local authority. This provision applies to circuses and also other situations, such as filmmaking and plays which involve animal performances.

This Act does not apply to the training of animals for legitimate military, police, agricultural or sporting performances or the exhibition of these animals in demonstrations or similar events. The Licensing Department will be responsible for enforcing this Act.

Permission for performances or displays of any animals on Council land or premises, either owned or managed, must be applied for in writing and submitted to Lewisham Council's Animal Welfare Department and the Contractor and / or organiser responsible for managing the land / premises if appropriate, at least eight weeks prior to the event.

Under the Animal Welfare Act 2006 a person that is responsible for an animal has a duty of care to provide for that animal's needs. This includes any person who may be in direct control of the animal as well as the owner. In some circumstances those commissioning the

use of animals may share in this duty of care. It is therefore recommended that all parties are aware of the relevant current legislation and information to ensure compliance and that the welfare of any animals involved is assured.

Permission will be considered individually and the decision to grant or refuse such applications will be based on a range of considerations, including animal welfare. When considering the application the following will be taken into account:

- The type of animals used;
- Duration of performance;
- Compliance with the Animal Welfare Act 2006.

7. Procurement

The Council has a Sustainable Procurement Code of Practice for all organisations who wish to contract with the Council.

Lewisham Council will not procure or license products that make use of any fur, skins, food or food ingredients of plant or animal origin (including fish) of any species specified in the International Union for Conservation of Nature (IUCN) Red List of Threatened Species. Contractors, suppliers and service providers should seek to ensure that all hides used in their products, including packaging, are a by-product of the food industry.

Suppliers, contractors and service providers should also ensure high standards of animal welfare both for animals that are raised for meat and dairy products, and for animals used for work and transport.

Where food products are supplied, the supplier or contractor should also ensure that the following minimum standards of environmental protection are maintained:

- Eggs are from cage-free hens;
- All fish and seafood must come from sustainable sources and have Marine Stewardship Council (MSC) (or equivalent) certification;
- Meat and dairy products are from farms which satisfy UK welfare standards.

Lewisham Council encourages its contractors, suppliers and service providers to source UK and seasonal products where possible.

Lewisham is a Fairtrade borough and we expect suppliers to work with the Council in offering value for money, certified Fairtrade products.

8. Wildlife and habitat conservation

8.1 Lewisham's Biodiversity Partnership

Lewisham Council has a long tradition of acting to conserve and enhance Lewisham's natural environment for the benefit of all.

Lewisham Council will continue to work within the framework laid out in the Lewisham Biodiversity Partnership to promote biodiversity within Lewisham and ensure that it is protected and enhanced within the core duties of the Council.

The Partnership was established to consolidate the interests and expertise of a range of organisations and individuals with a duty to, or interest in, conserving the Borough's wildlife and natural environment. It is there to ensure that the diverse range of views on Lewisham's biodiversity is effectively represented. It will promote innovation and best practice and, although the Partnership is not a campaigning organisation, it will challenge partners and others where necessary to conserve wildlife and habitat in the borough.

8.2 Sky / Chinese Lanterns and Balloon releases

The lighting of sky lanterns and balloon releases have become an increasingly popular way to celebrate and commemorate occasions. Mass balloon releases and races have also become a popular way to raise money for charities. However the release of sky lanterns and balloons can be harmful to wildlife and often have deadly consequences for animals.

Birds and wildlife can become entangled in the wire or bamboo frames leading to injury or death. Animals can accidentally eat fallen lantern and balloon parts which can cause death by blocking the digestive and / or respiratory tracts, or internal bleeding, leading to a slow painful death. Animals can also be frightened by sky lanterns causing them to bolt, risking serious injury to themselves and their owners.

Even small-scale releases and balloon races may have a serious effect on the environment and animals: the balloons are often not adequately inflated and the attached strings and ribbons may entangle animals. Many balloons are also intentionally weighted with tags, further increasing the likelihood of returning to land where it may be ingested by an animal.

In addition, sky lanterns and balloons pose a litter risk as well as a health and safety risk and several fires have been attributed to sky lanterns. In accordance with current RSPCA advice the use of sky lanterns is banned on all Council owned land either owned or managed. People wishing to hold balloon releases and races are encouraged to participate in virtual balloon races.

9. Emergency Planning

The Council recognises that having to evacuate your home, even for a short while can be distressing for both the owner and the animal. To minimise the stress caused the Animal Welfare Service works alongside the Emergency Planning Service to ensure that such situations are handled compassionately and efficiently. The Animal Welfare Service:

- Offers advice on what to do with your animal, which is promoted through Council literature and is on the Council's website;
- Run briefing sessions to Council response staff such as Local Authority Liaison Officers (LALO's) and Reception Centre Staff;
- Are involved in Emergency Planning training exercises;
- Are designated as Bronze officers and can be called to assist in an emergency and are on call 24 hours a day.

The RSPCA Community Animal Welfare Footprint Awards recognises good practice in Contingency Planning. There are three levels of award – bronze, silver and gold – which carry progressively more demanding criteria. Lewisham Council's Emergency Planning and Animal Welfare Services will continue to work towards achieving a Gold Footprint Award ensuring that Animal Welfare is considered in the Emergency Planning process.

10. Council Pledges

The Council will ensure that this Charter is widely available and welcomes comments to enable a review at a later date.

This Charter will be reviewed biannually, and revised where necessary to ensure that it is in line with changes in legislation, policy, the of needs animals and of the local community.