

Agenda Item	14
Report No	CP/10/21

HIGHLAND COUNCIL

Committee: Communities and Place

Date: 24th February 2021

Report Title: Scottish Government Consultation on the Welfare of Animals during Transport

Report By: Executive Chief Officer Communities and Place

1. Purpose/Executive Summary

- 1.1 The report is seeking approval from the Committee for a consultation response to the Scottish Government on the recommendations made by the Farm Animal Welfare Committee (FAWC) in their 'Opinion on the Welfare of Animals during Transport' and the potential introduction of these recommendations in Scotland.

2. Recommendations

- 2.1 Members are asked to note:
- I. Note the background to the recommendations to improve the welfare of animals during transport and the proposed consultation response.
- 2.2 Members are asked to agree:
- I. the proposed response is submitted to the Scottish Government.

3. Implications

- 3.1 **Resource** – The Environmental Health team currently has three animal health and welfare officers. The consultation may lead to additional burdens and this will be monitored by the increased presence within the livestock markets and the two remaining abattoirs operating within Highland Council with increased surveillance of transport using these facilities.
- 3.2 **Legal** – The Environmental Health team's animal health and welfare officers enforce the current regulation relating to the health and welfare of animals that are transported. The officers work closely with both the Animal and Plant Health Agency (APHA) vets and authorised officers from the SSPCA on this matter. The officers carry out routine checks of vehicles and welfare checks on animals entering and leaving livestock market premises and abattoirs.

3.3 **Community (Equality, Poverty and Rural)** – Where there was a full application of requirements of accelerometers and GPS monitoring there would be a detrimental impact on Highland farms, marts and haulage companies. The regular testing of livestock carries would also have a detrimental impact on Highland operators if the testing centres for the inspection of the units is remote of out-with the Highland area.

3.4 **Climate Change / Carbon Clever** – no significant implications noted.

3.5 **Risk** – no significant implications noted.

3.6 **Gaelic** – no significant implications noted.

4. Background

4.1 The Farm Animal Welfare Committee ([FAWC](#)) is an expert Committee that advises the Department for Environment, Food and Rural Affairs (Defra) and the Scottish and Welsh Governments on the welfare of animals. In October 2019 it was renamed the Animal Welfare Committee (AWC). The remit includes farmed, companion and wild animals kept by people.

4.2 In 2018 the UK government and Devolved Governments as part of their ongoing commitment to improve the welfare of all animals asked FAWC to review existing standards on the welfare of animals during transport and their application, in order to make recommendations for improvements. Animals are transported, within the UK and exported to the EU, for a number of different purposes including slaughter, production and breeding.

4.3 The FAWC project included a critical review of the scientific evidence relating to the welfare of commercial livestock (cattle, pigs, poultry, sheep and horses) during transportation including pre-journey preparation, handling and loading and post journey procedures. The review covered all aspects of the transportation process including the impacts of journey times, stocking densities, thermal conditions and ventilation regimes and practices, weather and season, vehicle and container design and operation, species, age and physiological status of the animals.

4.4 In April 2019 FAWC published the outcome of their review [here](#). It included recommendations to improve animal welfare and proposed a generic list of principles (**Appendix 1**) which apply to all animals that are transported, and which should be considered whenever any animal is moved. In April 2020, in a joint response to FAWC, the Scottish and Welsh Governments welcomed FAWC's Opinion and noted the opportunity to strengthen the welfare of animals during transport regime to reflect the latest scientific and veterinary evidence – available [here](#).

5. Consultation

5.1 The consultation is on the recommendations made by FAWC in their 'Opinion on the Welfare of Animals during Transport' and the potential introduction of these recommendations in Scotland. The consultation considers how these recommendations might be implemented in Scotland and the potential impact of implementation on stakeholders. A copy of the consultation is available [here](#).

5.1 The consultation asks questions on FAWC recommendations and the topics are summarised below:

1. Future research into the welfare of animals in transport;

2. Live animal exports;
3. Fitness for transport;
4. Transport of horses;
5. Means of transport - long commercial journeys of over eight hours;
6. Handling at markets;
7. Space allowances for animals transported;
8. Transport practices;
9. Thermal conditions and ventilation;
10. Long journeys;
11. Journey times and rest periods;
12. Licensing requirements for transporters;
13. Transportation of animals by sea;
14. Transportation of animals by rail or air;
15. Identifying welfare risks during transportation;
16. Alignment of enforcement of welfare in transport; and
17. Welfare at destination.

5.2 The consultation launched on 4 December 2020 and closes on 26 February 2021.

5.3 Officers have prepared a response provided in **Appendix 2**. In summary, officers are broadly supportive of the changes to improve the welfare of animals during transport. However, further consultation is requested in relation to requirements for accelerometers and GPS requirements for some vehicles which would not disadvantage Highland Hauliers and farmers.

Designation: Executive Chief Officer Communities and Place

Date: 29.1.21

Authors: Clifford Smith, Senior Environmental Health Officer, Alan Yates, Environmental Health Manager

Background Papers:

- FAWC Opinion on the Welfare of Animals during Transport, April 2019: [here](#)
- Scottish and Welsh Government response To FAWC's Opinion on the Welfare of Animals in Transport, April 2020: [here](#)

Appendix 1

FAWC THE WELFARE PRINCIPLES TO BE APPLIED TO THE TRANSPORT OF ANIMALS

The principles of animal welfare during transport for any one journey are as follows:

- I. The three “R’s” should be applied to transportation.
 - a) Replacement: If any measure that can lead to replacement of the transport of live animals is practical, then it should be applied. For example; can meat-only trade, or artificial insemination, replace the transport of animals?
 - b) Reduction: If any measure can be applied to the proposed journey that will result in a reduction in the number of animals, the duration, or the distance of the journey then these should be applied. For example; could animals be finished or slaughtered at a premises which is closer than the original premises?
 - c) Refinement: If any measures exist that can be applied to refine a proposed journey, and are practical, then they should be applied. For example; the means of transport should consider, age, sex, size, weight, coat length and health status of the animal – and transport methods should be used which best meet the physiological and mental needs of the animal.
- II. All persons that are involved in the transport of animals have a responsibility to ensure the welfare of those animals. Anyone with these responsibilities should be trained and shown to be competent.
- III. The number of loading and unloading events for any one animal must be minimised.
- IV. No journey should be undertaken where the likely negative welfare impacts to the animal cannot be justified. The individual journey should be planned to consider the physiological and psychological needs of that animal, or species, or group. Planning should include consideration of loading, unloading, journey stops and rest stops.
- V. The animal, or animals, must be fit for the intended journey, and the animals must be in a fit state at the end of the journey.
- VI. There must be a contingency plan in place for reasonably foreseeable circumstances.
- VII. Transport should match the species-specific requirements of the animal.
- VIII. The competency requirements of the transporter (driver, captain, pilot, etc.) must match those of the vehicle, the animals, and the distance, type and nature of the journey. Ongoing competence should be demonstrated by undertaking training that must be relevant to the welfare of animals and use of metrics of ongoing performance.
- IX. The destination ‘outcome’ must conform to regulatory requirements that will continue to protect the welfare of the animals at a level not below that of the UK. This will ensure that the standards for the animal at the destination (for

example slaughter conditions or husbandry conditions) will be equivalent to, or better than those for an animal in a similar situation in the UK.

- X. There must be a robust audit/ inspection of animal welfare during transport, and accompanying appropriate penalties (either through assurance or legal penalties) for failure or breach of the duty of care. Clear communication and feedback throughout the supply chain should be practised to maintain attention to animal welfare throughout all stages of transport.

Consultation response:

1. Future research into the welfare of animals in transport:

A.1 The Highland Council would agree and support this research.

2. Live animal exports:

A.2 The Highland Council would agree and support this.

The market demand for sheep and cattle at the end of their production life is in England and a large number of livestock from Scotland are killed in abattoirs in England as there is no market for the produce in Scotland.

Within the Highland Council area there are currently only two abattoirs operating Dingwall and Grantown. Within the last 11 years two abattoirs in the North of the council area have closed. The geography and topography of land within Highland Council contributes to livestock travelling longer distances to a market or abattoir.

3. Fitness for transport:

A.3 The Highland Council would agree and support this.

It is important for animal health that any person involved with transporting livestock can recognise when an animal is fit to travel. This includes both the driver of the livestock vehicle, the person who arranges transport and the person who presents the livestock for transport.

4. Transport of horses:

A.4 The Highland Council agree and support this. All horses should be offered the same minimum level of protection during transport.

5. Means of transport - long commercial journeys of over eight hours:

A.5 The Highland Council would agree and support. This would however require a proportionate and risk-based approach in the application of the legislation. It is important that farmers and livestock transporters in remote areas are not disadvantaged where a livestock vehicle needs to be inspected and approved. The requirement for accelerometers to be fitted on vehicles requires further information with respect to type and size of vehicles where this requirement is to be applied.

The Highland Council welcomes FAWC recommendation that data from accelerometers be available upon request to APHA and LA.

The requirement for GPS for transporters should be reviewed including current derogation granted for road journeys under 12 hours.

6. Handling at markets:

A.6 The Highland Council agree with the Scottish Government position and welcome a review of existing requirements applying to animals at market and the setting of a maximum time an animal can spend at the market. The Highland Council support a licensing regime for livestock markets. We hope the review of markets could also be extended to look at livestock collection centres and gathering of livestock for sale other than at a market.

For a licensing regime would welcome the introduction of a fixed penalty fine for minor breach of licence conditions.

Livestock markets are currently subject to an annual inspection by APHA with LA.

Officer involvement and market operators are expected to self-police their premises

to a degree. Under the Welfare Of Animals At Market Order 1990, the market operator has a duty of care placed on them to ensure the welfare of livestock in their care.

7. Space allowances for animals transported:

A.7 The Highland Council agree with the Scottish Government position. When livestock are being transported, they must be able to stand in a natural position with head up. It is important the height of the livestock section is appropriate for the livestock being transported and allows good ventilation and air circulation. The Highland Council welcomes further research to determine appropriate stocking densities for all species intended for travel.

8. Transport practices:

A.8 The Highland Council agree with the Scottish Government position that statutory legislation should be applied in a proportionate and risk-based way. All animals (livestock, poultry, horses and companion animals) to be afforded the same minimum level of protection when being transported.

The Highland Council welcome FAWC carrying out further research in the transport of other vertebrate animals and forming an opinion in that sector. In addition, more regulation should be applied where cats or dogs are being transported as part of a business. Persons transporting the cats or dogs should hold a COC.

Particular concern is made the commercial movement of cats and dogs on long journeys including journeys to and from other countries out-with the United Kingdom. The current exemption for the transport of an individual animal other than a pet should be reviewed. The legislation must ensure when livestock are being transported, they are subject to the same minimum levels of protection during transport.

9. Thermal conditions and ventilation:

A9. The Highland Council agree with the Scottish Government position and welcome further research. Important when setting a maximum and minimum external temperature for permissible journeys that all factors are considered including the stocking density for the livestock in the vehicle being used for transport. It is important to note that within the Highland Council area for at least 2 to 3 months of the year the outside temperature is below 5 degree Celsius.

10. Long journeys:

A.10 The Highland Council agree with the Scottish Government's position. In principle we agree that the shortest journey time should be applied in all circumstances and welcome the requirement for written permission to be obtained for journeys over 21 hours. The Highland Council welcomes Scottish Government recognising that further consideration needs to be given for setting permitted journey times for journeys from remote areas. At present, there are only two abattoirs within Highland Council and not all abattoirs accept over thirty-month cattle and bulls (OTM). The number of hauliers offering a service to transport livestock has reduced over the years which has increased pressure on the livestock market to transport animals.

The geography and topography of land within Highland Council contributes to livestock travelling longer distances to a market or abattoir. The island communities within Highland Council also face challenges transporting livestock to the mainland for sale or slaughter.

Livestock from the Western Isles are transported off the Islands and arrive at ports

within the Council area. The livestock being sold at a livestock markets within the Council area. Market forces require a large number of livestock born on farms in the Council area to be transported out of the area to farms and abattoirs further South including farms and abattoirs in England.

11. Journey times and rest periods:

A11. The Highland Council would agree with this position. Would welcome driver's hours being aligned with animal transport times.

12. Licensing requirements for transporters:

A12. The Highland Council agrees with the Scottish Government. Animals should be provided with the same safeguards and protections regardless of journey length and any changes to legislation should be proportionate and risk based. We request the Scottish Government to consider extending the requirement for COC to be required for the commercial transportation of cats and dogs.

13. Transportation of animals by sea:

A.13 The Highland Council agrees with Scottish Government. It is important not to transport livestock by sea in severe weather or heavy sea conditions. The determination of what is regarded as severe weather would rely on further guidance from Scottish Government with advice from maritime organisation partners. During a sea voyage we agree ventilation is important and where possible, natural ventilation should be provided over mechanical ventilation. Where mechanical ventilation is provided, this should be thermostatically controlled. Neutral time- To our knowledge no livestock travelling on sea journeys to and from ports in the Highland Council are subject to neutral time. All livestock are transported in livestock vehicles which are designed for transport by road.

14. Transportation of animals by rail or air:

A.14 The Highland Council agrees with the Scottish Government. We are not aware of any livestock being transported by rail within the Council area.

15. Identifying welfare risks during transportation:

A15. The Highland Council agrees with the Scottish Government. In addition to extending the feedback requirement to apply to poultry and registered horses we would request the feedback to include the commercial transport of dogs or cats on long journeys including journeys where journey includes travel to and from Countries out with the United Kingdom.

16. Alignment of enforcement of welfare in transport:

A.16 The Highland Council agrees with the Scottish Government and would welcome further support and co-operation from APHA. The Council have no objection to APHA imposing direct action when they are on farm carrying out an inspection. The Highland Council would also support the provision of more education, training and guidance to promote compliance within the industry.

17. Welfare at destination:

A.17 The Highland Council agrees with the Scottish Government. No animal should be transported to a destination where the welfare conditions would be unacceptable in the UK and welcome further consideration by the Scottish Government on this issue and how it might be applied in practice.