

**Minutes of the Cross Party Assembly Group for the Horse
Held in Conference Room 24 Ty Hywel
On Tuesday 27 January 2015 at 6pm**

Present:

Angela Burns AM (Chairman)
Stuart Burns (Support Staff Angela Burns)
Andrew RT Davies (Leader Welsh Conservatives) Part
Jenny MacGregor (SWHP)
Sian Lloyd (SWHP)
Rachel Evans (Director Wales CA)
Tony Evans (WHW)
Alan Pearce (Equine Transport)
Phillip York (Equine Welfare Consultant)
Steve Carter (Director RSPCA Wales)
William Jenkins (NFU Cymru)
Elaine Griffiths (BHS Welfare Wales)
Nic De Brauwere (Redwings)
Jan Roche (BHS/Cross Party Secretariat)
Colin Thomas (Hill Pony Imp Society)
Helen Manns (Vice Chair BHS Cymru)

Apologies:

Janet Finch-Saunders AM (Vice Chairman)
Lee Hackett (BHS Director of Equine Policy)
Mark Weston (BHS Director of Access)
Graham Capper (Equine Consultant)
Maureen Lloyd (STAGBI)
Huw Rhys Thomas (NFU)
Lee Jones (BCBC)
Rowan Moore (SWP)
J Staley (Commons)

1. Angela Burns welcomed everyone to the meeting.
2. Apologies were received and noted
3. Minutes of the last meeting were noted.
4. Control of Horses (Wales) Bill – updates: BBC Radio Wales had scheduled a slot going out later that week to highlight the first anniversary of the Bill. Members of the Group had given interviews.

Many Local Authorities were using the legislation successfully – William Jenkins said that Caerphilly and Blaenau Gwent had worked well together in their areas. There were still concerns that the legislation was not statutory/compulsory so some LA's were not using it. Enquiries would be made as to which ones for comparison. There was also still a question over removal from private land where the 14 day period was being used and some LAs were slow to get involved. Tony Evans said that under straying law the 14 day notice applied but if the equine had no chip/passport then this caused a further problem as to selling/moving the horse.

It was agreed that a review was needed and that the legislation needed to be statutory but it was also noted this would have financial implications for the LAs. Westminster was currently going through the stages on the Control Bill in England and it would be of interest to see if that included the statutory clause. Nothing was clear as to that as yet.

It was highlighted by Jan Roche that an e-Petition has been launched by a member of the public requesting the following (as taken off the Assembly e-petition section of the website):

A. Registration/freeze branding all equines belonging to those commoners with legitimate grazing rights

B. No colts to be grazed on common land if over 6 months old unless they are native and licensed (to preserve the Welsh Mountain Pony)

C. Registered charities to have the right to remove equines on welfare grounds by agreement with the police, and to place the ponies with pre-approved foster homes while owners are being traced. Where possible ponies to be re-homed after a given amount of time.

D. All equines that are "gathered" and found to be illegally grazed, if owners cannot be traced then an attempt should be made to re-home them in the first instance, before any decision to PTS (this is not the current procedure)

E. The entire procedure should be transparent and councils answerable to the public.

5. Update on the Indigenous Welsh Pony Inquiry: Angela Burns was waiting to discuss matters with the new minister. A lot of research had already been completed.
6. Wales Commons Presentation: Stuart Burns had researched the law regarding Commons and outlined the following points:

The Commons Act 2006 enables statutory commons councils to be set up to encourage improved local management of commons. The legislation is not compulsory and local interests can decide whether or not to use the powers.

These councils are democratic structures where there is substantial support. Action is taken against unlawful and damaging agricultural activities on the commons.

There was also a clause within the Act Part Four Section 46 that enables Welsh Ministers to deal with situations where unauthorised agricultural activities are taking place and damaging the common, and no other person is otherwise able to act to control it. This power could be used where one or more persons has been grazing animals on the common without any right to do so.

Further information on the Commons Act 2006 is available on the Welsh Government website:

<http://wales.gov.uk/topics/environmentcountryside/farmingandcountryside/commons/commonsact2006/?lang=en>

A discussion followed on how these Commons Councils are set up and the time involved. Funding was often available and accessible after completion. Any process would invite the cooperation and input of the commoners/landowners involved. All stakeholders needed to work together.

Philip York highlighted that the Welsh Mountain Pony was no longer classified as at risk on the Rare Breed Register – this needed to be reclassified and Colin Thomas confirmed that negotiations were taking place to get the status altered.

The Commons Act could provide a solution and potential way forward as the powers were there to potentially resolve many issues.

There was also the Commons Act 1908 which has the power of making regulations as to turning out entire animals on the common, plus the power to appoint an officer for removal/enforcement but is only applicable to commons associations with a constitution and regulations. Funding would be needed to utilise this Act.

Nic De Brauwere said that the EU were currently working on the essential equine ID legislation.

7. AOB: The Welsh Pony and Cob Society would be appointing a new representative for the Cross Party as Alan Pearce was now covering Equine Transport on the Group. The news that North Wales Fire Service would no longer be covering large animal rescues from April 2015 was discussed and many concerns were voiced as to this decision and the impact it could have on human safety as well. The report from FOSH (Friends of the Swansea Horses) had been circulated to all members for further information.