



Llywodraeth Cymru  
Welsh Government

**WELSH GOVERNMENT**

**FLY GRAZING AND THE ABANDONMENT OF HORSES AND PONIES: ACTION PLAN**

**OCTOBER 2013**

# Fly Grazing and Abandonment of Horses and Ponies: Action Plan

## Action Plan

### Introduction

An 8 week consultation entitled '*Fly Grazing and Abandonment of horses and ponies – delivering a long term solution*' was launched by the Welsh Government on 4 March 2013. The purpose of the consultation was to look at the current legislative framework to determine whether it addressed the situation currently faced by local authorities, emergency services and others and identify whether there are gaps that the Welsh Government could address to provide enforcement authorities with more appropriate means of dealing with fly grazing and abandonment of horses in Wales.

602 responses were received. 60 of the responses were identified as coming from outside the UK so were excluded from the consultation analysis. The remaining 542 responses provided considerable insight into what was perceived to be the problem and how the Welsh Government and other agencies might tackle the issue. Along with strengthening or developing legislation, many respondents used the opportunity to provide ideas of a non-legislative type around a range of related equine issues.

These additional solutions or ideas have been captured in the following Action Plan and it is proposed that many of these suggestions be taken forward alongside the Control of Horses (Wales) Bill. The suggestions are grouped into the following themes, each of which include a Welsh Government response: Commons and Common Land, Identification, Breeding and Ownership, Education and Awareness, Welfare, Guidance and Controls and Ad Hoc suggestions.

The suggestions in this Action Plan to deal with a range of equine issues also include those suggestions agreed by the All Wales Equine Task Force (membership: Welsh Government, Welsh Local Government Association, the 4 Police Services in Wales, the Fire and Rescue Service and the RSPCA).

## **Measuring success**

Of the 82 consultation suggestions, 21 have been accepted, 25 have been partially accepted and the remaining 36 are either considered not suitable to take forward or are already being delivered as part of the wider response to fly grazing.

The 46 suggestions that the Welsh Government intend to take forward – these largely involve action from other stakeholders as well as action for Government - have been given timescales for delivery and fall into 3 categories – Short term (S), Medium Term (M) and Longer term (L)

- By March 2014 the Short term suggestions must be in place
- By December 2014 the Medium term suggestions must be delivered
- By December 2015 the Longer term suggestions must be delivered in full

It is considered that 13 of the suggestions can be implemented in the short term, 29 fall to the medium term and 8 are long term.

The Welsh Government is committed to ensuring that policies are put in place to deliver an efficient and effective equine action plan. To do this the Welsh Government wish to work closely with its stakeholders and partners to ensure in each case that the most appropriate solutions are found to each problem.

Together with the new legislation, the Control of Horses (Wales) Bill, it is proposed that the consultation suggestions listed below will work in conjunction with the new law and provide enforcement authorities and all those involved in equine management with the relevant tools to deal with the issue of fly grazing and abandonment.

## COMMONS AND COMMON LAND

	Suggestion	Welsh Government response	Accepted Yes / No / Partially	Action to be taken and timeframe (Short / Medium / Long term)
1.	Improved liaison between local authorities (LAs) and commoners where abandonment is a major problem in order to arrange for the removal of legitimate commoners ponies for a short period of time in order to identify and remove those that are illegally grazed.	Welsh Government worked with LAs / Police and welfare organisations during the winter of 2012 / 2013 over the abandonment of ponies on commons in the South Wales valleys. It is recognised that greater engagement with commoners is essential in order to find a resolution to the issue.	Y	This suggestion is essentially one for commoners, Commons Associations and Local Authorities to take forward. The Welsh Government will help facilitate however, by arranging a meeting between Local Authority leads and lead Commoners across Wales to kick start the process..  <b>S</b>
2.	The removal of commoners' ponies from commons during the winter months as many are "not fit to survive the harsh conditions".	The Animal Welfare Act 2006 places a duty of care on those responsible for an animal. Commoners also need to meet the welfare needs of their animals and remove those ponies from the common that are not able to withstand the harsh conditions.  Note: It should be recognised that in some cases the horses found on commons are not native to that area and have either been dumped or abandoned.	Y	This is an issue for the owners of ponies who have a legal duty in respect of the welfare of animals. The Welsh Government will issue guidance to help those responsible understand their legal obligations.  <b>S</b>
3.	All commons to have a management system controlling the numbers of ponies grazed; the control and release of stallions and a castration	Management plans exist for those commons that fall within the Equine Identification (Wales) Regulations 2009 derogation. Welsh Government would welcome such a system	Y	This suggestion is essentially one for commoners and Commons Associations to take forward. The Welsh

	programme to avoid breeding of low value, unwanted animals.	being adopted by other commons through the various informal Commons Associations. The implementation of the Commons Act 2006 will provide powers for commoners to set up Commons Councils, these organisations will be best placed to set up management systems for the benefit of all on the commons.		Government will provide advice on these matters to help those responsible to deliver what has been suggested.  <b>L</b>
4.	Welsh Government to liaise with commoners and review vet management plans to prevent inappropriate breeding.	Welsh Government regularly liaises with those organisations that fall under the equine identification derogation i.e. the Hill Pony Improvement Society for Wales and the Cymdeithas Merlod y Carneddau. Both organisations are required to submit annual management plans to the Welsh Government as part of the derogation approval. There are no requirements or incentives for those commons that have ponies that fall outside the terms of the derogation to produce management plans.	Y	See 3 above.  <b>M</b>
5.	Welsh Government to look at the “New Forest model” to see if lessons can be learned on how the Verderers police and deal with unregistered “foresters” who put horses on the common / Forest without a license.	Welsh Government officials met with the New Forest Verderers during the Equine Identification implementation process in 2009 to understand the systems operated in respect of the New Forest derogation.	Y	Welsh Government officials will meet with the New Forest Verderers to learn lessons and help disseminate good practice amongst commoners and enforcement bodies in Wales. <b>M</b>
6.	Signs to be placed on common land providing contact details to members of the public who find an animal in distress. Common land owners, Commoners Associations and local	Recognised as best practice with the Management Plans submitted under the Equine Identification (Wales) Regulations 2009 derogation. Contact details for each common must be included in the	Y	The Welsh Government sees the benefit of and supports this initiative but it is for the names bodies to take forward.. <b>M</b>

	authorities to sign up to this so there is responsibility and accountability.	Management Plans		
7.	Greater scrutiny of those commoners who receive grants – Glastir / Cross compliance etc.	<p>Recipients of the Single Payments Scheme and monies through schemes such as Glastir are subject to scrutiny, including inspection to ensure that requirements of the scheme are being met.</p> <p>In addition, anyone who believes that transgression of the rules has occurred has the right to report that to the Welsh Government or other enforcement body for the matter to be investigated.</p>	N	The Welsh Government does not feel that additional action is required in respect of this suggestion.
8.	Compulsory fencing on common land in particular where there is an accident risk and horses are killed. Introduction of speed cameras, signs recording the number of horse deaths at particular black spots, slow down signs and speed bumps.	By nature of the fact that it is common land anyone wishing to erect a structure such as fencing (that would impede access) would need to apply to the Planning Inspectorate to do so. The introduction of traffic calming measures would be an issue for the Highway Authority as part of road safety campaigns.	N	Measures are already in place for individuals or bodies to approach the appropriate authorities to suggest measures of this type. No further action required from Welsh Government at this point.

## IDENTIFICATION

The aim of horse passport legislation is to ensure that horses which have been treated with veterinary medicines not authorised for use in food-producing animals cannot be slaughtered for human consumption. Horse owners must obtain a passport for each horse they own. Since 1 July 2009 all equines must have a microchip implanted as part of the passport process, this microchip links the horse to its passport.

	<b>Suggestion</b>	<b>Welsh Government response</b>	<b>Accepted Yes / No / Partially</b>	<b>Action to be taken and timeframe (Short / Medium / Long term)</b>
9.	All horses to be micro-chipped (no semi-feral derogations) with foals being chipped at birth	The European Commission is currently looking at the issue of equine identification with a view to introducing a new Regulation in 2014. The majority of the semi-feral ponies managed by the Hill Pony Improvement Society of Wales are micro-chipped as this is a requirement of the Breed Society for entry into the studbook.	P	The Welsh Government will consult on the changes proposed by the European Commission. The issue of whether all horse should be micro-chipped and whether semi-feral derogations should be retained will be explored during the consultation process. <b>M</b>
10.	Passports to be in a prescribed and tamper proof format.	The European Commission is currently looking at the issue of equine identification with a view to introducing a new Regulation in 2014, the proposals include improving the format, quality and standard of passports which includes ensuring they are tamper proof.	Y	The Welsh Government is currently looking at the production standards of equine passports, This work will help inform the changes that are likely to be prescribed by Europe. Any changes will be taken forward as part of the expected amendments to the Equine ID Regulations and will be explored during the

				consultation process. (See also 9) <b>M</b>
11.	Prevent individuals from bulk buying micro-chips, Micro-chips to only be available through veterinary surgeons, who should have a legal responsibility to record and report on the owners details	This is an issue that is being considered as part of the changes being proposed by the European Commission in respect of equine ID.	Y	These suggestions will be taken forward as part of any future equine ID consultation where the issue of microchips will be considered. (See also 9) <b>M</b>
12.	Those applying for a chip or passport to supply their National Insurance number. This number to be similarly supplied when a horse is transferred to a new owner in order to encourage traceability	Consideration will be given to issues surrounding identification and the transfer of ownership as part of the new round of changes to equine ID.	P	These suggestions will be taken forward as part of any future equine ID consultation where the issue of updating ownership will be considered. (See also 9) <b>M</b>
13.	One central issuing body for passports like the Driver Vehicle Licensing Agency (DVLA) or a reduction in the number. Introduce stricter standards on how organisations operate. In the case of private sales both the seller and purchaser to report full details of ownership change similar to the DVLA system for change of car ownership.	As part of the revisions to the Equine ID regulations the European Commission is proposing to introduce a requirement for passports to be issued by the competent authority. The UK is currently waiting on the detailed proposal from the Commission  The Devolved Administrations are liaising over updating the efficiency criteria under which Passport Issuing Organisations are required to operate.	Y	Once draft proposals are received, the Welsh Government will issue a consultation as part of the implementation of the new EU requirements on Equine ID. During the process the Welsh Government will consider appropriate systems for improving compliance such as how the transfer of ownership should be updated. <b>M</b>
14.	Re-introduction of a UK wide	Proposals from the EU Commission require	P	The issue of a database is



	equine database that has the ability to track movements. Based on the British Cattle Movement Service (BCMS) model with all changes of ownership being recorded.	all Member States to have a central database to record all equines. There are currently no proposals from Europe for the recording of movements within a database.		being considered as part of the review of the Equine Identification Regulations. Future development will be in consultation with the industry and enforcement authorities giving consideration to lessons learnt from use of the National Equine Database (NED) whilst ensuring that cross border requirements are taken fully into consideration. <b>M</b>
15.	Requirement for Auctioneers to ensure that horses sold are registered to the owner / seller and that changes of ownership following sale are recorded by the auctioneer who must alert official bodies (PIO) of the updated information.	Many of the premier Breed Sales already do this as the Breed PIO attends the sale, however it is recognised that this is a problem at general sales where passports are just handed to purchasers.	Y	The Welsh Government consultation on the proposed Equine Identification Regulations will consider appropriate systems for improving compliance including data capture and how the transfer of ownership should be updated and recorded. (See also 9) <b>M</b>
16.	In the case of unidentified fly grazed horses they should be: micro-chipped and registered to the owner of the land in order to aid their sale; be spray marked to identify them and offer protection against them being stolen, micro-	The proposed introduction of the Control of Horses (Wales) Bill will provide a mechanism for local authorities to deal with unidentified horses.	P	The Welsh Government will issue new guidance on dealing with fly grazed horses. The guidance will be developed alongside the legislative process and in consultation with the Equine Charities and

	chipped by enforcement authorities when considered 'vulnerable' in order to record future movements and help identify owners; provide immediate identification where an animal has not been identified but there is a person who admits ownership; seize and either destroy or re-home with new owner paying for passport.			local authorities in Wales.  <b>S</b>
17.	<p>Alternative forms of identification to be used all of which should be linked to a database including:</p> <ul style="list-style-type: none"> <li>• Visible methods (especially on common land) such as freeze marking on the shoulder / neck.</li> <li>• DNA</li> <li>• Tattoos</li> <li>• Hoof Branding</li> </ul>	<p>The European Commission specify that equines should be identified by a micro-chip or any other method that provides unique scientific guarantees to the identity of the horse. In introducing domestic legislation it was considered that micro-chipping provided such guarantees and it is therefore a requirement that all passports issued since 2009 require the horse to be micro-chipped. Owners can decide to freeze mark and this would be supported for ponies on common land although it is not effective for identifying white or grey ponies. DNA is a very expensive method of identification and would result in additional costs to authorities in undertaking identification checks as well as adding to the time required to prove the identity of the horse. Tattoos / branding are not foolproof and can be altered and would not find favour from a welfare perspective. Hoof branding needs to be redone on a</p>	N	No further action required at this stage.

		regular basis as it grows out and similarly can be altered.		
18.	Passports to include height, markings, age and photographic evidence.	Many of the Passport Issuing Organisations require the markings of the horse to be recorded (silhouette) in the passport although the insertion of a micro-chip is considered sufficient by the EU. The year of birth is a mandatory field, however telling the horses age can be difficult for even the most experienced horse owners. With owners required to obtain passports for all equines by the age of 6 month or the 31 December in the year of birth (which ever is the latest) it would be difficult to include details of height as many horses do not mature until they are around 6 years old. Similarly photographs would not always be representative as the change from foal to adult horse is considerable with many changing colour.	N	No further action required at this stage.
19.	Subsidise early micro-chipping of foals as an incentive for breeders and to reduce the number of weaned foals without passports	Owners make a commercial decision to breed and therefore must factor in the costs of identification as part of the breeding process. It is an offence to sell a horse without a passport and as such weaned foals should not appear at markets / sales without being micro-chipped and accompanied by passports.	N	This is not considered to be a matter for Government and the tax payer.
20.	All horses to be issued with a birth and death certificate along with a passport.	At a time when Government is attempting to reduce bureaucracy to add documentation requirements could be seen as counter productive. The procedure for both applying for a passport and for recording the death of	N	No further action considered necessary by Government at this stage.

		an equine will be included in the Commissions review of the Equine Identification Regulations.		
21.	Provide a mechanism for local authorities / charities to apply and obtain a new horse passport without worrying about whether a passport has previously been issued.	This is already possible providing appropriate checks are undertaken. The issue of any new passport outside the time limits for applying would be marked as a duplicate and therefore the horse would be marked outside of the food chain.	N	No further action considered necessary by Government at this stage.
22.	Horses medicated with drugs making them unfit for human consumption to have ears nicked by administering vet	This is considered a mutilation and would be illegal under the Animal Welfare Act 2006.	N	No further action appropriate on this suggestion.
23.	Exempt Charities and welfare organisations who take in equines from having to micro-chip and passport them.	All equines need to be identified. To provide derogation for charities is outside the scope of the Equine Identification (Wales) Regulations 2009. In many cases charities are able to secure the services of vets at a reduced rate and similarly many of the Passport Issuing Organisations provide concession to those charities applying for passports. A number of the charities re-home rescued horses following a programme of rehabilitation and training - to enable these horses to be part of the wider community they would need to be correctly identified.	N	Suggested action inappropriate for reasons given.
24.	Undertake spot checks on passports at yards, farms, riding establishments, show grounds and roadsides.	This is a function of local authorities who already undertake such checks on an ad hoc basis and in response to situations as they arise.	N	Not the responsibility of the Welsh Government. The bodies responsible (Local Authorities) already undertake such checks.
25.	Undertake an exercise to cost abandonment against providing	Information on the cost of abandonment is not held centrally as it involves numerous	N	The costs of micro chipping, alongside other costs

	free micro chipping of all equines in Wales	agencies, police, fire service, local authorities, welfare organisations, court time, vets etc However, horse owners have a legal responsibility to micro chip their animals and it is not for Government to pay these costs.		associated with owning an animal, are for the owner not for Welsh Government or the taxpayer.
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## BREEDING AND OWNERSHIP

The Welsh Government Code of Practice for the Welfare of Equines sets out the duty of care that horse owners or those responsible for horses need to meet in caring for their horse/s. Although the code of practice does not specifically cover breeding, those that embark on breeding horses need to ensure that the needs as listed in the Code of Practice can be met for any horse being bred. The Equine Charities have, over recent years, run a number of campaigns on 'Think before you breed', which have highlighted the responsibilities of those that embark on a breeding programme.

	<b>Suggestion</b>	<b>Welsh Government response</b>	<b>Accepted Yes / No / Partially</b>	<b>Action to be taken and timeframe (Short / Medium / Long term)</b>
26.	The Equine Codes of Practice to include a section on breeding where the issue of over breeding can be addressed.	The Codes of Practice are ultimately welfare codes and do not cover breeding or over breeding.	P	The charities continue to raise the issue of over breeding and castration as part of their education programmes. Working with the Equine Charities, the Welsh Government will issue guidance to help horse owners understand the problems caused by over breeding and how it can be avoided. <b>M</b>
27.	Un-castrated colts on commons to be removed or castrated to control indiscriminate breeding; a compulsory castration scheme to be introduced to control breeding and reduce numbers; all colts castrated at 2 unless owned by a registered breeder and stallions to be banned from commons	The Commons Act 1908 provides powers to remove entire animals (colts or stallions) of any class, description or age found upon the common in contravention of the Act.	P	This is essentially for the Owners/Commoners and commons Associations. The Welsh Government will help to raise awareness of the issues (see 26) <b>M</b>
28.	The rules surrounding the licensing and identification of stallions to be tightened	Breed Societies require colts to be licensed for the purposes of	N	No action for Welsh Government.

	including: all colts over the age of 12 months to be licensed; a minimum number of colts / stallions licensed to any one breeder; stallions to be identified by DNA so that offspring can then be identified and owners held accountable and where owners are known to fly graze DNA samples from their stallions should be recorded as part of bail conditions	breeding and will not register progeny as pedigree if the stallion has not been licensed. There is no such provision for those stallions that fall outside the rules of pedigree as any progeny they sire is non pedigree and as such only eligible for an identification only passport. A number of breed Societies require DNA to be taken as part of the stallion licensing process to assist in the verification of progeny. It would not be possible under the Human Rights Act 1998 for the Welsh Government to limit the number of colts / stallions to any one breeder. Those found fly grazing are in the main horses of unknown breeding and there is no requirement for licensing ID only stallions.		
29.	Welsh Government to initiate a campaign advising owners not to breed	The British Horse Society have been running a campaign over the last few years on 'Think Before you Breed' This campaign is supported by other welfare charities who publicise the issue of over breeding as appropriate. There is evidence that the number of foals is reducing with responsible owners taking heed of the current economic climate and over population of horses.	P	See 26  <b>M</b>

30.	<p>Conditions to be placed on breeders, dealers and owners, including: all horse breeders and dealers and livery yards to be registered / licensed; breeding to be regulated making owners accountable; registration of all equine premises / equine establishments and owners; breeding of horses should be under licence (as in Germany)</p>	<p>Placing conditions on some sectors of the industry (breeders and dealers) would place an additional workload on local authorities and to be meaningful would need to be policed. To regulate the industry to the extent suggested would come at a considerable cost to authorities and tax payers and would need to be adequately resourced. It is considered that the industry itself is best placed to raise standards through education campaigns. For example the British Horse Society already run a voluntary accreditation scheme for livery yards / riding schools.</p>	N	<p>No action for the Welsh Government at this stage.</p>
31.	<p>Horse owners to be means tested to prove that they can care for a horse/s (certificate of qualification for example NVQ with potential for Accreditation of Prior Learning and Experience). In addition owners should also prove that have the facilities required for keeping horses or at the very least provide evidence that they own or are renting land. Many considered that is too easy to acquire a horse by those who lack</p>	<p>Anyone considering keeping an animal should at the very least have some knowledge of the needs of the animal and the commitment required to care for it. Those wishing to take on a horse should seek advice and the Welsh Government would encourage both owners and potential owners to undertake formal training and where possible seek</p>	N	<p>The appropriate bodies are involved in raising awareness of these issues. No further action required of Welsh Government at this time.</p>



	appropriate knowledge, commitment or consideration of welfare needs. Sellers should be made responsible to ask for accreditation before making a sale except where the purchaser has bona fide credentials as a licensed breeder / dealer.	qualifications. Most of the Equine charities promote good horse keeping and issue leaflets and pamphlets on the subject. Making sure sellers know to ask for owner accreditation before making a sale would be very difficult to prove that they had done so and as a result very costly to police with no perceivable benefits		<b>M</b>
32.	Work with Vets to increase compliance through ensuring that all horses are registered to an owner.	Vets have been made aware of their responsibilities under the Equine Identification Regulations, however the majority of horses found fly grazing are not under the care of a vet and those believed to be the owners do not necessarily readily engage with the veterinary profession.	P	Resulting from the proposed European Commission changes to Equine ID, the Welsh Government will provide guidance to include the roles and responsibilities of veterinary surgeons. <b>M</b>
33.	Those reclaiming horses found fly grazing should be required to provide full proof of ownership	Local authorities currently ask for passports to support claims, however many of the horses seized are not identified by either a microchip or a passport so other forms of proof of ownership are required.	P	The Welsh Government will issue guidance on dealing with fly grazed horses; this guidance will be developed alongside the proposed Control of Horses (Wales) Bill and in consultation with the Equine Charities and local authorities in Wales. The guidance will include options on how best to determine ownership. <b>S</b>

## EDUCATION AND AWARENESS

The Equine Charities have been very proactive in developing education packages to raise awareness of the duties and responsibilities on owners in caring for equines. The Welsh Government is keen to see standards rise and has published the Code of Practice for the Welfare of Equines and are working with the Equine charities and stakeholders to disseminate key messages.

	<b>Suggestion</b>	<b>Welsh Government response</b>	<b>Accepted Yes / No / Partially</b>	<b>Action to be taken and timeframe (Short / Medium / Long term)</b>
34.	Run an awareness campaign targeted at local authority budget holders, courts etc, to raise the profile of equine ownership and the importance and relevance of identification.		Y	An engagement and communication Plan is being developed alongside the legislative process where the importance of equine identification will be highlighted through an awareness campaign that will target owners as well as enforcement bodies. <b>M</b>
35.	Provide training for LA animal health officers through the provision of funding to deliver appropriate training through an outreach programme.	The 3 year Companion Animal Welfare Scheme set up in 2008 delivered specific equine training to local authority officials in direct response to the problems of abandonment and lack of identification. The Equine charities continue to develop training packages and have confirmed their willingness to deliver additional training to local authorities across Wales.	P	Welsh Government will continue to liaise with Equine charities over the dissemination of best practice and will publicise the availability of charity run courses to promote the benefits of enforcement authorities attending such events. <b>L</b>
36.	Publicity campaign on the requirement to micro-chip and the penalties horse owners	Welsh Government has continued to publicise the requirements of the	Y	With changes to the Equine ID regulations being proposed by

	risk in not doing so.	Passport Regulations making it clear what is required of owners in respect of any horses they own. In addition the Codes of Practice include a section on identification and owner responsibilities.		the European Commission a communication plan will be developed to sit alongside the Horse Passport Regulations which will highlight owners responsibilities to correctly passport and microchip their horses. In advance of this, the Communication Plan being developed alongside the legislative process will include an awareness campaign on the importance of passports and micro-chipping. The Welsh Government will encourage local authorities in conjunction with partner organisations to hold micro-chipping / health check days similar to those seen in Cardiff and Swansea during 2013. <b>M</b>
37.	Amnesty period in areas where compliance has previously been poor	Charities have undertaken a number of micro-chipping / health check days in areas where compliance is known to be low, these have been supported by local authorities and endorsed by Welsh Government.	P	The Communications Plan being developed alongside the legislative process will promote the requirement to passport and micro-chip. Local authorities will be encouraged to join forces with Equine charities to run micro-chipping / health check days in those areas where there are large numbers of horses and compliance with the law is

				believed to be low. <b>M</b>
38.	Greater engagement needed by all parties with travellers and the travelling community. Greater engagement through the Voluntary sector including the delivery of an education programme.	The Welsh Government Fairer Futures Division has responsibility for Gypsies and Travellers which includes the development of an all Wales Gypsy and Traveller Strategy along with providing the Secretariat for the Gypsy and Traveller Officials Working Group.	Y	Equine charities already engage with Gypsies and Travellers and have devised education programmes to raise awareness over horse ownership. As part of the Communications Plan, being developed alongside the legislative process officials tasked with dealing with fly grazing and Equine ID will continue to work with colleagues from the Welsh Government Fairer Futures Division on the education / awareness campaign for Gypsies and Travellers. <b>L</b>
39.	Compulsory education on horse care, the education of both owners and potential owners, publicity over the considerable costs involved in meeting the needs of a horse and equine welfare should be added to the school curriculum. In addition a need to have a joint LA / third sector mobile veterinary outreach service to provide basic veterinary care, advice to owners and community education about keeping horses in urban areas, estuarine areas and inappropriate tethering .	The Equine charities provide readily accessible literature on all aspects of horse care, there is a considerable amount of information on the internet, a number of equestrian magazines and a vast array of books on the subject. The Welsh Government issued Codes of Practice which have been made available to horse owners, LAs, vets and Equine charities. LAs and the RSPCA in particular provide copies to those owners most in need.	N	No further action by Welsh Government considered necessary at this point.

40.	Public awareness campaign to draw attention to the difficulties facing equine charities / LAs and landowners as a result of fly grazing. Publish seizure and euthanasia statistics to capitalise on horse lovers / general public wanting to see change.	The media have publicised the plight of many of those horses found fly grazing. Several TV programmes have explored the issue and both the specialist and local press have widely covered the problem. Statistics on seizures and euthanasia are a matter for individual enforcement authorities and are not held centrally.	N	No further action by Welsh Government considered necessary at this point.
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## WELFARE

Under the Animal Welfare Act 2006 those who own or are responsible for an animal have a legal duty to take reasonable steps to ensure its welfare needs are met. The law requires that reasonable steps must be taken to ensure that it has a suitable environment to live in; has a healthy diet; is able to behave normally; has appropriate company and is protected from pain, suffering and disease.

	<b>Suggestion</b>	<b>Welsh Government response</b>	<b>Accepted Yes / No / Partially</b>	<b>Action to be taken and timeframe (Short / Medium / Long term)</b>
41.	Ban pony fairs and unregulated sales	Those running such events need to comply with the requirements as set out under the Animal Gatherings Order 2010 and the Welfare of Horses at Markets (and other places of Sale) Order 1990. Under these pieces of legislation there are duties on those responsible for organising such events as well as duties on those attending and selling / purchasing horses.	P	This is an issue for those running such events. The Welsh Government will continue to work with local authorities and Equine charities with the aim of ensuring that organisers of such events know and understand their responsibilities in respect of animal welfare and Equine Identification legislation in order to raise both standards and compliance.  <b>M</b>
42.	Ban tethering as this contributes to poor standards and welfare issues as it encourages the purchase of a horse for a few pounds without having the further resources to care for it.	Tethering is not illegal; however it is recognised that this is an area where education and awareness needs to be communicated to those sectors of society that habitually	P	The Equine charities continue to raise the issue of tethering as part of their education programmes. Working with the Equine Charities, the Welsh

		tether their animals. The Welsh Governments Code of Practice for the Welfare of Equines provides advice and guidance to horse owners/keepers including the responsibilities placed on those who use tethering as a means of keeping horses.		Government will issue guidance to horse owners reminding them of their responsibilities  <b>L</b>
43.	Resolve the issue of estuarine grazing which LAs refer to as 'no mans' land resulting in failures to respond to welfare concerns. More equine welfare officers to monitor common and tidal marsh areas. Greater monitoring of the urban horse population in Swansea.	Equine charities monitor and respond to public reports over horses seen to be grazing on inappropriate areas.	P	An engagement and communication Plan is being developed alongside the legislative process where the importance of identifying appropriate grazing land will be included. <b>M</b>
44.	Set up horse sanctuaries as a community project to deal with the large numbers of horses being seized	There are already a number of equine welfare charities who all compete for a limited amount of supporter funds. Setting up yet another charity is not considered the answer as it would just provide another outlet for those who repeatedly fly graze or abandon their horses. What is required is a change in behaviour that make all those that have horses accountable for their actions.	N	No further action by Welsh Government considered necessary at this point.
45.	Organise a humane and well regulated cull of low value horses.	The disposal of horses is a matter for individual owners; guidance is available from most equine charities on how to make the right decision	P	A Communications Plan is being developed alongside the legislative process which will consider how an education

		and which method of euthanasia to use. It is not a matter for Government to organise a cull of what are perceived to be low value horses.		campaign might be delivered on making horse owners aware of their responsibilities and duty of care. An awareness campaign will also highlight importance of thinking before you breed in order to reduce the equine population. <b>M</b>
46.	Codes of practice to be used to serve meaningful improvement notices	Welsh Government Codes of Practice have been widely circulated to horse owners, LAs, vets and Equine charities.	N	No further action by Welsh Government considered necessary at this point.
47.	Introduce life time bans from owning horses on those found guilty of fly grazing.	The penalties as a result of prosecution cases is a matter for the Courts to decide	N	No further action by Welsh Government considered necessary at this point.



## GUIDANCE / CONTROLS

This section covers the operational issues under which local authorities and other agencies work.

	Suggestion	Welsh Government response	Accepted Yes / No / Partially	Action to be taken and timeframe (Short / Medium / Long term)
48.	<p>Markets / Sales</p> <ul style="list-style-type: none"> <li>• Greater regulation and checks at Markets and Sales to ensure identification compliance through the presence of welfare / trading standards.</li> <li>• Overhaul facilities and handler standards at markets.</li> <li>• Cautions to be given to those presenting unfit equines for sale and to those auctioneers who put such animals through the ring.</li> <li>• Over crowding of pens to be banned.</li> <li>• Separation for mares and foals and stallions</li> </ul>	<p>The Welfare of Horses at Markets (and Other Places of Sale) Order 1990 sets out the provisions for markets and market operators. These regulations include legal requirements in respect of penning, separation and handling etc. Welsh Government has worked with Powys Trading Standards for example to ensure compliance at Horse Sales throughout the county</p>	P	<p>Work being taken forward both in respect of the Control of Horses (Wales) Bill and the proposed changes to Equine Identification will result in communication plans being developed which will highlight the need to include places of sale as an area where compliance can be monitored. Welsh Government will work with local authorities and Equine charities in respect of monitoring procedures at markets and sales.</p> <p><b>L</b></p>
49.	<p>Provision of appropriate facilities for local authorities to use for the seizure of horses such as secure facilities, green yards to reduce the delay in seizing animals. In addition a mobile destruction unit to be made available to local authorities for the humane destruction of horses in situ.</p>	<p>The provision of and funding for secure holding facilities is a responsibility of local authorities.</p>	Y	<p>The Welsh Government is working with the WLGA and Local Authorities through the All-Wales Equine Task Force to ensure that facilities of this kind are available when required.</p> <p><b>S</b></p>

50.	Publicised contact details for the public to make use of when reporting fly grazing to ensure that the correct people are contacted – LA, Police, Fire Service, Charities including the operation of an out of hours service.	Contact numbers for Crime Stoppers and the Police 101 number are already available to the public.	P	The user guidance that will sit alongside the Bill will include recommendations for local authorities to provide information on who to contact to report incidents of fly grazing and abandonment. The proposed Communications plan will provide information for both landowners and the general public. <b>S</b>
51.	Establish a method for communicating effectively with the many concerned animal welfare groups across Wales, most of which are online	There is a need for all relevant groups to be kept up to date and to have the capacity to share information especially during the winter months when fly grazing incidents are, historically, more frequent.	Y	The Welsh Government will continue its on-going dialogue with other members of the All Wales Equine Task Force and the Animal Network Wales on how the WLGA, Police and welfare charities can improve liaison and reporting, including the possible establishment of a central e-mail address for the sharing of intelligence. <b>S</b>
52.	Develop a co-ordinated approach between all agencies, and across geographical borders including the establishment of a protocol for local authority cross border working.	Existing mechanisms such as the All Wales Equine Task Force have helped develop best practice across Agencies and local authority borders.	Y	The Welsh Government will continue to work with the WLGA and other Agencies involved to ensure that the protocol developed as a result of the problems seen last winter will be developed and widely promulgated as best practice.

				<b>S</b>
53.	Develop a regulatory framework creating a consistent approach to the enforcement of Horse ID Regulations. Establish and agree guidelines for all enforcement agencies and set consistent minimum standards.	Partnership working between Welsh Government and enforcement agencies has taken place through the All Wales Equine Task Force. Welsh Government continues to liaise with officials in the Devolved Administrations over the proposed Commission proposals in respect of equine identification.	Y	Once draft proposals are received, the Welsh Government will issue a consultation as part of the implementation of the new EU requirements on Equine ID. As part of that process, the Welsh Government will consider appropriate systems for improving compliance and setting consistent minimum standards for all enforcement agencies. <b>M</b>
54.	Animal Health and Veterinary Laboratories Agency (AHVLA) Vets to assist LAs and provide witness statements to enable effective prosecutions.	The Office of the Chief Veterinary Officer manages the Service Level Agreement between the Welsh Government and AHVLA in terms of AHVLA action and delivery in Wales.	Y	Welsh Government officials have spoken to their counterparts in AHVLA as a result of this suggestion and AHVLA is considering how best to take this matter forward. <b>M</b>
55.	Horse Wardens or a dedicated law enforcement team for equines to be employed on an All Wales basis.  Employment of additional animal health inspectors within dedicated animal welfare departments that are linked to animal welfare charities in order to foster partnership working.	Currently best practice has seen horse wardens and animal health officers joining forces to assist neighbouring authorities. This partnership working has enabled all concerned to make best use of resources available.  Charities have provided training and continue to develop packages to	P	Partnership working will continue through the All Wales Equine Task Force where Welsh Government is already and will continue to work with WLGA and individual Local Authorities towards ensuring that best practice is adopted across authorities.

		assist those having to enforce the regulations.		<b>M</b>
56.	Clear guidance required on what is meant by 'the period of absence by the owner or keeper', the minimum period over which it would fall below the threshold for good practice.	The Code of Practice for the Welfare of Equines already sets out when horses should be inspected under the heading 'supervision'.	N	No further action by Welsh Government considered necessary at this point.
57.	Police to be given clear guidance on spot checking of passports for compliance and proof of ownership for horses in transit	Education on equine identification has been and continues to be offered to Police Forces to raise awareness of the passport system including interpretation of terms.	P	The engagement and communications plan being developed alongside the legislative process will address how an education campaign might be delivered to ensure that those who enforce equine identification regulations are aware of how they should interpret and implement the legislation. The Equine charities are currently and very helpfully developing a suite of education modules which the Welsh Government will look to the charities to deliver to the Police and other enforcement agencies on request. <b>M</b>
58.	Develop contingency plans and guidance for those affected by fly grazing.	A number of articles on Fly Grazing have been published in the Welsh Government publication 'Gwlad' providing advice to landowners on the steps to take; this has included	Y	The Welsh Government will produce guidance for those effected and will be included as part of the Communications Plan that is being developed

		publicising the Police 101 and Crime Stoppers number.		alongside the legislative process. <b>S</b>
59.	Impose statutory guidance and conditions on local authorities regarding standard operating procedures to ensure that the problem does not move to a neighbouring local authority.	The Bill will apply to all of Wales, providing local authorities with the powers to ensure that the problem does not move to neighbouring authorities.	P	A guidance document which will sit alongside the Bill will be available to all local authorities to ensure a consistent approach to enforcement across Wales. <b>S</b>
60.	Current statutes provide excessive protection to those fly grazing and abandoning horses. Landowners are the victims and therefore should not be held responsible for the welfare, feeding, identification, movement and disposal of fly grazed horses (Animal Welfare Act 2006).	Welsh Government recognises that those landowners who become the victims of fly grazing are then held responsible for horses on their land under the requirements of the Animal Welfare Act 2006	P	The introduction of the Bill will assist landowners in removing those animals found fly grazing as the provisions will enable them to work with the local authorities to seize and impound horses on their land. <b>S</b>
61.	Local authorities to be brought to account for turning a blind eye and allowing the practice to occur on council land. The avoidance in taking enforcement action has allowed those of the Gypsy and Traveller community to hide behind tradition as an excuse to cause suffering, abandonment and neglect.	Many LAs have had difficulties in dealing with the issue due to the restraints of existing legislation. The Bill will provide them with the necessary powers to find a resolution to many of the existing problems that authorities have previously found it hard to deal with.	N	No further action by Welsh Government considered necessary at this point.
62.	Transporters to undergo regular passport compliance checks.	Responsibility for enforcement falls to local authorities who in conjunction with the police can stop transporters to check compliance on a variety of issues including equine	N	No further action by Welsh Government considered necessary at this point.

		identification.		
63.	When equines are being imported / exported the ports need to play a monitoring role with robust monitoring and inspection of horses at borders, greater engagement with the Irish authorities over the movement of 'gypsy cob' horses between countries and a review of the tripartite agreement	It is not the role of the port authorities to monitor the number of horses being imported however a duty exists on the Master of the Ship over his cargo and ensuring compliance.  The Tripartite Agreement allowing the movement of horses between France, UK and Southern Ireland is currently being reviewed.	N	No further action by Welsh Government considered necessary at this point.
64.	Improve the traceability of exported horses through discussions with AHVLA and other enforcement agencies over how many equines are being exported without micro-chips.	Equines born and issued with a passport before July 2009 were not required under the legislation to have a micro-chip inserted. Only those horses being issued with a first passport since July 2009 are required to be micro-chipped as part of the identification process.	N	No further action by Welsh Government considered necessary at this point.
65.	Introduce powers to prevent movements where animals are unidentified	Anyone moving an unidentified horse is committing an offence under the Equine Identification (Wales) Regulations 2009.	N	No further action by Welsh Government considered necessary at this point.
66.	Provide all local authorities with scanners	All local authorities have been provided with scanners (to comply with the Sheep EID requirements)	N	No further action by Welsh Government considered necessary at this point.
67.	Provide a budget for local authorities to pay registered charities / welfare organisations to provide emergency holding facilities so equines don't end up in pounds not fit for purpose.	The provision of and funding for secure holding facilities is a responsibility of local authorities.	Y	See 49. <b>M</b>

68.	Divert funding from Glastir / SPS to established equine charities so they can expand their capabilities to rescue fly grazed equines. Review Glastir / Cross compliance where horses are used for grazing in relation to a Glastir scheme. Include breeding practices under Glastir and cross compliance	Glastir is a land management scheme designed to meet the Welsh Government's objectives under the EU Water and Habitat Directives. Diverting of funds towards welfare charities to help with the rescue fly grazed equines is not allowed under the regulation. Those who receive Welsh Government monies are subject to checks and balances with payments only being made to those who can clearly demonstrate they meet the set criteria.	N	No further action by Welsh Government considered necessary at this point.
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## AD HOC SUGGESTIONS

Those suggestions that did not readily fit in any of the above categories.

	<b>Suggestion</b>	<b>Welsh Government response</b>	<b>Accepted Yes / No / Partially</b>	<b>Action to be taken and timeframe (Short / Medium / Long term)</b>
69.	Extend the Gate safe scheme as seen in the Vale of Glamorgan and implement neighbourhood watch schemes to tackle abuse in local areas	The Gate Safe Scheme is an initiative that Welsh Government recognises as best practice and an idea that needs to be promoted in areas where fly grazing and abandonment is seen as a problem.	Y	This suggestion will feature as part of the Communications Plan that is being developed alongside the legislative process.  <b>L</b>
70.	A levy to be paid by the equine industry to LAs to help with the increased costs for equine welfare.	How costs are met within the agricultural industry is something that is the subject of discussions.	P	The issue will be considered by the Welsh Government as part of the Responsibility and Costs Sharing Agenda. <b>L</b>
71.	Welsh Government to communicate with suspected owners of fly grazed horses to deter their activities and threaten criminal action as appropriate	All enforcement bodies and welfare charities are involved in communicating these messages to those who knowingly fly graze their animals.	P	The Communications Plan that is being developed alongside the legislative process will ensure that horse owners are made aware of the changes to legislation and the implications of not complying with that legislation. <b>S</b>
72.	Prosecute owners where land used for keeping horses is not adequately maintained (fencing and security)		P	The Communications plan being developed alongside the legislative process will aim to



				raise awareness of legal liability in respect of an owner's duty regarding the securing of their horses. <b>S</b>
73.	Promote the use of horsemeat in the pet food trade rather than decimate fish stocks		P	This is seen as an issue for the industry and individual horse owners rather than the Welsh Government. <b>L</b>
74.	Horses to be classed as agricultural animals and therefore come under stricter traceability rules. Differentiate between 'pet' horses and 'food' horses where greater traceability needs to exist.	EU commission differentiates between registered horses and those bred for breeding and production (slaughter horses) under the terms of the Equine Identification Regulations. The UK does not, however, recognise the horse as an agricultural animal and to do so would require an industry wide consultation which if agreed would require a change in UK legislation.	N	No further action considered appropriate at this point.
75.	CCTV Covert filming to be employed	Fly Grazing often occurs in very rural areas making CCTV impracticable. It is also difficult to pre-empt where horses are going to be found.	N	This is an issue for individual enforcement authorities to consider in terms of their own responses to the problem rather than the Welsh Government.
76.	Treble the fines for straying horses	This is not a matter over which the Welsh Government has competence	N	No further action by Welsh Government considered necessary at this point.
77.	All unused Local Authority land to be made available for the grazing of seized	There are a number of issues associated with using unused local	N	No further action by Welsh Government considered

	<p>horses, funding to be stopped of 'set aside' land and this land to be used to provide grazing for seized horses. Conservation organisations to be approached to utilize those horses seized for the purpose of conservation grazing.</p>	<p>authority land including the legal responsibilities and potential liabilities of the land owners.</p> <p>Horse owners have both a duty and a responsibility to care for their own animals.</p> <p>There are limited opportunities for conservation grazing so the number of equines required for conservation grazing is low.</p>		necessary at this point.
78.	<p>Local authorities to set up projects that would see liaison between LAs and community / voluntary groups to create sanctuaries and provide a long term provision for care. Such initiatives could result in a tourism opportunity and provide income for the support of such projects.</p>	<p>The setting up and running of sanctuaries or welfare charities is outside the scope of local authorities' core functions and as such they are not funded to provide such facilities. In addition they would not be able to provide the expertise and specialist care that many of the horses require. The assistance provided by Equine charities has been considerable however, it is now recognised that the majority of organisations are working at capacity and only have room for the most serious of welfare cases.</p>	N	No further action by Welsh Government considered necessary at this point.
79.	<p>Set up a scheme similar to the USA scheme 'save the Mustang' where fly grazed horses are used for social projects to address criminal offending, mental</p>	<p>A scheme where horses are being used for rehabilitation purposes has been set up in the Swansea area. However, there are only a limited</p>	N	No further action by Welsh Government considered necessary at this point.

	health and alcohol and drug abuse	number of horses that could be used for such purposes and many of the horses found fly grazing are large semi-feral animals whose temperaments may not be appropriate for such projects.		
80.	A campaign led by Welsh Government to promote and market horse meat in order to find an outlet for unwanted equines.	It is not the role of Welsh Government to create a market but to support the industry when a market opportunity has been identified.	N	No further action by Welsh Government considered necessary at this point.
81.	Welsh Government to publicise how much money is paid out of public funds to horse societies under land management schemes. All funding to be stopped as the money is being given to those who over breed on grounds they are providing an environmental service. Monies to be diverted to horse welfare.	Payments are made via the Welsh Government's land management scheme Glastir to contract holders who abide by winter closed periods or maximum stocking levels, provided through maximum permissible livestock units, determined by the vegetation types on the common. Grazing animals, including horses and ponies, are allocated different livestock unit values, dependant upon the nutritional requirement of each type of animal. Payments are made to the applicable Grazing Associations and it is up to the Association to determine how the payment is used. As such, the Glastir Commons element does enable payments to	N	No further action by Welsh Government considered necessary at this point.

		<p>be made to commoners grazing equines. The aim is to achieve a sustainable grazing regime that benefits the Common's environmental delivery rather than making payments for grazing by a specific type of grazing animal.</p> <p>The Welsh Government does not enter into contracts for the delivery of environmental goods and services irrespective of animal welfare. Animal welfare is subject to Statutory Management Requirements and penalties are made under cross-compliance for those found to be in breach. A breach of cross-compliance is also a breach of Glastir scheme rules and contract holders are therefore liable to penalties being applied to both their Glastir and Single Payment Scheme (SPS) payments for any breach of the requirements.</p>		
82.	Introduce Phenylbutazone safe periods between administration and admission to the human food chain.	This is not possible. The UK has derogation from Europe allowing the Equine industry to retain the use of Phenylbutazone to aid the welfare of the older equine population.	N	No further action available to the Welsh Government.