



Derry City & Strabane
District Council

Comhairle
**Chathair Dhoire &
Cheantar an tSratha Báin**

Derry Cittie & Stràbane
Destrict Coouncil

Ref: EIR / 1128

29 March 2017

Email:

Dear

Environmental Information Regulations 2004 Request Abandoned Horses

I refer to your EIR request as above and respond as follows:

Complaints in relation to issue of abandoned horses are usually referred to Animal Welfare Officers for consideration under the Welfare **of Animals Act (NI) 2011**.

Section 14 of the Welfare of Animals Act (NI) 2011 states that it is an offence to abandon an animal; leave it unattended; or fail to make adequate provision for its welfare. The Animal Welfare Officer will consider the immediate circumstances of the animal. The animal may be taken into possession under veterinary advice where the animal is suffering, or likely to suffer if its circumstances do not change (section 17 of the Welfare of Animals Act (NI) 2011). However, each case is dealt with on its own facts and judgement by Animal Welfare Officers depends on the individual circumstances of the case.

Councils have a further option available under **Article 9 of Animals (NI) Order 1976** as a private landowner in relation to livestock (includes horses) straying onto Council land. If the livestock is not under the control of anyone, the landowner (Council) may detain it for 48 hours only. The landowner must then advise the Police and the owner (if known). If there is no claim on the livestock for 15 or more days, the landowner may sell it at market or by public auction. Where an owner makes a claim on the livestock, the landowner must return it (or the profits of sale from market / auction) to the owner.

In relation to Animal Welfare Officers are not aware of any historical complaints made to Animal Welfare in relation to Fly grazing on Council land and hence there is no cost to Council to deal with the specific issue to date.

Derry

C/o Council Offices
98 Strand Road
Derry
BT48 7NN

Strabane

C/o Council Offices
47 Derry Road
Strabane
BT82 8DY

+44 (0) 2871 253 253
info@derrystrabane.com
www.derrystrabane.com

f Derry City & Strabane District Council
@dcsdcouncil

In relation to **Derry City and Strabane District Council**, , Animal Welfare Officers have dealt with 1 **complaint** (since 1st April 2012) made to Animal Welfare in relation to Fly grazing on Council land. The cost to Council to deal with the specific issue to date was approximately £4000 (does not include Officer Time).

If you are dissatisfied with our response you have rights of review and appeal; these rights consist of two review processes.

Firstly our internal review procedure is available by contacting:

John Kelpie
Chief Executive
Derry City and Strabane District Council
98 Strand Road
Derry BT48 7NN
Tel 028 71253253 or email john.kelpie@derrystrabane.com

Secondly, you can appeal directly by contacting the Information Commissioner at:

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
CHESHIRE SK9 5AF
Tel: 0303 123 1113 (local rate) or email: casework@ico.org.uk

Yours sincerely