

## Culture, Communications, Welsh Language, Sport, and International Relations Committee: Welsh Government's Call for Evidence: Prohibition of Greyhound Racing (Wales) Bill

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### **Welsh Local Government Association - The Voice of Welsh Councils**

The Welsh Local Government Association (WLGA) is a politically led cross party organisation that seeks to give local government a strong voice at a national level.

We represent the interests of local government and promote local democracy in Wales.

The 22 councils in Wales are our members and the 3 fire and rescue authorities and 3 national park authorities are associate members.

### **We believe that the ideas that change people's lives, happen locally.**

Communities are at their best when they feel connected to their council through local democracy. By championing, facilitating, and achieving these connections, we can build a vibrant local democracy that allows communities to thrive.

**Our ultimate goal** is to promote, protect, support and develop democratic local government and the interests of councils in Wales.

### **We'll achieve our vision by**

- Promoting the role and prominence of councillors and council leaders
- Ensuring maximum local discretion in legislation or statutory guidance
- Championing and securing long-term and sustainable funding for councils
- Promoting sector-led improvement
- Encouraging a vibrant local democracy, promoting greater diversity
- Supporting councils to effectively manage their workforce



## Overview

### 1.0 Introduction

- 1.1 The Welsh Local Government Association (WLGA) welcomes the opportunity to respond to the Welsh Government's Call for Evidence on the Prohibition of Greyhound Racing (Wales) Bill and recognises that the introduction of this Bill may have economic implications.
- 1.2 While we acknowledge that the closure of the Valley track will have implications for local employment, community activities, and may indirectly affect rural economies and small businesses connected to racing, we believe that other stakeholders are better positioned to provide detailed evidence on the broader economic impacts. Taking these factors into account, we recommend that transition support be considered for the communities affected. Accordingly, the Association has focused its submission on areas most directly aligned with local government regulatory responsibilities, particularly enforcement and the implementation of the Bill.
- 1.3 The Association supports the Welsh Government's proposal to prohibit greyhound racing in Wales, recognising the animal welfare concerns associated with the activity and the clear public and stakeholder support for such a measure. Nonetheless, local authority regulatory services, in particular trading standards and animal health officers across Wales have highlighted areas where the draft legislation could be strengthened to ensure that it is comprehensive, effective, and capable of being enforced in practice.

### 2.0 Scope of the Legislation

#### 2.1 Limited Coverage of Associated Activities

- 2.1.1 The Bill focuses on the operation of racing venues and the organisation of races but does not currently address associated activities such as participation. Expanding the scope to include participation would help prevent circumvention or unintended loopholes and ensure the legislation is enforceable if illegal activities arose because of the ban.

#### 2.2 Challenges in Identifying Organisers

- 2.2.1 Enforcement officers have raised concerns about the difficulty of identifying "organisers" in cases of informal or pop-up racing events. Including participation as an offence would improve enforceability and act as a stronger deterrent.

### 3.0 Enforcement Considerations

#### 3.1 Local Authority Capacity and Support

- 3.1.1 The Bill implies that existing local authority officers, specifically within trading standards services, will have primary responsibility for enforcing offences contained in the Bill, with inspectors granted powers of entry, search, and seizure (though not of the dogs themselves). Effective enforcement will depend on intelligence-led



investigations, consistent collaboration with police, and adequate support for legal processes. However, the practicalities of this are unclear. Regulatory services such as Trading Standards and Animal Health are likely to face challenges in responding to illegal racing without adequate support or resources.

- 3.1.2 It might be beneficial to have national agreements developed with the police and relevant animal welfare organisations to set out clear roles, responsibilities, and processes. This would ensure consistent enforcement across Wales, strengthen inter-agency collaboration, and provide local authorities with the backing needed to act effectively. Alternatively, Animal Licensing Wales could provide a central support and expertise function for local authorities, as historically there is no intelligence to show a history of illegal greyhound racing. This would provide a more efficient enforcement support mechanism and be less onerous on individual local authorities. This would strengthen and compliment the evolving national model of licensing animal related activities.
- 3.1.3 Delivering these duties will place additional pressure on already stretched local government regulatory services. It is therefore essential that the Welsh Government works closely with local authorities to assess the scale and impact of these new responsibilities. A collaborative approach should be taken to identify the most efficient means of providing the necessary funding, training, and resources to ensure enforcement is both practical and effective. We recommend that the implementation plan includes clear guidance, comprehensive training, and appropriate resourcing to support the delivery of enforcement responsibilities.

## 4.0 Policy Development Context

### 4.1 Stakeholder Input

- 4.1.1 It is important to clarify that while local authorities contributed to the Welsh Government's targeted call for evidence in 2023 to identify gaps in existing legislation, they did not specifically request a ban on greyhound racing – see attached as **Appendix 1** - the January 2023 Directors of Public Protection Wales (DPPW) submission. The subsequent prioritisation of themes for consultation, including racing dogs, reflected a broader policy development process that drew on multiple sources, including public petitions, stakeholder engagement, and recommendations from the Senedd's Petitions Committee.

### 4.2 Missed Opportunities for Broader Reform

- 4.2.1 The DPPW response highlighted several gaps in current animal licensing legislation that were not progressed, including:
  - a. Unregulated ancillary services linked to dog breeding (e.g. stud services, fertility clinics, semen sales).
  - b. The unlicensed dog grooming sector, where animal welfare concerns persist.
- 4.2.2 These areas remain relevant and warrant further attention in future legislative reviews.



## 5.0 Recommendations

5.1 The Welsh Local Government Association makes the following recommendations:

### 5.1.1 Broaden the scope of the Bill and revisit wider gaps in animal welfare licensing

The Bill should be seen as part of a broader strategy to modernise animal welfare legislation. Local authorities have consistently highlighted unregulated stud/fertility services, the dog grooming sector, and outdated licensing frameworks as pressing priorities. Revisiting these issues alongside the Bill would ensure a more comprehensive and effective approach to improving animal welfare in Wales.

### 5.1.2 Provide additional resources for councils

Local authority regulatory services cannot absorb additional responsibilities within existing budgets. Welsh Government should work with local authorities to assess the scale of need and provide funding for training, legal support, and inspector capacity. Without dedicated resources, the legislation risks being unenforceable and placing unsustainable burdens on already stretched regulatory services. Costed options should be developed to show how different models would operate in practice, including the implications for staffing, legal processes, and partnership working.

### 5.1.3 Establish national Memoranda of Understanding (MOUs)

National agreements should be developed with the police and relevant animal welfare organisations to set out clear roles, responsibilities, and processes. This would ensure consistent enforcement across Wales, strengthen inter-agency collaboration, and provide local authorities with the backing needed to act effectively.

### 5.1.4 Ensure local authority representation on the Implementation Group

Local authorities are at the frontline of enforcement and must be represented in the Bill's Implementation Group. Their input will help shape operational guidance that is realistic, proportionate, and enforceable, reflecting the on-the-ground experience of trading standards and animal health officers.

## 6.0 Conclusion

6.1 The Association supports the intent of the Prohibition of Greyhound Racing (Wales) Bill and welcomes the opportunity to contribute to its development, and local authority regulatory services are committed to supporting the effective implementation of legislation where it is evidence-based and proportionate.

6.2 We ask Welsh Government to work with local authorities to develop a properly resourced and realistic enforcement framework that safeguards both animal welfare and public confidence.

6.3 We also encourage the Welsh Government to consider amendments that will enhance the Bill's effectiveness and ensure it is practical to enforce.



## Appendix 1



# Welsh Government letter to local authority Chief Executives regarding Animal Related Licensing Overarching response of Directors of Public Protection Wales

## Introduction

Directors of Public Protection Wales (DPPW) is the collective organisation of officers leading local authority public health protection services. These services fall into the three professional disciplines of Environmental Health, Trading Standards and Licensing, and together they safeguard the health, safety and economic wellbeing of our communities while at the same time seeking to protect the environment.

DPPW welcomes the recent Welsh Government request to local authority Chief Executives seeking feedback on the current legislative framework for the licensing of animal related activities, as well as on ideas for future improvement.

Animal welfare and animal related licensing are hugely important areas of work for Public Protection services, and all 22 local authorities take pride in the dedication and commitment of their staff working in often challenging conditions to deliver the very best possible outcomes. It is in this context that DPPW adds its endorsement of the animal welfare and licensing work carried out by local authorities in Wales and provides this over-arching response to the Welsh Government request for feedback.

## The Welsh Government request

Welsh Government has requested the following information

- 1. What animal welfare licensing legislation your Officers are responsible for enforcing*
- 2. What issues your Animal Welfare Enforcement Officers face, both with the current licensing legislation in force and where existing legislation does not provide sufficient protection for a specific animal activity. Please provide as much evidence as possible to support your answer*

## DPPW response to question 1

### **Animal welfare licensing legislation currently enforced**



Depending on the animal related business activities carried out locally, there may be some variation between local authorities in respect of the legislation enforced. Nevertheless, the list below details the broad areas of legislation currently available to authorised officers. In addition to the Acts of Parliament listed, there are a number of pieces of secondary legislation in use.

- ***Animal Welfare Act 2006***

*The Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021*

*The Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014*

- ***Animal Boarding Establishments Act 1963***

- ***Dangerous and Wild Animals Act 1976***

- ***Performing Animals (Regulation) 1925***

- ***Riding Establishments Act 1964***

- ***Riding Establishments Act 1970***

- ***Zoo Licensing Act 1981***

### **DPPW response to question 2**

#### **'Issues' and 'gaps' associated with the animal licensing legislation currently enforced**

It is noticeable from the above list just how long ago the majority of animal licensing law came into force. It should come as no surprise that such aged legislation is often outdated with no account having been taken for developments over time. Using just one example to illustrate, the sixty-year-old Animal Boarding Establishments Act 1963 is based on the very traditional concepts of animals being boarded in kennels and catteries while their owners are away on holiday. In contrast, pet owners of the 21<sup>st</sup> century often demand home boarding arrangements and even dog day care or dog 'creche' facilities while they are out at work. While this can be a positive development in terms of recognising the welfare needs and demands of pet ownership, the law has not kept up with developments.

Examples of inflexibility arising from long established animal licensing legislation result in rigid calendar year licensing cycles being required. Again, using the Animal Boarding Establishments Act to illustrate, licenses run from January to December with no facility to charge the licence fee pro-rata for part of the year. As well the clear burden that this places upon licence holders, this rigid approach places unnecessary pressure on local authorities to inspect all premises across a very tight timeline in the run up to 31<sup>st</sup> December each year. In contrast, annual renewals based on the original



date of granting a licence and the ability to become licensed as needed for part of the year would serve to alleviate this pressure. Likewise, some element of risk-based inspection for individuals renewing their licences could allow much smarter targeting of local authority resources than continuing to conduct inspections of all licensed premises each year.

The following specific observations are also made:

### **1. Riding Establishments Acts 1964 and 1970**

Currently this area of law has a narrow focus on standard riding school activity. It is suggested that new legislation could provide a much broader application to other equine related activities to ensure that animal welfare requirements are being met. Examples in this context would be the use of donkeys for rides on beaches or at summer shows and also in the provision of taxi / carriage services.

Diseases such as equine Influenza and strangles pose significant risks within the industry. The law could be updated through screening requirements to better protect horses being taken from or into horse riding establishments.

### **2. Dog Breeding**

A series of high-profile prosecution cases have been taken against illegal dog breeders by local authorities. During the course of some of these investigations it has become apparent that those involved in dog breeding are finding ways to engage in allied activities that currently don't fall within the remit of that which requires a licence.

This 'pushing of the boundaries' includes the provision of stud services, fertility testing, the sale of semen and artificial insemination, none of which fall within the scope of licensable dog breeding activity. A review of this stance would be welcome in order to regulate these novel ways for individuals to benefit from the breeding of dogs without requiring a licence.

Investigations have identified cases where irresponsible breeding, driven by profit, results in the passing on of inherent illness / genetic defects, and there is a school of thought that the issuing of a dog breeder's licence should be contingent on the applicant being able to demonstrate that all bitches and stud dogs are fit to breed.

Unfortunately, the six-month time limit for commencing proceedings under the Animal Welfare Act 2006 poses a significant challenge in the successful progression of cases. This will be so in the more straightforward cases against dog breeders but is

particularly problematic in the context of large or complex investigations and where in addition to offences for unlicensed dog breeding, proceedings are taken under sections 4 and 9 of the Animal Welfare Act 2006 (causing unnecessary suffering and failing to meet welfare needs).



### **3. Animal Boarding Establishments Act 1963**

As previously mentioned, (on page 2 of this response), this legislation is dated, and out of step with the modern pet care sector. A review of the legislation could enable this to be rectified by recognising dog day care and similar services, while at the same time addressing other deficiencies in the licensing of pet care facilities. Of particular concern in this context is the fact that the 1963 legislation makes no provision for the mental stimulation and enrichment for boarded animals.

### **4. Performing Animals (Registration) Act 1925**

This legislation requires only the registration of animals rather than for the licensing of individuals. Nevertheless, it would appear that more and more animals are being used for commercial gain in this context, including for example, making horses, donkeys, llamas, alpacas etc. available to be taken out for a walk.

This area of the law could be strengthened by moving to a scheme of licensing rather than registration, with a requirement for inspections of animals to be carried out in their kept environment and when performing, to ensure that welfare needs are being met.

### **5. Activities currently falling outside the scope of animal licensing**

It is hoped that as part of this area of work, Welsh Government will review all animal related activities to identify those currently falling outside the scope of animal licensing. It is suggested that charities, rescue centres, animal sanctuaries, private collectors, dog walking and dog / cat grooming services should be scrutinised with a view to their being subject to licensing and an associated inspection regime for standards of animal welfare.

### **6. Zoo Licensing Act 1981**

This Act similarly is outdated and enforcing its provisions can be challenging. The UK Government is currently reviewing the Zoo Licensing Act 1981 as part of its Animal Welfare (Kept Animals) Bill but the proposed amendments do not go far enough to improve this piece of legislation.

The welfare of the animals and public safety are the primary objectives of the Act, yet one of the challenges facing a local authority is the ability to effectively enforce conditions and directions, including closure directions, in a timely manner. No local authority takes the decision to issue a closure direction lightly. However, in a case where a Welsh local authority issued conditions as well as directions, including closure directions, to bring a zoo into compliance, the licence holder challenged and appealed these conditions/instructions at every stage resulting in lengthy litigation that spanned several years.



The legislation provides the licence holder with an “opportunity to be heard”, which (unhelpfully) is not defined in the Act, as well as a 28-day period of appeal to challenge any conditions and/or directions made by the local authority. Enforcing the Zoo Licensing Act can therefore result in lengthy litigation especially when the licence holders challenge and appeal the local authority’s decision to issue conditions and/or directions.

As well as being a drawn-out process, appealing through the Magistrates Court can also be an expensive process. UK Parliament is proposing an amendment to the Act that will enable appeals to be heard at first tier tribunals in England. However, no such amendment is currently being proposed for Wales. It is important to note that when local authorities take enforcement action, the financial burden may be great because in some cases, the responsibility for managing the zoo and for the welfare of the animals, transfers to the local authority. It would be useful if additional hardship funding could be made available to local authorities in such exceptional cases.

The Act could also be updated by introducing a “fitness test”. Currently a person applying for a zoo operator’s licence requires no specialist qualifications or prior experience of operating a zoo or handling exotic and/or dangerous wild animals. This poses a risk to both public safety and animal welfare, and it is suggested that having a basic level of competency should be a minimum requirement.

## **7. Other observations**

In any modernisation of animal licensing law, consideration should be given to the introduction of fixed penalty notices as an additional enforcement tool, for example in respect of trading while unlicensed.

As part of its commitment to promoting the highest standards of animal welfare in Wales, Welsh Government may wish to review the appropriateness of individuals being able to give pets (including goldfish) as prizes. A number of Welsh Councils have taken positive steps to prohibit this practice on any local authority owned land, but there is no such restriction in respect of non-council owned land in Wales. In Scotland, the giving of animals as prizes is prohibited by section 31 of the Animal Health and Welfare (Scotland) Act 2006, whereby a person commits an offence if they, other than in a family context, offer or give an animal to another person as a prize.

### **Conclusion**

DPPW is grateful for the opportunity to contribute to this request for feedback and looks forward to playing a key role in taking this agenda forward.

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**Directors of Public Protection Wales**  
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