



# Environment and Sustainability Committee

Control of Horses (Wales) Act 2014

26<sup>th</sup> February 2015



WLGA • CLILC

## **INTRODUCTION**

1. The Welsh Local Government Association (WLGA) represents the 22 local authorities in Wales, and the three national park authorities and the three fire and rescue authorities are associate members.
  
2. It seeks to provide representation to local authorities within an emerging policy framework that satisfies the key priorities of our members and delivers a broad range of services that add value to Welsh Local Government and the communities they serve.

## **Control of Horses (Wales) Act 2014**

3. The problem of stray, and abandoned horses along with associated welfare issues has been well publicised, evidence from a number of partner agencies highlighted this as an increasing problem over the last few years particularly in South Wales (though there have also been incidents across North Wales). Large numbers of horses had been abandoned in publicly owned spaces, common land and private land, commonly referred to as 'fly-grazing'.
  
4. The horses are left to graze often without regular care and attention or adequate feed. These 'fly grazing' incidents have resulted in a variety of animal welfare concerns, damage to public and private land and predominately incidents of horses straying onto the highway where they could endanger public safety.

## **Public Safety**

5. There have been several public safety issues surrounding vehicles being struck by unsecure horses, this has included trunk roads and the M4 being disrupted by loose horses. This has diverted emergency services from their core business across Wales. There have been numerous incidents of animal welfare problems, with horses being stranded in water logged fields, without adequate feed or generally unsuitable conditions. These animals are very often not easily traceable back to an owner.
  
6. The exact number of horses still remains unknown but at its height was estimated to be in excess of 2000 across Wales.

## **Food safety**

7. Although not specifically controlled by this legislation, there are also significant concerns that uncontrolled horse populations may contribute to food safety and food standards issues where veterinary medicines, and misdescribed food may enter the human food chain, resulting in widely publicised and extremely costly "horsemeat" type scandals.

## **Multi agency legal framework**

8. This issue of "flygrazing" crosscuts geographic and functional areas of responsibility. The previous framework legislation was piecemeal, complex and was not drafted to tackle the problems on this scale. The size and impact it has had is unprecedented. The number of enforcing bodies and interested parties affected covers a wide spectrum of agencies.
9. Charitable organisations and local authorities have borne the cost of providing veterinary care and stabling abandoned animals through the height of the problems. Equine charities were at full capacity meaning that opportunities for re-homing were extremely limited; euthanasia becoming a necessity.

## **Enforcement response**

10. The robust response provided by local government trading standards and animal health officers, was only possible through a significant diversion of staffing and resources by all of the partner agencies. Although successful in dealing with the immediate problem, a more sustainable solution was required.
11. With the support of Welsh Government who assisted in the co-ordination of key agencies through a national multi agency task force, and the development of the Control of Horses legislation, led to a more consistent legislative position across Wales.
12. Up to this point authorities were using local legislation or legislation that it was never intended for such large scale problems. These difficulties were intensified by the scale of the present problem, due to the regional nature and the number of horses involved, all adding to the pressure on the local authority and its partners. This was exacerbated by the significant public and press interest in such an emotive subject for action to be taken.

## **Costs to local government**

13. As stated the scale of this problem and the impact it has had is unprecedented. The infrastructure and resources are still uncertain to support this in the longer terms, as no funding was provided to local authorities to enable them to dedicate new resource to a new piece of legislation to deal with a new and expanding area of concern. This has caused local government considerable discomfort when prioritising existing resource, and making decisions which will please one, but not another.
  
14. Bridgend as example spent in excess of £65K, over one winter period of 2011/12, with the ongoing costs being far greater. The above figure includes £24,644 on horse recovery costs, £8,812 on veterinary fees, £22,360 on stabling and livery fees, plus a number of ancillary fees, just over a 3 to 4 month period.
  
15. As illustrated the figure is primarily made up of veterinary fees, livery costs, security, transportation and re-homing. The figure could be significantly higher if it was not for the invaluable support of the horse charities, and the good will of many of the officers involved.

## **Resource impacts**

16. The Authority (in partnership with the Vale of Glamorgan Council) during this period seized 204 horses and has reports of over 20 dead horses during the peak of the problems. The problems placed a significant strain on the Public Protection (Trading Standards/Animal Health) and Highways sections in particular. The scale of the problem has meant that officers have had to operate out of hours and diverting them away from being able to respond to any other issues and from audited work which has put a strain on the attainment of key performance indicators, elsewhere within the services. Time was diverted from less visible issues and impacted on the planning and proactive work of the respective departments as the focus was on the immediate issues caused by the horse problems.
  
17. In addition considerable management time was spent on the problem due to the associated risks and the need to liaise with several partner agencies. Due to the high profile nature there has been a need to produce regular briefings and responses to media and public or councillor enquiries, as well as bidding for additional resources, again all time consuming and a diversion from other prioritised work.

18. In practice even where a robust stance has been taken in seizing horses, there is a significant cost and risk, as horses have been found on the highway, housing estates, and school fields, putting the public as well as the staff that are responding at significant personal risk. On occasion there have been significant numbers of horses straying at any one time; these are often large semi-feral animals. It was also a significant risk to the public as officers were diverted away from other tasks, which are routinely conducted to ensure public safety.
19. It should also be noted that once a local authority takes ownership they are then responsible for the welfare and therefore there are significant livery costs and veterinary fees etc., as highlighted above.

### **Positive outcomes**

20. The process of developing legislation was part of a high profile response to the problems, and the development of the legislation sent a positive message out that the act of abandoning horses was not acceptable. It has provided local authorities with a more consistent method of responding to the problem. It will be essential that all enforcement and third sector partners continue to act together when intelligence and complaints require actions to be taken in the future. This is key to ensuring the problem is dealt with effectively, efficiently and swiftly.

### **Local priority decision making**

21. However, it cannot be stressed enough, that engaging enforcement staff in actively investigating these incidents is an extremely costly activity; there are undoubted mischiefs which can be challenged and put right where robust action is taken by the local authority (together with its partners); however local policy decisions, priorities and budgets will determine whether the power to act will be used for any given situation. This will inevitably mean that in some situations the local authority, having considered all of the circumstances, may decide not to engage their power to act.

**For further information please contact:**

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