



City of Westminster

Licensing Committee

Date: 20 March 2013

Classification: For General Release

Title: Promoting Animal Welfare for Performing Animals within Westminster

Report of: Operational Director for Premises Management

Wards Involved: Not Applicable

Financial Summary: No financial implications

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1. Summary

- 1.1 The Council is responsible for issuing Performing Animal Registrations under the provisions of the Performing Animals (Regulation) Act 1925 (the Act).
- 1.2 A common issue found by the RSPCA in relation to animals being used for performances was that there was insufficient advice and guidance available to the registered persons, event organisers, studios, performance venues, etc. This led to concerns regarding the welfare of animals whilst they were either carrying out a performance or waiting to perform. As a result the RSPCA has produced Guidelines for the Welfare of Performing Animals (attached at Appendix 1) which represents best practice.
- 1.3 The Council's Licensing Service believes that the release of these guidelines will provide the Council with an opportunity to heighten awareness of animal welfare arrangements for event organisers and licensed performance venues within Westminster. It is intended to advise them of the requirements surrounding performing animals and provide them with a copy of these guidelines. The Council's Special Events team will also provide these guidelines to event organisers who intend to have animals present as part of the performance or exhibit.

2. Recommendation

- 2.1 The Committee approves the intended approach by the Licensing Service in relation to promoting the RSPCA's Guidelines for the Welfare of Performing Animals as set out in paragraph 6.1 of the report.

3. Background

- 3.1 Under the Act any person who exhibits or trains performing animals, must be registered with the Licensing Authority where they reside.
- 3.2 There is a distinct lack of guidelines or specific animal welfare guidance provided nationally relating to persons who train/exhibit live animals.
- 3.3 According to Council records there are approximately 35 theatres in Westminster which are licensed under the Licensing Act 2003 for plays. In addition there are a number of alcohol licensed premises which also offer animal act entertainment. Some productions/exhibitions will involve the use of live animals and as such require the persons who train/exhibit the animals to be registered for those purposes.
- 3.4 If operators request information relating to Performing Animals the only documentation currently available to them is the Act which does not give any guidance relating to animal welfare (though there are provisions to avoid suffering and ensure the welfare of performing animals in the Animal Welfare Act 2006). Any queries relating to animal welfare or animal related issues are passed directly to our contracted Animal Welfare and Veterinary Service from the City of London.

4. RSPCA Guidelines

- 4.1 The RSPCA has been working to safeguard animal welfare in many different forums (e.g. farm, laboratory, and zoos) for nearly two centuries. The Society's policies are driven by science but designed to be effective in the real world. The RSPCA recognised that in England and Wales the welfare of an animal used in a production was largely unregulated, with few opportunities for the Production to consult with a welfare-focused group. Therefore the RSPCA Performing Animals Advisory Service was set up to address this gap.
- 4.2 The guidelines are designed to give practical guidance on how to provide for the needs of an animal, as required by good practice, in a production environment. The guidelines do not tell the production precisely how to prepare and care for animals but rather summarises key aspects the production should consider.

5. Current Position

- 5.1 Under the current position unless the applicant resides in Westminster the Licensing Authority has no involvement in persons training/exhibiting live animals within the borough. There is also no need for the performer, event organiser or entertainment venue to inform the Council of the performance/exhibition. Therefore the responsibility of the whole event/production lies solely with the premises/event organiser who need to take into account the kinds of animals that will be trained and/or exhibited, the general nature of the performance/s in which the animals are to be exhibited and/or trained and any apparatus which is used for the purpose of the performance.

- 5.2 The Licensing Service have been in contact with Westminster's Special Events Team to establish whether live animals have/ are used during any of the events that they are involved in, with a view of the Team promoting the guidance to event organisers and applicants.
- 5.3 In response the Special Events Team advised that any event/filming of any description that uses live animals within Westminster are referred to the City of London Animal Welfare and Veterinary Service for them to carryout checks to establish that the animal supplied are from a reputable source, the supplier/performer is registered with their local council and that the performance that the animals are being asked to perform, as well as the environment they are being expected to work in is suitable.
- 5.4 The Special Events Team have confirmed that they would be happy to provide a copy of the guidance to all event organisers.

6. Proposal

- 6.1 It is proposed that the Licensing Service promotes the RSPCA's Guidelines for the Welfare of Performing Animals as best practice in an attempt to heighten awareness relating to animal welfare in the entertainment industry. The Licensing Service intends to make the RSPCA guidelines available for reference via the council's website (Licensing Pages and Special Events) and send copies of the guidelines to all entertainment premises which are likely to have animal performances/exhibitions. The council's Special Events Team will also ensure that all events that intend to have animal performances or exhibits are provided with these guidelines.

7. Financial Implications

- 7.1 There are no financial implications arising from this report.

8. Legal Implications

- 8.1 There are no legal implications.

If you have any queries about this report please contact Steve Rowe on 020 7641 7825, or email srowe@westminster.gov.uk