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## PUBLIC QUESTION TIME

1. The following question has been received from Simon Hiles:

“There have been hundreds of complaints reported to the appropriate council departments regarding the illegal breeding and trading of dogs and horses on the Esholt site. This has been confirmed by witnesses, and the RSPCA, who have offered their evidence to the council offices.

The question is, in the light of the overwhelming evidence why has there still been no action taken against this tenant for a) keeping many more animals on the site than is allowed under council regulations, and b) the breeding and trading of animals for profit, on the site, in breach of council regulations?”

### Response

The RSPCA are the agency that assess welfare concerns, instigating prosecutions if they identify conditions that contravene the 2006 Animal Welfare Act. The RSPCA have made numerous visits to the site in the past 12 months, sometimes accompanied by an independent vet, and on other occasions, by an independent horse welfare charity. Whilst the standards of welfare may fall short of those expected by the individuals whom are complaining about them, they do not contravene the law.

In relation to the allegations of illegal dog breeding, it is the Environmental Health Service that are the responsible enforcement agency. Frequent and periodic site visits have been undertaken and numbers/types/descriptions of dogs recorded. There has been one occasion when a litter was observed, but this does not constitute a transgression of the law. The offence is to breed and sell dogs, or alternatively rear at least 5 litters in any 12 month period.

There is currently insufficient evidence for the Environmental Health Service to conclude that there is a contravention of the breeding legislation. However, the investigation is ongoing and further witnesses who believe that they hold critical evidence are about to be interviewed. If, at any point, the Service has sufficient evidence to support a realistic prospect of conviction, then legal proceedings would follow.

The question also raises the issue of the numbers of animals on the site exceeding Council regulations. Some long standing residents are subject to arrangements that specify maximum numbers of dogs and horses that can be kept on an individual pitches. Other residents have tenancy conditions that do not specify numbers, but require an individual agreement with the Environmental Health Service, in their capacity as landlord of the site. Those tenancy arrangements are subject to programmed monitoring and management of the site. On occasions the numbers of dogs may exceed the

tenancy provisions, and residents' behaviour is tackled when this occurs. However, any suggestion that eviction proceedings should be instigated on such occasions is not supported by the Council's legal advisors, who advise that this is a relatively minor breach, and one which the courts would be unlikely to view as sufficient to deprive any individual of their tenancy.

Our primary responsibility is to ensure that there is no illegal breeding at the site and, when necessary, to support our colleagues in the RSPCA to fulfil their responsibilities in assessing welfare concerns. Both the Council, and the RSPCA, take their responsibilities very seriously, but they are only able to act when there is irrefutable evidence of legislative contraventions.

2. The following question has been received from Mark Swindells:

"Considering the cuts that the Council has had to make and the need for the Council to continue capital investment in "assets and infrastructure" in the district which will deliver benefit and returns for the council tax payer. Can the councillor please justify the expenditure of council funds on the former Ferniehurst School housing development when the Council is foregoing in excess of £800,000 in revenue from sale of the land and possible section 106 payments. Furthermore by the council's own admission this project will not get to the point that it has broken even within 20 (twenty) years. Especially when there are in excess of 4000 empty homes in the district. In anyone's book this does not indicate that the priorities or the finances of the Council are being managed at all well, especially as this is not a large infrastructure project such as a much needed new road or school where this kind of long term outlook would be generally accepted when weighed against the benefits to the community as a whole?"

## **Response**

The Council's Core Strategy has identified that an additional 42,100 additional homes are required in the District by 2030, 20-25% of which need to be affordable.

This scheme is one of 7 housing schemes that together form the Council's affordable housing programme 2015/18. This programme will create 139 affordable homes for rent along with 74 homes for sale. The homes for rent will supplement the Council's own stock of 176 homes that have been developed since 2010.

The Council has not foregone the monies from the sale of the site as it will retain ownership of the affordable homes and will use the rental income from these, along with the capital receipts from the sold homes to fund the programme.

The programme has attracted £3.475m of grant from the Homes and Communities Agency (HCA) into the district. The Council will also benefit

from New Homes Bonus of approximately £1.4m and additional council tax revenues from the 213 additional homes.

Recent changes to the funding regime for affordable housing mean that the Homes and Communities Agency will no longer fund affordable housing for rent beyond this programme. This is therefore the last opportunity for the Council to access government funding to support its much needed affordable housing programme for the foreseeable future.