



COUNCIL – 23RD OCTOBER 2019

**SUBJECT: NOTICE OF MOTION – BAN ON ANIMALS AS PRIZES ON
CAERPHILLY COUNTY BOROUGH LAND**

**REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND CORPORATE
SERVICES**

- 1.1 The attached report, which was considered by the Environment and Sustainability Scrutiny Committee on 17th September 2019 detailed a Notice of Motion, received from Councillor J. Pritchard and supported by Councillors Mrs E.M. Aldworth, W. David, P. Bevan, L. Whittle, G. Kirby, S. Morgan, A. Hussey, Mrs B. Jones, Mrs T. Parry, R. Gough, A. Farina-Childs, C. Cuss, G. Johnston, B. Owen, K. Etheridge, C. Mann, Mrs D. Cushing, A. Whitcombe, Mrs D. Price, Mrs A. Gair, Mrs C. Andrews, Mrs P. Marsden, Mrs A. Leonard, A. Collis, A. Angel, Mrs P. Leonard, L. Jeremiah, W. Williams, A. Higgs, S. Morgan, S. Cook, J. Simmonds, J. Taylor, T.J. Williams, D.W.R. Preece and Mrs Eluned Stenner. The Scrutiny Committee were asked to consider the Notice of Motion as set out in paragraph 5.1 of the report and make an appropriate recommendation to Council, in accordance with Rule 11(3) of the Council's Constitution.
- 1.2 Members considered the following Notice of Motion:
 - Ban outright the giving of live animals as prizes, in any form, on Caerphilly County Borough Council land.
 - Write to the Welsh Government, urging an outright ban on the giving of live animals as prizes on both public and private land in Wales.
- 1.3 The Committee heard evidence from Mr C. O'Brien of the RSPCA that supported the Notice of Motion. Committee members were advised of the impact upon animal welfare and it was noted how Goldfish are easily stressed and very often suffer from shock, oxygen starvation or die from changes in water temperature, with many dying before their new owners get them home. The Committee were advised that people that are acquiring a new pet should only do so after careful planning and consideration and anyone given Goldfish as prizes normally do not have an aquarium set up. The RSPCA believe that a Scottish-like outright ban on animals as prizes by Welsh Government is the most effective means to prevent animals being given as prizes.
- 1.4 During the course of the ensuring debate, Members offered their support for the Motion and were keen that a ban is applicable to all parts of the county borough, it was felt that by supporting a ban on county borough land that this would highlight the issue and might encourage private landowners to follow suit. The Committee sought further information on whether Licensing could also be used to prevent the offering of animals as prizes on applications for events on private land.
- 1.5 Following consideration and discussion the Environment and Sustainability Scrutiny Committee unanimously endorsed the Notice of Motion and recommended its acceptance to Council.
- 1.6 Council is now asked to consider the attached Notice of Motion.

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Appendices:

Appendix Report to Environment and Sustainability Scrutiny Committee Report 17th September 2019 – Agenda Item 7



ENVIRONMENT AND SUSTAINABILITY SCRUTINY COMMITTEE - 17TH SEPTEMBER 2019

**SUBJECT: NOTICE OF MOTION – BAN ON ANIMALS AS PRIZES ON
CAERPHILLY COUNTY BOROUGH LAND**

**REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND CORPORATE
SERVICES**

1. PURPOSE OF REPORT

- 1.1 The Environment and Sustainability Scrutiny Committee is asked to consider the Notice of Motion as set out in paragraph 5.1 of the report and make an appropriate recommendation to Council, in accordance with Rule 11(3) of the Council Procedure Rules which are set out in Part 4 of the Council's Constitution.

2. SUMMARY

- 2.1 A Notice of Motion has been received from Councillor J. Pritchard and is supported by Councillors J. Simmonds, Mrs E.M. Aldworth, W. David, P. Bevan, L. Whittle, G. Kirby, S. Morgan, A. Hussey, Mrs B. Jones, Mrs T. Parry, R. Gough, A. Farina-Childs, C. Cuss, G. Johnston, B. Owen, K. Etheridge, C. Mann, Mrs D. Cushion, A. Whitcombe, Mrs D. Price, Mrs A. Gair, Mrs C. Andrews, Mrs P. Marsden, Mrs A. Leonard, A. Collis, A. Angel, Mrs P. Leonard, L. Jeremiah, W. Williams, A. Higgs, S. Morgan, A. Hussey, Mrs B. Jones, S. Cook, J. Simmonds, J. Taylor, T.J. Williams, D.W.R. Preece and Mrs Eluned Stenner.
- 2.2 The Notice of Motion meets the criteria set out in the Council's Constitution and in accordance with the Council's Rules of Procedure in now referred to Scrutiny for consideration.

3. RECOMMENDATIONS

- 3.1 The Environment and Sustainability Scrutiny Committee are asked to consider the Notice of Motion outlined in paragraph 5.1 and make an appropriate recommendation to Council.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 In accordance with the Rules of Procedure as set out in the Council's Constitution.

5. THE REPORT

5.1 Councillor J. Pritchard requests in his Notice of Motion that Council: -

- (i) ban outright the giving of live animals as prizes, in any form, on Caerphilly County Borough Council land;
- (ii) write to the Welsh Government, urging an outright ban on the giving of live animals as prizes on both public and private land in Wales

5.2 The following information from the RSPCA supports the Notice of Motion: -

Animal ownership is a big responsibility, one that should be planned and well thought out. Animals often do not have their welfare needs met both prior to, during and after being given as a prize.

- Since 2014, there have been 24 cases reported to the RSPCA of live animals being given as prizes in Wales. Of these 60% were goldfish being given at fairgrounds; however other animals including dogs, ducklings and horses were also reported during this period.
- Under the Animal Welfare Act 2006, it is an offence to give an animal as a prize to anyone under the age of 16, except within the family context. RSPCA Cymru believes that this does not go far enough, and would like to see legislation introduced similar to that within the Animal Health and Welfare (Scotland) Act 2006, which states that it is an offence to give an animal as a prize, regardless of age, except within the family context.
- Caerphilly County Borough Council has the opportunity to ban the giving of live animals as prizes on Council owned land, ensuring the welfare of these animals is not compromised, as well as raising public awareness of the issue and leading the way on ending this outdated practice.

Animals as Prizes and the impact on their welfare

RSPCA Cymru is firmly opposed to the giving of live animals as prizes. Animal ownership is a big responsibility that needs to be planned and well-thought out, in order to help provide the best quality of life for that animal - not a spur of the moment event resulting from a game.

While a range of animals are given as prizes each year in Wales and the rest of the UK, goldfish are the animal most commonly associated with pets as prizes. Goldfish are easily stressed and very often fish that are won as prizes suffer miserably from shock, oxygen starvation or die from changes in water temperature and many will die before their new owners can get them home.

People who are given goldfish as a prize do not normally have an aquarium set up so may keep them in unsuitable environments (such as fish bowls) and some fish may even get illegally dumped in local waterways. Fish bowls do not allow for appropriate oxygenation of the water and keeping fish in a small volume of water will also lead to high levels of ammonia, which can cause disease. Bowls provide limited or no opportunities for enrichment, shelter, company or a stable temperature, all of which are important factors in providing fish with a suitable living environment.

Acquiring an animal to be kept as a pet should be the result of careful planning and prior consideration. The prospective owner should have a clear understanding of the responsibilities involved and carefully consider whether they have, and will continue to have, the facilities, time, financial means and level of interest necessary to ensure a satisfactory standard of care for their animal prior to acquiring it.

The need for a voluntary ban

Ultimately, RSPCA Cymru believes that the introduction of a Scottish-like outright ban on animals as prizes on both public and private land by the Welsh Government is the most effective means to prevent animals being given thoughtlessly as prizes and therefore ensuring the welfare of these animals.

However, in implementing a ban on Council-owned land, Caerphilly County Borough Council could deliver a powerful message to the local community, Welsh Government and their counterparts in England and other parts of the world, where a ban on the giving of animals as prizes has not yet been sanctioned.

The Local Authority, as such, not only has the opportunity to ban the giving of live animals as prizes on their land, but also - in the process - to raise wider public awareness as to the impact that this practice has on the welfare of the animals.

6. ASSUMPTIONS

- 6.1 As a notice of motion is a procedural matter and must be dealt with in accordance with Council's Constitution, no assumptions have been made.

7. LINKS TO RELEVANT COUNCIL POLICIES

- 7.1 The procedural rules regarding a Notice of Motion are contained within Council's Constitution as adopted in May 2002. The Council's Constitution sets out the framework for the decision making roles and responsibilities which will impact on future generations.

8. WELL-BEING OF FUTURE GENERATIONS

- 8.1 The Notice of Motion is consistent with the five ways of working as defined within the act as it complies with the rules and regulations of the Council's Constitution which sets out a clear framework for how the Council operates in particular decision making responsibilities which will consider the positive and negative impacts on future generations, long term resilience, economic, environmental and social capital.

9. EQUALITIES IMPLICATIONS

- 9.1 There are no specific equalities implications that directly affect the Council arising from the report.

10. FINANCIAL IMPLICATIONS

- 10.1 There are no financial implications associated with this report.

11. PERSONNEL IMPLICATIONS

11.1 There are no personnel implications associated with this report.

12. CONSULTATIONS

12.1 There has been no consultation undertaken.

13. STATUTORY POWER

13.1 Local Government Act 1972

Author: Emma Sullivan (Senior Committee Services Officer)

Appendices: Appendix 1 Copy of Notice of Motion.

NOTICE OF MOTION**BAN ON ANIMALS AS PRIZES ON CAERPHILLY COUNTY BOROUGH LAND**

To consider the undersigned Notice of Motion standing in the name of County Borough Councillor J. Pritchard and supported by the Councillors listed below.

We the undersigned elected members call on the Environment and Sustainability Scrutiny Committee to support the Notice of Motion and make a recommendation to Council.

We are concerned about the number of cases reported to the RSPCA each year, regarding pets given as prizes via fairgrounds, social media and other channels in Wales.

We are concerned for the welfare of those animals that are being given as prizes.

We are concerned that many cases of pets being given as prizes may go unreported each year in Wales.

We therefore call on this Council to support a move to ban the giving of live animals as prizes, in any form, on Caerphilly County Borough Council land.

We ask that the Council: -

- (i) ban outright the giving of live animals as prizes, in any form, on Caerphilly County Borough Council land;
- (ii) write to Welsh Government urging an outright ban on giving of live animals as prizes on both public and private land in Wales.



Councillor J. Pritchard

Supported via email:

Councillors J. Simmonds, Mrs E.M. Aldworth, W. David, P. Bevan, L. Whittle, G. Kirby, S. Morgan, A. Hussey, Mrs B. Jones, Mrs T. Parry, R. Gough, A. Farina-Childs, C. Cuss, G. Johnston, B. Owen, K. Etheridge, C. Mann, Mrs D. Cushion, A. Whitcombe, Mrs D. Price, Mrs A. Gair, Mrs C. Andrews, Mrs P. Marsden, Mrs A. Leonard, A. Collis, A. Angel, Mrs P. Leonard, L. Jeremiah, W. Williams, A. Higgs, S. Morgan, A. Hussey, Mrs B. Jones, S. Cook, J. Simmonds, J. Taylor, T.J. Williams, D.W.R. Preece and Mrs Eluned Stenner.