

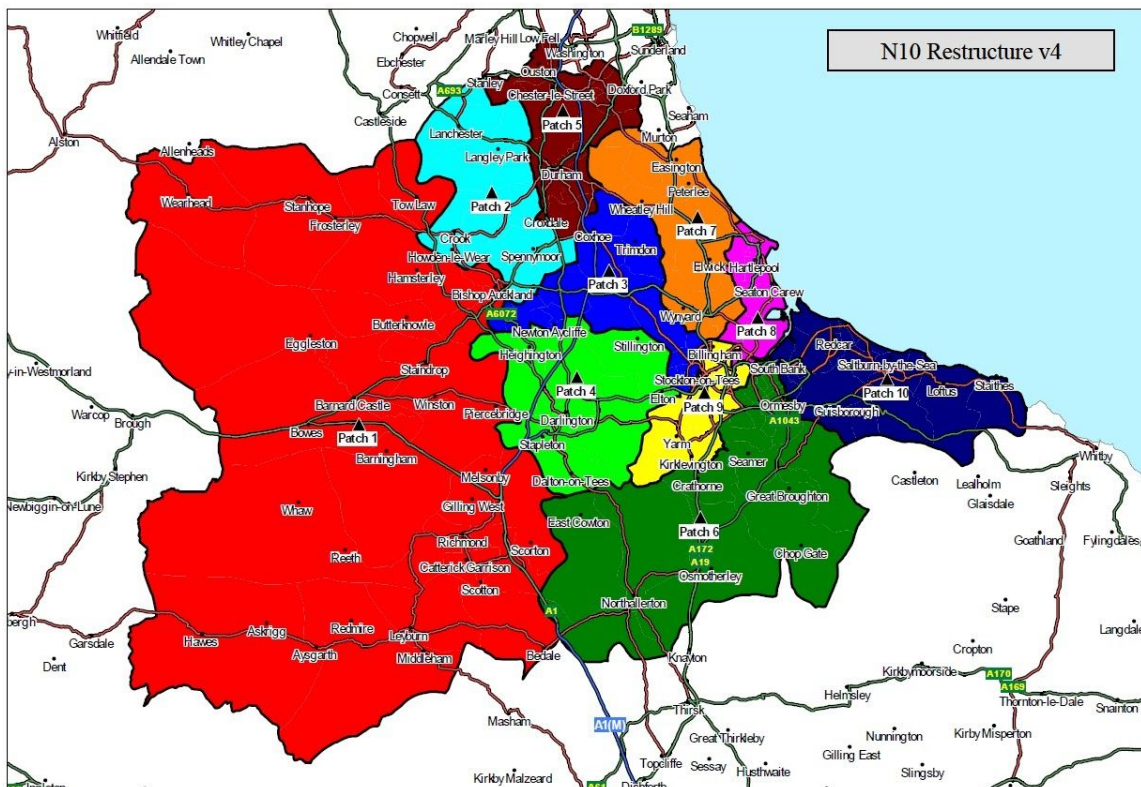
## Stockton On Tees - Review of Fly Grazing Horses - RSPCA

### - RSPCA Roles and Responsibilities in Equine Matters

The RSPCA is a registered Charity which relies purely on donations from members of the public. We do not receive any money from the government. The RSPCA runs an Animal Welfare Service 24/7 365 days a year. We have no legal responsibilities but use current legislation to investigate Animal Cruelty and educate animal owners on welfare standards.

Nationally we have approximately 340 RSPCA Inspectors, 50 animal welfare officers (AWOs) and 88 animal collection officers (ACOs).

My team covers the area below and we are responsible for attending calls within that area but cover further afield if needed (workload dependant).



Within that area I have on average 8 officers working daily during the week and between 2 and 4 officers over the weekend.

What is the problem?

The number of horses requiring help from the RSPCA and other rescues in England continues to outpace the 3,000-4,000 spaces available in England's rescues, and the number of reports from the public regarding poor equine welfare remain persistently high. For instance in 2019 the RSPCA investigated over 11,000 welfare complaints involving over 35,000 equines and took in 865 horses a slight increase on the previous year. 294 of these horses were taken in from the North of England, a third of the total the RSPCA took in in England and Wales. The RSPCA has spaces in its centres for around 175 horses so all the remainder in our care, some 80% at December 2019 are in private boarding. This obviously is hugely financial burden for the Society, costing around £3 million a year aside from any enforcement costs arising from inspectorate time and prosecution costs,

These horses are owned by dealers, breeders, the travelling community, private owners and sanctuaries. Some of these owners are animal hoarders; others from owners denying any responsibility for them and some are simply abandoned. The problem is not due to naïve owners buying a pony and not knowing how to look after it (though this still does indeed occur) but is caused by horse owners who breed and keep more horses than they can care for. There are simply more horses being bred than there are homes for, with many of these horses having little commercial value. Overbreeding is largely driven by breeders and dealers with an underlying commercial interest, either producing horses as collateral for trading or their meat value on the continent, or in hopes that they will 'breed the one' horse which has great market value and will return a profit.

The number of welfare investigations fluctuate year on year, but over the past ten years there has been a marked increase in the number of cases involving large groups of horses, some with 100 or more horses at a time. These large cases often involve multiple agency coordination to resolve which is both time consuming and resource intensive for charities and the taxpayer.

Some of the problems started and can be traced back to the recession in the late 2000s but since this date the problem has never been got on top of for either local authorities or equine rescues. During this time legislation did change and had an impact in some areas. The Control of Horses Act 2015 has been enforced particularly well in Northumberland and Hartlepool leading to a reduction of horses being fly grazed in those areas. Crucially the identification legislation has never been adequately enforced and so the numbers of equine at welfare risk has stubbornly remained high. It is estimated that there are over 2,500 horses at risk in the North of England of which around 1,000 are being illegally fly grazed. The North has a particular problem compared to other parts of England and this may be historical (the link between mining and the use of horses in the Northeast may be linked to numbers of horses kept in certain areas) and may be linked to lack of enforcement by local authorities.

Main issues seen around Equines in the North East are as follows :-

1. Animal cruelty offences under the Animal Welfare Act 2006
  - Section 4 Offences - The animals are suffering unnecessarily
  - Section 9 Offences - These are where a person responsible for the animal has failed to meet the animals needs - ie to provide the animal with a suitable environment.
2. Horses not microchipped and passported. This prevents identification of an owner which creates problems for us to take action and also rectify problems before they spiral.
3. Horses having been microchipped - the owners or microchipper not registering the chip details.
4. Horses straying on the Highway - these are referred to the police
5. Abandoned horses - both on private land and council land. The responsibility for these horses falls on the land owner. We do investigate if there is a significant welfare concern.

## Enforcement

Enforcement needs to drive a change in culture towards accountability. At present the lack of enforcement, particularly on equine id has meant that irresponsible horse owners can get away fly grazing their animals illegally, abandoning their horses or simply not identifying them legally. This makes enforcement of welfare offences for the RSPCA particularly problematic. There is a clear delineation as to which agency is responsible for enforcement:

The RSPCA is responsible for around 85% of enforcement under the Animal Welfare Act 2006 and so is the principle organisation that investigates incidents of equine cruelty. However the RSPCA has no powers of seizure or entry on to land and does not investigate licencing issues which is the responsibility of the local authority.

The local authority is responsible for equine identification. of the local authority. Equine ID is crucial as without enforcement of this there is no link to the horse owner. It was introduced in 2009 and has never truly been enforced by Local Authorities, meaning owners are not held accountable for their horses. Compliance with the law is patchy and a significant number of owners neglect to microchip their horses or update their details to passport issuing organisations making it almost impossible to link an accountable owner to a maltreated horse. New legislation introduced in 2018, which incorporates a central equine database and allowing the use of fixed penalty notices for breaches, has the potential to help rectify this situation. It requires all horses in England to be microchipped and their up-to-date data held on the central equine database, hence enabling local authorities to check

ownership and issue civil sanctions for breaches. It is possible with FPNs under the legislation for enforcement to be cost neutral to the local authority.

Fly grazing of horses is the responsibility of the land owner who is the only person that can institute proceedings under the Control of Horses Act 2015. Seizure or removal of horses under this Act can only be done by a statutory agency either the police or the local authority.

Below is a table of horse related incidents the RSPCA have dealt with which resulted in the removal of horses.

There are a lot more instances/incidents we are dealing with in each of the areas but these have not been documented if the equine has remained in situ.

Figures in the North East Area.

## 2015

North East Equine Removals 2015									
A	B	C	D	E	F	G	H	I	J
2015	Council Area	Equine Instances	Local Area	Equine removed	Council Land	Private Land	Industrial	Unknown	Notes
	Darlington	1	Skerne Park	1	yes				
		1	Outskirts	2	Yes				
	<b>Total</b>	<b>2</b>							
	Stockton	1	A67	2		yes			Police Secured straying horses we collected
		1	Port Clarence	1	yes				Tethered
	<b>Total</b>	<b>2</b>							
	HJartlepool	1	Wingate	2		yes			
		1	Peterlee	1				yes	Tethered on wasteland
		1	Wingate	1				yes	Tied to Tree
		1	Wolvistion	1		Yes			Horse abandoned in field
		1	Wheatley hill	1					Running loose Police tied to gate
		1	Peterlee	1					Running loose on Industrial Estate
		1	Wingate	1		Yes			Abandoned in Stables
		1	Wheatley hill	1	Yes				Loose on main Road
		1	Peterlee	1			yes		Loose on main Road
	<b>Total</b>	<b>10</b>							
	Redcar	1	Warrenby	1	Yes				
		1	Lazenby	8	Yes				Allotments
		1	Lazenby	1	Yes				Allotments
	<b>Total</b>	<b>3</b>							
	Middlesbrough	1	Dockside	1	Yes				Abandoned injury to leg
	<b>Total</b>	<b>1</b>							
	<b>Total</b>	<b>17 Instances</b>		<b>27 Horses</b>					

## 2016

North East Equine Removals 2016									
A	B	C	D	E	F	G	H	I	J
2016	Council Area	Equine Instances	Local Area	Equine removed	Council Land	Private Land	Industrial	Unknown	Notes
	Hartlepool	1	Trimdon	6		Yes			Abandoned in poor condition
		1	Trimdon Station	1					Abandoned collapsed
	<b>Total</b>	<b>2</b>							
	Stockton	1	Norton	2	Yes				
		1	Thorpe Thewles	1	Yes				4 loose 3 hit by car PTS
		1	Stockton	1		Yes			In rear garden of property signed over
	<b>Total</b>	<b>3</b>							
	Middlesbrough	1	Grangetown	2	Yes				Emaciated
		1	Grangetown	1		Yes			Running Loose police put in front garden
	<b>Total</b>	<b>2</b>							
	Darlington	1	Croft	5		Yes			5 abandoned poor condition
	<b>Total</b>	<b>1</b>							
	<b>Total</b>	<b>8</b>							
	<b>Total</b>	<b>8 Instances</b>		<b>19 horses</b>					

## 2017

North East Equine Removals 2017 ☆

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A	B	C	D	E	F	G	H	I	J
2017	Council Area	Equine Instances	Local Area	Equine removed	Council Land	Private Land	Industrial	Unknown	Notes
	Darlington	1	Haughton	3		Yes			Poor conditions
		1	Burtree	3		Yes			Running Loose police put into field
		1	Hurworth Moor	1		Yes			Foal left to die
	<b>Total</b>	<b>3</b>							
	Stockton	1	Port Clarence	1	Yes				Allotments injuries to legs
	<b>Total</b>	<b>1</b>							
	Hartlepool	1	Wheatley Hill	5	Yes				Abandoned on council land
		1	Blackhall Colliery	1	yes				
		1	Shotton Colliery	2		Yes			Both running loose 1 with broken leg
		1	Station Town	1		Yes			abandoned maggot infested
		1	Station Town	1		Yes			Poor condition
		1	Peterlee	3			Yes		tethered poor conditions
		1	Wolviston	2		Yes			Land owned by highways - abandoned
	<b>Total</b>	<b>7</b>							
	Redcar	1	Redcar	10		Yes			Poor conditions
		1	Dormanstown	1			Yes		8 horses removed 1 abandoned in poor cond
	<b>Total</b>	<b>2</b>							
	Middlesbrough	1	Palister Park	1		Yes			Running loose put into a garden
		1	Southbank	1	Yes				Running loose put into a garden
		1	Nunthorpe	1	Yes				Collapsed and dumped
	<b>Total</b>	<b>3</b>							
	<b>Total</b>	<b>16 Instances</b>		<b>37 Horses</b>					

## 2018

North East Equine Removals 2018 ☆

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A	B	C	D	E	F	G	H	I	J
2018	Council Area	Equine Instances	Local Area	Equine removed	Council Land	Private Land	Industrial	Unknown	Notes
	Hartlepool	1	Hutton Henry	2				Yes	Running loose put in private field
		1							
	<b>Total</b>	<b>2</b>							
	Stockton	1	Norton	2	Yes				2 running Loose on park
	<b>Total</b>	<b>1</b>							
	Middlesbrough	1	Middlesbrough	4	Yes				Poor conditions
		1	SouthBank	3	Yes				3 foals in poor condition
		1	TS6	1	Yes				Sick foal left in housing estate
	<b>Total</b>	<b>3</b>							
	Darlington	1	Beaumont Hill	2	Yes				Abandoned in poor cond and keep escaping
	<b>Total</b>	<b>1</b>							
	Redcar	1	Marske	2		Yes			Emaciated
		1	Redcar	4		Yes			1 Collapsed 3 removed
	<b>Total</b>	<b>2</b>							
	<b>Total</b>	<b>9 Instances</b>		<b>20 Horses</b>					

2019

2019	Council Area	Equine Instances	Local Area	Equine removed	Council Land	Private Land	Industrial	Unknown	Notes
	Hartlepool	1	Fishburn	4		Yes			Abandoned emaciated
		1	Blackhall Colliery	1		Yes			In Garden signed over
		1	Wheatley Hill	9		Yes			Poor condition
		1	Shotton Colleiry	1		Yes			Poor Condition
	<b>Total</b>	<b>4</b>							
	Stockton	1	A67	1		Yes			Foal collapsed
		1	Belasis Ind	1	Yes				Overgrown feet
		1	Billingham	2		Yes			Poor Condition
	<b>Total</b>	<b>3</b>							
	Middlesbrough	1	manion Park	1	Yes				Poor Condition tethered
		1	Southbank	1		Yes			Injury to leg
	<b>Total</b>	<b>3</b>							
	Darlington	1	Hurworth Moor	1		Yes			Abandoned foal in poor condition
	<b>Total</b>	<b>1</b>							
	Redcar	1	Dormanstown	8			Yes		8 foals abandoned in poor condition
		1	Redcar	1			Yes		Emaciated dumped on lane
		1	Redcar	1		Yes			Owner Banned
	<b>Total</b>	<b>3</b>							
	<b>Total</b>	<b>14 instances</b>		<b>32 horses</b>					

There have been another few incidents but I am unable to provide a date, in Port Clarence there was a horse struck by a HGV lorry, the horse died as a result.

There was also a horse killed on the A177 just outside Stockton.

Recently there was a horse knocked over and killed on Durham Lane, Eaglescliffe.

In relation to the Stockton Equine incidents in particular I can expand on some of the incidents we have dealt with to put a little more detail on what we did.

There have been 2 incidents where horses have been removed from the same field, it is privately owned and we are aware of the owner. The issue has been that on both occasions in 2015 and 2019 the owner has claimed ownership of the other horses in the field but not the ill/ emaciated or collapsed ones.

In Port Clarence the tethered horse was on council land with no food or water provided, we attended due to welfare concerns. Due to the horse being in very poor bodily condition it was removed. No owner was found and it was not chipped.

In Norton there was a Mare which was tethered with a foal which was loose, It was inappropriate to tether this horse in that way and it was removed and no owner was found. It also was not chipped.

2 Horses in Grangetown were removed as they were emaciated - no owner was found and they were not microchipped.

There was a horse removed from a housing association address in Stockton , the horse was kept in the rear garden and was thin. The owner signed the horse over.

There have been 3 horses removed from allotments in Stockton due to poor conditions and injuries.

There are a number of incidents where we believe it may be the same individual who owns the horses but again proving ownership of these horses proves very difficult. Horses loose near Norton, tethered in the Stockton area, may be owned by the same family.

There are a number of different approaches councils and police have taken and most are available on the internet.

In 2013 Hartlepool Council launched an initiative which was very successful in their area targeting horses tethered and loose on council land. This involved a media campaign warning horse owners and land owners that a crack down on equines in the area was about to happen. Their approach was to split the area into 2. The idea was to map the area, logging where the horses are, identify them and photograph them, all horses were logged. Signs were erected near to all of the horses giving them notice. Out of 30 horses identified all but 5 were removed. These were then removed by bailiffs.

The second phase was a much larger area, again the same happened, what was noted that some of the horses from the first phase now were tethered in the 2nd phase area. There were about 100 horses in Phase 2. During the mapping process a number of horses were moved around so several notices were issued to individual horses at different sites. This lead to a number of horses now being tethered on private land. It did reduce the number of horses in and around Hartlepool as it was reported that 15 horses had been taken to slaughter by their owners.

Since 2012 County Durham County council have been very proactive with equine issues, they have dedicated wardens who attend incidents in relation to equines and they did have a substantial budget to allow them to lift horses with the assistance of bailiffs.

This has reduced the number of equine issues in around that area, including a significant reduction in accidents and reports of horses on the highway.

There has also been proactive work done with a number of individuals who have high numbers of equines in that area.

In Northumberland County Council they also lifted a number of horses from areas using bailiffs, they also tried using CPN notices as well.

#### Solutions

- Licensing of rescue and equine rehoming centres: all equine sanctuaries, rescue and rehoming centres should be licensed as there is no regulation at present - anyone can set up an organisation and say they are a horse sanctuary, rescue or rehoming centre, whether as



a registered charity or not. This will help to protect the welfare of the vulnerable animals that often end up in sanctuaries and rehoming centres and provide safeguards for those involved in their care. Central Government are due to consult on a licensing system in Spring 2020. The RSPCA supports this move.

- A link between horses and owners: this can only be done by the local authority enforcing equine identification laws, improving accountability for irresponsible horse ownership. Stockton BC should be encouraged to check compliance and issue civil sanctions including on the spot fines of £200 for not adhering to the identification regulations. This is particularly so for any horses kept on Council owned land such as traveller sites. If Stockton prioritised resources for enforcement of passport regulations this could begin to solve the issue of unidentified horses in the area. Equine rescue organisations already undertake training for local authorities and are happy to continue this work. It could be cost neutral if FPNs are used and by liaising with police forces who have green yards costs can be lowered for the local authority. Costs of enforcement, which may seem high for local authorities at the outset, will reduce over time as the problem is rectified. Costs also do not take into account the costs that Stockton BC incur now through time taken to take calls, investigate issues or costs to the police resulting from highway offences from straying horses or road traffic accidents caused by loose horses.

- Engagement with horse breeders: This needs to be done to share good practice by liaising with hard to reach communities to stem indiscriminate breeding and poor management and encourage compliance with equine ID regulations. Welfare charities and local authorities have many good case studies on teaching these communities about better horse care and helping foster behaviour change, including discounted passport, microchipping and gelding clinics. The RSPCA is keen and happy to work with Stockton on this issue.

Having worked with a number of organisations and councils etc the only way of dealing successfully with the equine problems we all face is a joint approach, with clear policies of how to deal with each issue. It needs the relevant agency taking a proactive approach to dealing with this problem and taking their legal responsibility to each problem each agency has responsibility for.