

Crime and Disorder Select Committee
Review of Fly-Grazed Horses
Outline Scope

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Which of our strategic corporate objectives does this topic address?

The review will contribute to the following Council Plan 2019-2022 key objectives:

- Environment and Housing: *Deliver effective environmental services*
- Community Safety: *Deliver effective community safety services*

What are the main issues and overall aim of this review?

Fly-grazed horses are those that are being deliberately allowed to graze on land without the landowner's (private or Local Authority) permission – this can either be on a tether or allowed to roam free on the land. Fly-grazing differs from abandonment, which is where a horse is deliberately left by an owner on a permanent basis, or for a long enough period, with no intention to provide for their horse's needs that leads to unnecessary suffering.

Due to the nature of land used for fly-grazed horses, it can lead to issues in terms of welfare concerns for the horse and also pose a risk to public health / safety. Welfare issues can arise from the lack of suitable grazing, water, environmental issues and physical injury. Fly-grazed horses pose a real risk to public health; whether wandering onto roads due to being grazed on land with inadequate or poorly maintained fencing (as happened during an incident on Durham Lane, Eaglescliffe in October 2019), or breaking free from tethers. Horses may also be left to graze in public spaces, making footpaths, play areas and nature reserves unsafe for users / pedestrians, and create significant restoration costs caused by damage to Council assets / land.

The local environment is impacted by the poor public perception of illegally fly-grazed horses which may deter individuals from such areas, or even future investment or regeneration of an area.

Whilst the Council currently deals with incidents for which it is responsible in a responsive and effective manner, there is currently no formal policy regarding fly-grazed horses. In addition, there is currently no dedicated budget provision for responding to such horse issues, which has implications both for responding to incidents and developing a formal policy.

This topic raises a number of questions about the roles and legal responsibility of various

individuals / organisations (e.g. the Council, Police, RSPCA, landowners, horse owners) depending upon various factors such as the condition of the horses, where they are grazing and when they get loose. There are also financial and staff resource implications for the Council if others with responsibility do not fulfil their legal obligations.

This review aims to:

- Establish the Council's and other relevant organisations' roles and responsibilities for fly-grazed horses on both Council and non-Council land.
- Identify the extent of concerns across the Borough in relation to fly-grazed horses, understand the costs to the Council in undertaking its statutory responsibilities (and beyond), and ascertain any potential sources of future funding.
- Aid in reducing service demand by considering more proactive means of addressing fly-grazed horses via education or enforcement options which may be used with horse-owners.
- Provide conclusions and recommendations that will inform the creation of a formal Council fly-grazed horses policy.

The Committee will undertake the following key lines of enquiry:

What are the Council's statutory responsibilities, and how does this compare to partner organisations who are involved with this issue? How does this differ between fly-grazed horses on Council and non-Council land?

What resources does the Council currently have to deal with fly-grazed horses, and how has this changed over time?

Where in the Borough is this issue seen; are there any historical trends in terms of geographical locations? Why are horses fly-grazed? What concerns are the public raising (e.g. damage to land, danger to community, horse welfare)?

What has been done to deal with identified cases and what are the costs involved? How effectively are partners working together and do they understand each other's remits?

How does / has the Council work/ed with landowners and horse-owners to address concerns around the fly-grazing of horses? What options exist to potentially reduce the demand on Council services?

How do other Local Authorities manage this issue and what can be learnt?

Based on the evidence gathered, what are the key principles that should be incorporated into the formulation of a new Council policy on fly-grazed horses?

Who will the Committee be trying to influence as part of its work?

Cabinet, Council, Cleveland Police, RSPCA, landowners, horse-owners.

Expected duration of review and key milestones:

5 months (reporting to Cabinet in December 2020).

What information do we need?

Existing information (background information, existing reports, legislation, central government documents, etc.):

- Control of Horses Act 2015

<p>Who can provide us with further relevant evidence? (Cabinet Member, officer, service user, general public, expert witness, etc.)</p>	<p>What specific areas do we want them to cover when they give evidence?</p>
<p>Local Authority</p>	<ul style="list-style-type: none"> ➤ Role and responsibility around this issue ➤ Past and present resourcing / costs ➤ Mapping of cases and how dealt with ➤ Working with partners / landowners / horse-owners
<p>Cleveland Police</p>	<ul style="list-style-type: none"> ➤ Role and responsibility around this issue ➤ Reported incidents and how these were dealt with ➤ Working with partners / landowners / horse-owners
<p>Thirteen Housing Group</p>	<ul style="list-style-type: none"> ➤ Cases on Thirteen land and how this is managed
<p>RSPCA</p>	<ul style="list-style-type: none"> ➤ Role and responsibility around this issue ➤ Awareness of other approaches
<p>Other Local Authorities / Police Forces</p>	<ul style="list-style-type: none"> ➤ Approaches to this issue / formal policies / best practice
<p>Horse-Owners</p>	<ul style="list-style-type: none"> ➤ Views around this issue
<p>How will this information be gathered? (eg. financial baselining and analysis, benchmarking, site visits, face-to-face questioning, telephone survey, survey)</p>	
<p>Committee meetings, reports, research.</p>	
<p>How will key partners and the public be involved in the review?</p>	
<p>Committee meetings, information submissions.</p>	
<p>How will the review help the Council meet the Public Sector Equality Duty?</p>	
<p>The Public Sector Equality Duty requires that public bodies have due regard to the need to advance equality of opportunity and foster good relations between different people when carrying out their activities. This review will be mindful of these factors.</p>	
<p>How will the review contribute towards the Joint Strategic Needs Assessment, or the implementation of the Health and Wellbeing Strategy?</p>	
<p><u>Stockton-on-Tees Joint Health and Wellbeing Strategy 2019-2023</u>: All people in Stockton-on-Tees live in healthy places and sustainable communities – live safely and be protected from harm.</p>	
<p>Provide an initial view as to how this review could lead to efficiencies, improvements and/or transformation:</p>	

Savings and reducing demand on service will be achieved by considering the Council's policy position and clarifying the legal responsibility of others involved.

There is a risk of reputational damage to the Council as there is a perception held by many that the Council is responsible regardless of where the horses are being fly-grazed. This review will help to clarify the role of all relevant parties.

Project Plan

Key Task	Details/Activities	Date	Responsibility
Scoping of Review	Information gathering	November 2019	Scrutiny Officer, Link Officer
Tri-Partite Meeting	Meeting to discuss aims and objectives of review	10.12.19	Select Committee Chair and Vice Chair, Cabinet Member(s), Director(s), Scrutiny Officer, Link Officer
Agree Project Plan	Scope and Project Plan agreed by Committee	19.12.19	Select Committee
Publicity of Review	Determine whether Communications Plan needed	TBC	Link Officer, Scrutiny Officer
Obtaining Evidence	Local Authority Cleveland Police Thirteen Housing Group RSPCA Local Authority Cleveland Police Horse Owners SBC Land & Property Other Councils/Police	30.01.20 05.03.20 PAUSED (Covid-19) 30.07.20 10.09.20	Select Committee
Members decide recommendations and findings	Review summary of findings and formulate draft recommendations	08.10.20	Select Committee
Circulate Draft Report to Stakeholders	Circulation of Report	October 2020	Scrutiny Officer
Tri-Partite Meeting	Meeting to discuss findings of review and draft recommendations	TBC	Select Committee Chair and Vice Chair, Cabinet Member(s), Director(s), Scrutiny Officer, Link Officer
Final Agreement of Report	Approval of final report by Committee	05.11.20	Select Committee, Cabinet Member, Director
Consideration of Report by Executive Scrutiny Committee	Consideration of report	08.12.20	Executive Scrutiny Committee
Report to Cabinet/Approving Body	Presentation of final report with recommendations for approval to Cabinet	17.12.20	Cabinet / Approving Body