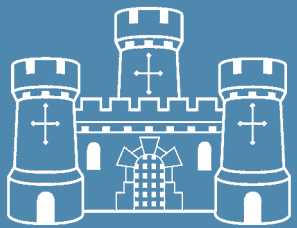


# Animal Welfare Charter

September 2024



NEWCASTLE  
UNDER LYME  
BOROUGH COUNCIL

# Foreword

As a nation we are rightly proud of our reputation for being animal lovers and, I believe that the people of Newcastle-under-Lyme are no exception to this. We all want to ensure that animals' welfare is protected whether they are a beloved pet dog or cat or part of our local wildlife.

Despite this we all know that occasionally whether through ignorance, carelessness or neglect that the high standards of animal welfare we expect are not met. This is why we are introducing the Newcastle-under-Lyme Animal Welfare Charter.

This Charter demonstrates our commitment and aspirations in protecting and promoting the welfare of animals. It covers issues including the use of pesticides, angling and from pet ownership to exotic animals.

I welcome the introduction of this new Charter and look forward to working with residents to develop it further over time to meet our goal that no animal should suffer needlessly in Newcastle-under-Lyme.



**Councillor David Hutchison**  
Portfolio Holder for Sustainable Environment



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# Introduction

Newcastle Borough Council has produced this Animal Welfare Charter to demonstrate our commitment to protecting and promoting the welfare of all animals and we aim to reflect the concerns of local people who care about animal welfare. The Council hopes that in adopting this charter, it will itself, and inspire others to, contribute directly and indirectly to creating a world where all animals are respected and treated with kindness and compassion.

This Charter has been adopted from the RSPCA's charter which has been developed with respect to existing animal welfare legislation, notably the Animal Welfare Act 2006 and Environmental Protection Act 1990, including secondary legislation such as the Licensing of Activities Involving Animals (England) Regulations 2018.

We recognise animals as sentient beings who have a right to a life free from cruel treatment and unnecessary suffering and, as a matter of good practice, will take these factors into account when developing policy.

The Council takes its duties and responsibilities as stipulated in animal welfare legislation seriously and is committed to ensuring legislation is effectively enforced, including working collaboratively and in good faith with partner agencies and organisations when necessary and appropriate.

The Council recognises and appreciates the significant benefits animal ownership can have on people's physical and mental health and wellbeing. The Council equally considers that itself and other people have a duty of care towards animals, whether in their ownership or not, and must provide for their five basic welfare needs:

- 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

We will factor in the basic animal welfare needs when exercising our statutory powers in relation to animal health and welfare matters. This includes the policy development process and recognises our moral responsibilities for directly and indirectly protecting and promoting the welfare of companion, farm and wild animals.

As such, the Council is committed to:

- Proactive, proportionate and effective use of its enforcement powers in relation to animal welfare, including working collaboratively with partner agencies and organisations when necessary and exploring other enforcement models that will improve efficacy and animal welfare.
- Educating and raising awareness of animal welfare issues and responsibilities through community engagement events, campaigns and digital communications.
- Seeking to inspire and influence decision makers, community and business leaders and anyone else who could have an impact on animal welfare, to properly consider and value animal welfare.
- The Council will regularly review and update this Local Authority Animal Welfare Charter to reflect changes in national legislation, public opinion and local and national circumstances.
- The Council will ensure this Local Authority Animal Welfare Charter is publicly available and easily accessible to all members of the public by producing and publishing a digital version on the Council's website, including sharing a copy with appropriate public-facing organisations in the area (such as Citizens Advice Bureaus).



# Licensing of Activities Involving Animals

Newcastle Borough Council has a statutory duty to license premises and establishments that carry out activities involving animals, including but not limited to pet shops, dog breeding establishments, boarding establishments, animal exhibitions and riding establishments. We will take our statutory responsibilities under the Licensing of Activities Involving Animals (England) Regulations 2018 seriously and are committed to enforcing the legislation to the best of our ability to maximise compliance and reduce animal cruelty and neglect.

We will publish how we carry out our statutory duties in relation to animal activity licensing and in addition we will ensure information is made available and is easily accessible by members of the public. There will be a clear process for members of the public to lodge formal complaints and concerns about licensing and suspected un-licensed activities involving animals. The Council will ensure all formal complaints and concerns are logged internally, in accordance with relevant data protection legislation.

The Council will aim to publish and maintain a publicly available list of licensed establishments, including star ratings.

The Council will work particularly closely with pet vendors and breeding establishments.

# Stray Dog Services

Newcastle Borough Council has a statutory responsibility as stipulated by Section 149 of the Environmental Protection Act 1990 and the Environmental Protection (Stray Dogs) Regulations 1992, to seize and detain stray dogs within the jurisdiction of the Council. The Council defines a stray dog as any dog that is in a public place and not under the charge of a keeper.

The Council considers the welfare of stray dogs, and indeed officers and the community, to be of the utmost importance and, in the process of all activities involved in carrying out stray dog functions, that the welfare needs of dogs are met and officers and the community are protected from harm. Kennels and/or boarding establishments used in the process of carrying out our stray dog function will be licensed by the appropriate authority and have clear facilities, protocols and procedures to meet the animals' welfare needs as defined by the Animal Welfare Act 2006.

We are committed to returning stray dogs to their owner, The City Dogs Home will take all steps available to identify and contact the owner(s) of a stray dog to arrange for swift collection.

The Council will undertake regular proactive work to encourage responsible pet ownership, which may include (but not limited to) public awareness campaigns and events on a range of issues, such as microchipping, neutering, dogs in warm weather, fireworks and responsible dog ownership.



# Contingency and Emergency Planning

Newcastle Borough Council recognises and is committed to its responsibilities related to the Civil Contingencies Act 2004 and subsequent secondary legislation.

We recognise our responsibility to consider animals, including companion animals, farm animals and wildlife, as part of our contingency and resilience plans.

## Council Land Use

Newcastle Borough Council is committed to prohibiting activities with the potential to harm animals or wildlife from taking place on its land. We will not allow hunting (including trail-hunting or other related activities) on our land. The Council recognises that it may also be required to enforce statutory powers related to pest control. In such circumstances, the Council will only treat pest species where they represent a public health risk to the health or wellbeing of the local community and where necessary will seek to use the most humane and least toxic methods possible.

We will not let our land be used by circuses or other similar enterprises where cages or performing animals are used and we prohibit the exchange of live animals as prizes being undertaken on any council-owned land.

The Animal Welfare Act 2006 made it an offence for any animal to be sold or given as a prize to anyone under the age of 16 years. The Council does not support the provision of live animals, including fish, as prizes, in any of the Council's facilities. Premises or land. The Council encourages other private premises or landowners to follow its lead.

We will seek to deter the public from engaging in activities on council land which are known to have a detrimental effect on wildlife habitats.



# Wildlife, Pests and the Use of Pesticides

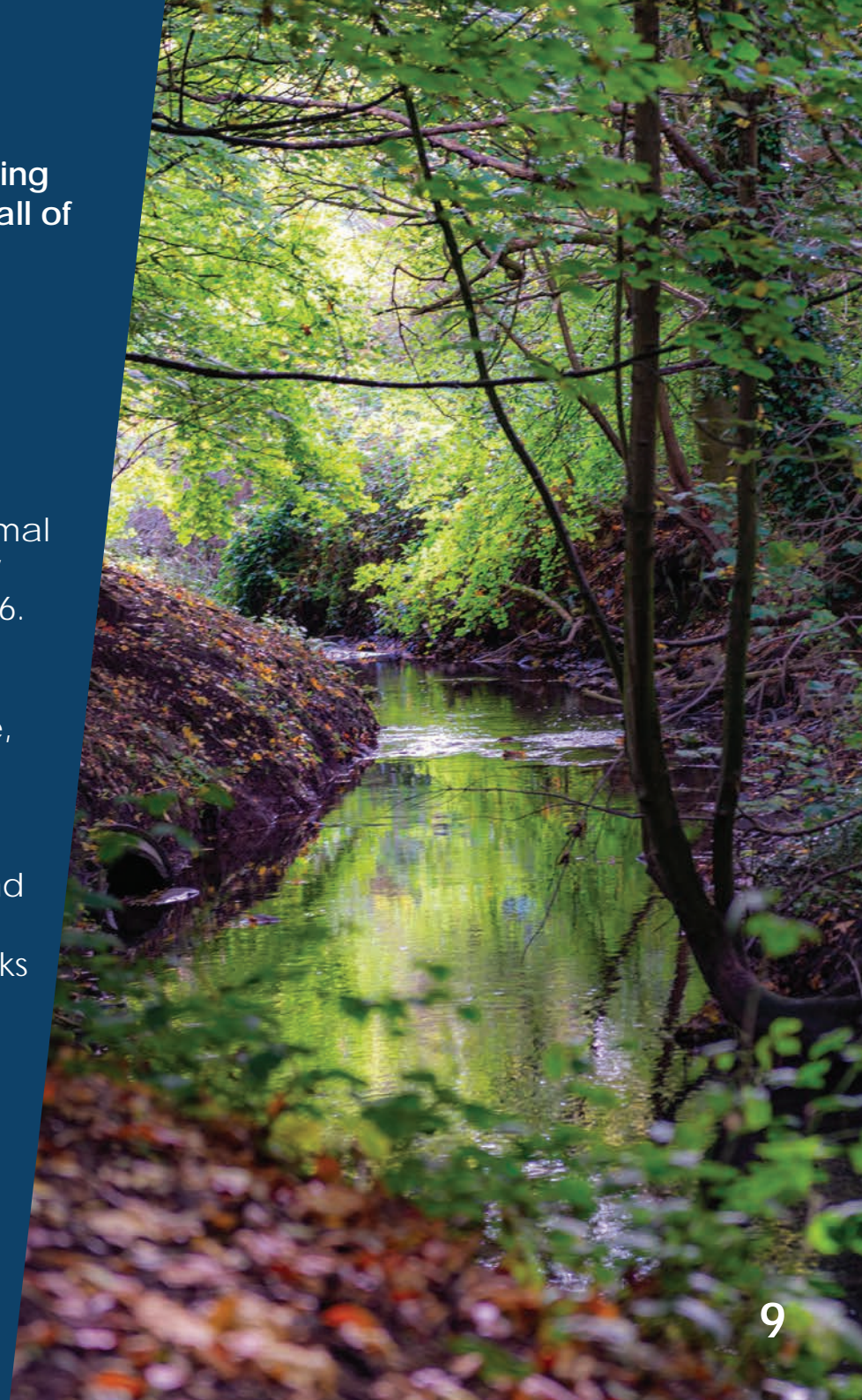
Newcastle Borough Council is committed to protecting and promoting the environment, wildlife, biodiversity and habitats, which includes all of our waterways, lakes, rivers and streams and ponds.

We are committed to making minimum use of pesticides in all council-controlled public open spaces and we encourage the introduction of wildlife and fauna into these areas by sympathetic management.

If chemicals must be used, we will use a type that would have minimal effect on the environment and wildlife and is on the “approved list” published by Defra under the Control of Pesticides Regulations 1986.

The Council will ensure that, where practicable, hedgerows and roadside banks under council control will be managed to conserve, enhance and create safe habitats for birds and animals during the breeding season and encourage the growth of wildflowers.

We recognise that changes to the natural environment through land use changes or new developments can directly or indirectly affect wild animals and their habitats. Our local planning policy frameworks including the emerging Newcastle Under Lyme Borough Local Plan require developers to consider the potential impacts of their proposals and appropriately mitigate the risks of harming existing wildlife and habitats. Furthermore in line with legislation and national policy on Biodiversity Net Gain developers have a duty on qualifying sites to create opportunities for new and additional flora and fauna.



# Ethical Fishing Guidelines

Newcastle Borough Council encourages those who fish in Council-controlled waters or from council-controlled land to adopt the following code of practice based on the RSPCA's Medway Report. The key points being:

- The use of double and treble hooks should be kept to a minimum and avoided entirely when the intention is to return the catch alive to the water.
- Fish intended for food should be killed humanely.
- Unhooking a fish humanely and safely is one of the most important skills for an angler to learn. All anglers should be equipped with disgorgers and unhooking mats and be properly trained in their use.
- Employment of the pike-gag should take fully into account the size of the fish for which it is used.
- Barbless hooks should be favoured.
- Holding periods in keep-nets should be as brief as possible

The Council considers the safe disposal of fishing tackle as essential; this is to prevent injury to both domestic and wild animals. All anglers are asked to ensure that they comply with national and regional bylaws relating to angling. Details of this legislation can be found by contacting the Environment Agency.



## Promoting Responsible Pet Ownership

Newcastle Borough Council recognises that many animals in the UK still suffer neglect and cruelty and feels it is right that measures be taken to reduce animal cruelty, abuse and neglect and protect and promote their welfare. We have a vital role in promoting responsible pet ownership as one means to reduce animal cruelty, abuse and neglect.

The Council considers that a pet should only be purchased once the prospective purchaser has the necessary equipment, facilities, time, financial means, level of interest and expertise to properly care for the animal and their welfare needs and understand the responsibilities entailed with ownership of the pet. Some homes are unsuitable for the keeping of certain pets and some personal circumstances could mean that adequate provision for pets is difficult if not impossible. We will encourage owners to ensure that their pets have sufficient space to avoid distress or suffering and discourage leaving animals unattended for an extended period at home during the day. We believe animals should never be left unattended in motor vehicles, especially in warm weather and we will deliver public awareness campaigns and events to promote responsible pet ownership during warm weather. The Council will encourage and support the re-homing of rescued animals from recognised societies and establishments. Equally, we will support and promote fostering and re-homing schemes of animal welfare charities.

The Council does not approve of breeding animals for producing changes in bodily form, and/or function, which is detrimental to their health or quality of life.



# Equine Welfare

In line with the RSPCA, the Council does not oppose an animal being tethered for short periods e.g. for grooming, cleaning out stables, having a short break in a journey or working period or in a field whilst boundary fencing is being installed or repaired. The Council would remind owners that a tethered horse requires adequate feed and must have water.

Newcastle Borough Council supports the introduction of the Horse Passports Regulations (England) 2004 and the Protection Against Cruel Tethering Act 1988 and will not allow the long-term tethering of horses or ponies, in an open environment, on any land owned or managed by the Council.

# Dangerous Wild Animals and Exotics

**Newcastle Borough Council enforces the Dangerous Wild Animals Act 1976.**

Anyone keeping animals listed on the schedule should be licensed, have specialist knowledge and seek professional advice on the care of the animals.

Anyone selling an animal listed on the schedule must ensure that the buyer has the required licence.

The Council encourages the Government to continue to periodically review the animals listed on the schedule of Dangerous Wild Animals and supports the rigorous enforcement of the legislation.