



Council Motion on Live Animal Exports

Scrutiny (Community & Regeneration) Committee

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Recommendation of the Scrutiny (Community and Regeneration) Committee

RECOMMENDATION: That it be recommended to Council:

- (a) That the health and welfare of animals, including when in transport, be considered paramount.
- (b) That the Council write to the Secretary of State for Transport and the Secretary of State for Environment, Food and Rural Areas to urge an amendment to the Harbour, Docks and Piers Clause Act 1847 for the purpose of giving ports discretion in respect of accepting the transport of live animals for the purpose of slaughter.

By way of example it is suggested that a change to the Act along the following lines (as shown in *italics*) would facilitate this:

3. Interpretations in this and the special Act.

The word: "goods" shall include wares and merchandize of every description *except live animals*, and all articles in respect of which rates or duties are payable under the special Act.

33. Harbour, dock, and pier free to the public on payment of rate.

Upon payment of the rates made payable by this and the special Act, and subject to the other provisions thereof, the harbour, dock, and pier shall be open to all persons for the shipping and unshipping of goods, and the embarking and landing of passengers, *save that the undertakers have discretion to refuse use of the Harbour, Dock and Pier for the purpose of the export of live animals for slaughter.*

- (c) That the Council urge the responsible European and British authorities to better enforce existing regulations relating to the transport of live animals.
- (d) That the Council express its support for inspectors from the Royal Society for the Prevention of Cruelty to Animals (RSPCA) being granted access to work alongside officers from the Animal and Plant Health Agency (formerly the Animal Health and Veterinary Laboratories Agency) at all ports involving the export of live animals.

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Executive Summary of the Views of the Committee

The Scrutiny (Community and Regeneration) Committee having considered the original motion and the views received from those organisations and individuals that accepted the invitation to meet with it or respond in writing and the contents of the research report, has formed the following view at its meeting held on 25 February 2015.

The Scrutiny (Community and Regeneration) Committee, while accepting that the export of live animals for slaughter and other purposes is a legal trade and as such it would be illegal to impede it, expresses concern that on the basis of testimony received that the current regulations governing trans-national journeys of animals may not be effectively and consistently enforced throughout the duration of the journey.

In respect of journeys by sea, the Committee does not choose to draw a distinction between this and journeys by land so long as the vessel used for transport is fit for the purpose. The primary concern of the Committee is with the journey length and the conditions in which animals are transported. However, this should not be taken to mean that the Committee expresses any criticism in general of British hauliers involved in transporting live animals for export.

The Committee while recommending changes to the Harbours, Docks, and Piers Clauses Act 1847 acknowledges that the issue of amending European legislation, and in particular Regulation 1/2005, relating to the single market may be engaged. However, it is the opinion of the Committee that animals should not be treated as 'goods' but rather as sentient beings with the resultant legislative changes to reflect this position.

The Committee feels that it is important to draw a distinction between the export of live animals for slaughter and live animals exported for other purposes such as breeding stock. It acknowledges that while ethically it may not be the desired situation, the export of live animals for purposes such as breeding have a greater financial value attached to them which increases the likelihood that they will be treated better on trans-national journeys.

In respect of the Port of Dover, the Committee accepts that there is no space at the port for lairage but would support the creation of local lairage points to be used to rest animals in transit. This could also have economic benefits for the local economy. The Committee sees a welfare benefit in a maximum journey time of 8 hours for animals destined for slaughter but believes that in principle this is still potentially too long.

The Committee has not expressed support for a carcass only export trade as it was felt that this was outside of the remit set by the original motion. However, it sees benefit in improved labelling laws due to come into effect across Europe later this year which will make it easier for consumers to identify the place of origin, as well as the place of slaughter, of meat.

The Committee acknowledges that the Animal and Plant Health Agency (APHA), formerly known as the Animal Health and Veterinary Laboratories Agency (AHVLA), is the responsible agency for inspection of live animals for export and makes no criticism of its operations. However, the Committee is of the opinion that there would be benefit in bringing in additional expertise from the Royal Society for the Prevention of Cruelty to Animals (RSPCA) to assist at any UK ports where live animals are exported.

The Committee would like to express its disappointment at the unwillingness of representatives from the Animal and Plant Health Agency (APHA), formerly known as the Animal Health and Veterinary Laboratories Agency (AHVLA), to meet with the Committee as part of this review. While accepting that the APHA was willing to respond to written enquiries of the Committee, it is felt that representatives from a government agency should have been prepared to meet with local elected representatives on this matter.

Finally, the Chairman of the Scrutiny (Community and Regeneration) Committee would like to thank all Members who participated in the Review and those external witnesses who engaged with it in either written submissions or through meeting with the Committee during the process of gathering this information.

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Scope of the Review

Council Motion

The Council at its meeting held on 24 July 2013 requested that the Scrutiny (Community and Regeneration) Committee action the following Motion:

"This Council opposes the resumption of the export of live animals to continental Europe from the port of Dover, despite widespread opposition from the British public and resolves to lobby the Secretaries of State for Transport and for Environment, Food and Rural Affairs to amend the outdated Harbours, Docks and Piers Clauses Act 1847 in order to allow port authorities in the UK the right to refuse the use of its port to any ship involved in such activities. The Council also resolves to lobby Dover Harbour Board to grant RSPCA inspectors access to the port and inspect any future shipments of live animals to the Continent."

The Review was delayed due to the more time sensitive review on hydraulic fracturing ('fracking') and did not commence until April 2014.

Methodology

The Committee has sought to gather evidence via the following methods:

- Research report provided by Democratic Support at the start of the review process.
- Oral evidence gathered from individuals and representatives of organisations who attended a meeting with the Committee.
- Written evidence gathered from individuals and representatives of organisations who did not attend a meeting with the Committee.

In compiling this report it should be noted that the subject of the motion is a very emotive issue. To this end the Committee has sought to approach the matter with an open mind and draw conclusions based on the information that it has been able to gather.

Research Report

1. Introduction

1.1 The original motion raises three points which the Committee has attempted to address in gathering information for this review. These points are as follows:

- Whether to lobby the Government to oppose the resumption of the export of live animals to Europe from the Port of Dover;
- To amend the Harbours, Docks and Piers Clauses Act 1847 to give ports the discretion to refuse their use for the export of live animals; and
- Whether to lobby in support of inspectors from the Royal Society for the Prevention of Cruelty to Animals (RSPCA) being granted access to the Port of Dover for the purpose of inspecting shipments of live animals.

1.2 The Committee has sought to address these three points during the course of its review.

2. Background

Animal Welfare Principles

2.1 The five freedoms are a compact of rights for animals under human control, including farmed animals, and are as follows:

1. **Freedom from hunger or thirst** by ready access to fresh water and a diet to maintain full health and vigour
2. **Freedom from discomfort** by providing an appropriate environment including shelter and a comfortable resting area
3. **Freedom from pain, injury or disease** by prevention or rapid diagnosis and treatment
4. **Freedom to express (most) normal behaviour** by providing sufficient space, proper facilities and company of the animal's own kind
5. **Freedom from fear and distress** by ensuring conditions and treatment which avoid mental suffering

2.2 In the UK, the Farm Animal Welfare Committee (FAWC) advises the Department for Environment, Food and Rural Affairs (DEFRA) on the welfare of farmed animals. FAWC has included the concept of minimum standards of animal welfare being assessed against an animal's quality of life, that an animal should have a 'life worth living' from its point of view and that an increasing number should have a 'good life'.

How many animals are exported?

2.3 In 2012, the EU Commissions TRACES Data Warehouse provided the following information, quoted in answer to a UK Parliamentary Question, on the four largest importers for each species of animal from the UK:

Table 1: Numbers of Animals Exported from the UK to Main Country of Destination (2011)¹

| | Country | Number | Country | Number | Country | Number | Country | Number | Total |
|--------|---------|--------|---------|--------|---------|---------|-------------|--------|---------|
| Sheep | Belgium | 8,827 | France | 23,670 | Ireland | 338,682 | Netherlands | 13,672 | 388,394 |
| Pigs | Belgium | 319 | Spain | 653 | Ireland | 5,795 | Malta | 529 | 7,643 |
| Cattle | Spain | 20,472 | France | 2,022 | Ireland | 14,830 | Italy | 973 | 38,901 |
| Horses | Belgium | 1,099 | Spain | 899 | Germany | 1,365 | Netherland | 1,183 | 6,973 |

2.4 The figures for 2012 showed a small change in the total number of animals exported to European Union Members States as follows:

- Sheep – 436,488 (Up 48,094)
- Pigs – 8,151 (Up 508)
- Cattle – 19,477 (Down 19,424)
- Horses – 16,861 (Up 9,888)

The Rural Economy and the Economic Benefits of Animal Exports

2.5 The value of animal exports to the UK economy varies by country, with live animal exports of greatest value to Scotland (0.32% as a percentage of all exports in 2011) and least value to Wales (statistically 0.00% as a percentage of all exports in 2011). The total value of live animal exports to the United Kingdom in 2011 was £401,452,000.

Table 2 - UK exports of live animals by region, 2001 to 2011, net mass in tonnes²

| Year | England | Northern Ireland | Scotland | Wales | Unknown | United Kingdom |
|------|---------|------------------|----------|-------|---------|----------------|
| 2001 | 6,750 | 4,747 | 805 | 813 | 1,661 | 14,776 |
| 2002 | 6,952 | 7,966 | 878 | 414 | 2,356 | 18,566 |
| 2003 | 6,972 | 4,639 | 2,640 | 81 | 6,508 | 20,840 |
| 2004 | 5,974 | 5,866 | 913 | 65 | 7,109 | 19,927 |
| 2005 | 5,597 | 7,467 | 913 | 64 | 3,657 | 17,698 |
| 2006 | 6,197 | 8,598 | 684 | 384 | 8,745 | 24,608 |
| 2007 | 5,157 | 5,375 | 392 | 13 | 9,778 | 20,715 |
| 2008 | 4,178 | 2,521 | 228 | 4 | 9,162 | 16,093 |
| 2009 | 4,478 | 1,784 | 226 | 1 | 6,376 | 12,685 |
| 2010 | 2,554 | 3,907 | 377 | 80 | 3,951 | 10,869 |
| 2011 | 3,265 | 6,989 | 366 | 62 | 1,709 | 12,391 |

¹ <http://www.publications.parliament.uk/pa/cm201213/cmhansrd/cm121204/text/121204w0002.htm#12120466000509>;

² Source: HMRC UK Trade info

- 2.6 In 2011, the single largest destination for live animal exports was to Ireland (37%) rather than any continental European nation. France, Hong Kong and the United States of America each received 7% of UK live animal exports. In total, these four nations were the destination for 58%³ of all UK live animal exports, the majority of which would not have passed through an East Kent port.
- 2.7 Not all live exports are for slaughter and one of the impacts of the transport of live animals for breeding has been the impact of introducing strains of European cattle into British beef.
- 2.8 The existence of export markets for British farmed animals also contributes to ensuring that British farmers get the best price for their livestock, although it is arguable as to what, if any, the impact on British exports would be if the UK moved to a carcass only export basis.

A Limit on Journey Times for Live Animal Transport?

- 2.7 The UK Government, the European Parliament and other organisations have called for the slaughter of live animals to be conducted as close to the point of production as possible. As part of this a declaration was issued by the European Parliament calling for an eight hour limit on the transport of animals to slaughter.
- 2.8 The current arrangements allow for calves to be transported for 9 hours, rested for 1 hour (which does not require the calves to be unloaded), and then transported for a further 9 hours.
- 2.9 However, it is acknowledged that in some locations such as the Scottish islands, transport to a mainland abattoir may still be required for the slaughter of animals.

The View of the UK Government

- 2.10 The view of the Government in relation to the live export of animals for slaughter was set out in a debate in the House of Commons during a debate held on 13 December 2012⁴ as follows:

Mr Sanders: To ask the Secretary of State for Environment, Food and Rural Affairs what his policy is on live animal exports from the UK; and if he will make a statement.

Mr Heath: The Government's position is that we would prefer animals to be slaughtered as close as practicable to their point of production; a trade in meat and meat products is preferable to the long distance transport of animals. However, the live export trade is a lawful trade when welfare in transit is complied with. We cannot ban it. This has been proved in the High Court and in the European Court of Justice.

- 2.11 An e-petition was submitted to the Department for Environment, Food and Rural Affairs in 2013 in respect of the 'Live Transport of Farmed Animals'. The petition received 60,519 signatures in support of it and petitioned the government as follows:

"We the undersigned believe that the international trade in animals for food should be on the hook and not on the hoof. Animals should be slaughtered

³ HMRC Trade Info <https://www.uktradeinfo.com/Pages/Home.aspx>

⁴ Parliamentary Debate, Backbench Business, Animal Welfare (Exports) - <http://www.publications.parliament.uk/pa/cm201213/cmhansrd/cm121213/debtext/121213-0002.htm#12121342000004>"

humanely as close to their farm of origin as possible and subject to CCTV monitoring to ensure humane standards apply.

Consequently, we call upon the Government to cease immediately the live transport of farmed animals from British ports to continental Europe and to make that cessation permanent by appropriate amendment to the Harbours, Docks and Piers Act 1847.

While the trade continues the full costs of all veterinary and Animal Health regulatory inspections as well as lairage and emergency facilities should be borne by the hauliers and shipment industry, rather than by the taxpayer.”

- 2.12 The e-petition received the following response from the Department for Environment, Food and Rural Affairs:

“The Government would prefer to see the export of meat or germ plasm rather than livestock, and that animals are slaughtered as close as practical to their point of production. However, the export of livestock for slaughter within the EU is a legal trade.

To ban the trade, either directly or by indirect means, would be illegal and would undermine the principle of the free-movement of goods enshrined in the Treaty on the Functioning of the European Union. Nevertheless, if livestock is transported for slaughter, consignments must meet the full requirements of the EU legislation on the protection of animals during transport (Council Regulation (EC) 1/2005).

This legal position on the trade in livestock has been confirmed by a number of rulings in the High Court and the European Court of Justice in the 1990s. The High Court judgment of Lord Justice Simon Brown in the 1995 joined cases of R v Dover Harbour Board (ex parte Gilder), R v Associated British Ports ex parte Plymouth City Council and the European Court of Justice case C – 1/96 R v MAFF ex parte CIWF are both good examples of these rulings.

Mention is made of possible amendment to the Harbour Docks and Piers Clauses Act 1847. UK ports are generally subject to the requirements derived from Section 33 of this legislation. This states that:

"Upon payment of the rates made payable by this and the special Act, and subject to the other provisions thereof, the harbour, dock, and pier shall be open to all persons for the shipping and unshipping of goods, and the embarking and landing of passengers."

This legislative provision is designed to ensure that ports are available to all without discrimination in a consistent manner. It would not be an appropriate legal instrument to use to introduce an effective barrier to trade for the use by port authorities as they see fit. In any case, attempting to ban the live export trade in this way would still be illegal as it would undermine the principle of the free movement of goods enshrined in the Treaty on the Functioning of the European Union.

- 2.13 The Member of Parliament for Dover, Mr Charlie Elphicke, has also expressed concern over the export of live animals for slaughter:

“Live animal exports are cruel and go against all standards of acceptable animal welfare. We are a nation of animal lovers. Seeing live cattle or sheep

being transported in confined trucks and in great distress is shocking and should be a relic of the past.”⁵

3. Legislative Framework

3.1 There are two areas of legislation that apply to the transport of live animals – European Union and United Kingdom.

(a) European Union Legislation

3.2 The EU has had rules governing animal welfare during transport since 1977. The rules aim to eliminate technical barriers to trade in live animals and to allow market organisations to operate smoothly, while ensuring a satisfactory level of protection for the animals concerned.

3.3 The primary piece of European legislation is Council Regulation (EC) No 1/2005 (22 December 2004) on the protection of animals during transport and related operations. This amended previous EU Directives and Regulations and concerns the transport of live, vertebrate animals in connection with ‘economic activity’.

3.4 For the purposes of the legislation, farmed livestock is defined as

- Bovine (Cattle)
- Porcine (Pigs)
- Small Ruminants (Sheep, Goats)
- Domestic Equidae (horses, etc)
- Poultry (domestic fowl, ducks, geese, etc)

(b) United Kingdom Legislation

3.5 The Council Regulation was implemented in the UK by the SI 3260 Welfare of Animals (Transport) (England) Order 2006⁶ and equivalent legislation in Scotland, Wales and Northern Ireland.

The key points of the Order are as follows:

- That the Regulations do not apply where transport is not in connection with an economic activity or where the transport is to or from veterinary practices or clinics under veterinary advice.
- Provisions are made to permit farmers to transport their own animals, in their own vehicles, for a distance of less than 50km from their holding, or for seasonal stock movements between pastures.
- The Regulations also prevent the transport of unfit animals (within the definition of Annex 1, Chapter 1 of Council Regulation 1/2005); very young animals (with exceptions for journeys of less than 100km); pregnant animals in the latest stage of gestation and for a period of one week after birth; and cats and dogs under 8 weeks of age transported for commercial purposes (unless accompanied by their mother).
- Rules for the transportation of animals and regulation of the hauliers (transporters) that move animals commercially.

⁵ <http://www.elphicke.com/local-news/stop-live-animal-exports-public-meeting/514>

⁶ http://www.legislation.gov.uk/ukSI/2006/3260/pdfs/ukSI_20063260_en.pdf

- 3.6 The second relevant piece of UK legislation is the Harbours, Docks and Piers Clause Act 1847. This requires ports to accept the legal transport of goods upon the payment of the relevant rate. As such it is consistent with European Single Market legislation, and in particular Council Regulation (EC) No 1/2005.

4. Legal Cases

(a) Dover Harbour Board 1995

- 4.1 In 1995 Dover Harbour Board (DHB) was taken to the High Court when it refused to allow the trade to use Dover (*R. v. Dover Harbour Board ex parte Peter Gilder & Sons [1995] 3 All ER 37*).
- 4.2 The High Court held that Section 33 of the Harbours, Docks and Piers Clauses Act 1847 prevented DHB from refusing to make the Port of Dover available for those wishing to use it for the export of live animals. The High Court stated that ports, and DHB in particular, was legally obliged to facilitate a legal trade. In effect, while transporters may choose ports, ports may not choose transporters.

(b) R v Associated British Ports ex parte Plymouth City Council and the European Court of Justice case C – 1/96 R v MAFF ex parte CIWF

- 4.3 The case related to an application for judicial review by Compassion in World Farming (CIWF) against the decision of the Minister of Agriculture that the UK had no power to impose minimum conditions for the export of veal calves. CIWF argued that this was possible where the crate system likely to be in use in the importing Member State were likely to infringe on the standards laid down by the European Convention on Protection of Animals Kept for Farming Purposes and that this was permitted under Article 36 E.C. The High Court referred the matter to the European Court of Justice (ECJ) for a ruling.
- 4.4 The ECJ ruled that a ban or restriction on the export of live calves from one Member State to another was a quantitative restriction on exports contrary to Article 34 E.C. In addition, the Court ruled that Regulation 805/68 precluded a national ban on the export of veal calves as it would impact on the proper functioning of the common organisation of the Single Market.
- 4.5 Furthermore, the ECJ ruled that Article 36 E.C. did not empower a ban on intra-European export of veal calves on moral grounds or public policy grounds. However, individual Member States were entitled to adopt stricter standards within their own borders.

(c) Port of Ramsgate

- 4.4 In September 2012 a lorry carrying sheep destined for slaughter on the continent was stopped due to faults with the vehicle and the animals were unloaded. Two sheep, one with a broken leg, were put down and another forty-one severely lame sheep were to be euthanized. Six sheep fell into water after they were unloaded into an area where the floor collapsed. Four were rescued by RSPCA officers but two drowned.
- 4.5 It has been reported that the sheep were injured by hydraulic ramps not fit for purpose and some of the sheep had advanced foot rot or long standing illness.
- 4.6 One of the key objections at the Port of Ramsgate is that there are no facilities at the port for housing animals should the need arise.⁷
- 4.7 The ban, imposed by Thanet District Council (the Port's owner) after this incident on was due to be challenged in a judicial review by the company operating the trade. As a result of that challenge, a judge lifted the ban until the outcome of the judicial review was determined, allowing the port to remain open to the trade in the interim.

⁷ http://www.ciwf.org.uk/news/transport_of_live_animals/disaster_at_ramsgate_after_deaths_of_45_sheep.aspx

4.8 However, following legal advice ahead of the hearing, Thanet District Council decided to unilaterally lift its ban.⁸

5. **Rules for Transporters of Live Animals**

5.1 Anyone wishing to transport animals as part of an economic activity must apply to the Animal and Plant Health Agency (APHA) for a transport authorisation and vehicles and containers used for transporting animals must be certified and inspected by an approved body.

5.2 Under the Welfare of Animals (Transport) (England) Order 2006 no person shall transport or cause animals to be transported in a way likely to cause injury or undue suffering to them. The APHA carries inspections of animals at loading points and at ports, before embarkation, to ensure this is the case

5.3 The following framework applies to hauliers (transporters) when transporting live farmed animals:

- For journeys up to 65km, transporters are not required to have vehicle authorisation or training and certificates of competence although they must comply with technical rules on fitness to travel, means of transport and transport practices.
- For journeys greater than 65km but under 8 hours, authorisation (valid for up to 5 years) must be granted and requires that the transporter is an established business or for businesses outside of the UK is represented in the UK; the transporter can demonstrate that they have appropriate staff, equipment and operational procedures to transport animals in compliance with the regulations; and that the transporter has no record of serious infringement(s) of animal welfare in the 3 years preceding their application for authorisation.
- For journeys in excess of 8 hours, authorization (valid for up to 5 years) must be granted and requires that the transporter is an established business or for businesses outside of the UK is represented in the UK; the transporter can demonstrate that they have appropriate staff, equipment and operational procedures to transport animals in compliance with the regulations; that the transporter has no record of serious infringement(s) of animal welfare in the 3 years preceding their application for authorisation; that all vehicles used for the transport of horses (except registered horses) or farmed animals have a satellite navigation system; and that the transporter must provide valid certificates of approval for vehicles and containers, details of procedures enabling transporters to trace and record the movement of road vehicles under their responsibility and to be able to contact drivers at any time, contingency plans in the event of emergencies, and valid certificates of competence for drivers and attendants.

5.4 Drivers or attendants responsible for the transport of farmed animals, horses and poultry over 65km must hold a certificate of competence (awarded after independent assessment by a designated UK or European awarding body). Assembly centre staff are not required to hold a certificate of competence but must undergo training. The training required for drivers, attendants and assembly centre staff covers:

- general conditions of transporting animals
- the documents that are required
- fitness for transport

⁸ <http://www.farmersguardian.com/home/latest-news/thanet-council-lifts-ban-on-ramsgate-live-export-trade/51685.article>

- journey planning
- animal physiology and feed needs, animal behaviour and the concept of stress
- practical aspects of handling animals
- impact of driving behaviour on welfare of animals and on the quality of meat
- emergency care for animals
- safety of personnel handling animals

6. Transport Of Animals By Sea

6.1 The Committee in the remit of the original motion has the issue of transport through the Port of Dover raised. While the sea crossing is in all likelihood the shortest part of the journey undertaken by live animal exports, there are some significant differences between land and sea transport that need to be clarified.

(a) Arrangements governing the transport of live animals

6.2 As with road transport, transporters involved with the commercial transport of animals have a responsibility (Article 3) as appropriate to their role in planning, organising, and carrying out the journey to comply with the Regulation and to protect the welfare of the animals. In particular they must not to cause animals injury or undue suffering. In the case of RO-RO (roll-on, roll-off) transport such responsibility may be broadly, but not exclusively, described as follows:

- Animal transporters (i.e. those who arrange for animals to be transported from one place to another) must plan the journey and have contingency arrangements in place should any delay occur. Examples might be delayed departure caused by adverse weather, or ship breakdown at sea. They must ensure that the vehicle is suitable for carriage on the RO-RO vessel, that the ship operator is prepared to carry live animals, and that water feed and rest intervals for the animals can be complied with.
- Ship-owner / charterer / operator – Must ensure that the vessel has suitable facilities for transport of animals in vehicles, and that the Master is competent in and has specific instructions for RO-RO transport of animals.
- Shipmaster and loading officers and ships staff under his authority must ensure that the animal vehicle is suitable for RO-RO use and is stowed and secured in a well-ventilated position; that it is given sufficient protection from the weather, and the weather conditions anticipated for the voyage are such that animals will not be injured or caused undue suffering; and that, if necessary, appropriate access is provided to the vehicle for the driver or attendant. It is recommended that ship's staff carry out a visual check of animal vehicles from time to time during longer voyages.
- Vehicle operators and drivers - Must ensure that the animal vehicle is suitable for RO-RO use and that the driver or attendant understands the particular circumstances and needs of animal transport on a RORO vessel. The driver should ensure that the vehicle is allocated a suitable position, and should adjust its ventilation as appropriate; and make arrangements, if necessary, for access and provide care to the animals during the voyage.

(b) The MV Joline

6.3 Locally, the case of the MV Joline has attracted media attention concerning its sailings from the Port of Ramsgate.

6.4 The MV Joline is a former Lithuanian river ferry now owned by Barco de Vapor BV of Amsterdam and registered under the Latvian flag. It was built in 1988 by Baltijia

Shipbuilding in Klaipeda, Lithuania as Zhalgiris for the Nemunas River Shipping Co for operation between Klaipeda and Smiltynes.

- 6.5 The ship was one of a series of vessels built by the former Soviet Union designated Project R-144. The class was designed to perform a dual role and has strengthened vehicle decks for carrying heavy military equipment. The 642gt vessel measures 51.5m by 14.9m and can carry 1,298 passengers or 85 passengers and 52 cars. It is powered by twin 364hp diesels.
- 6.6 It arrived from Lithuania under tow at Den Helder in September 2010 and later moved to Ijmuiden for conversion and recertification for open sea use. The MV Joline operates the Channel route between Ramsgate and Calais and takes approximately four hours to make the crossing. When not in use, the MV Joline is berthed in Calais's inner docks.

7. Inspection Arrangements

- 7.1 The APHA is an agency of Department for Environment, Food and Rural Affairs with responsibility for safeguarding plant and animal health in the UK, including preventing the spread of plant and animal diseases.
- 7.2 The APHA also provides authorisation for anyone wishing to transport live animals as part of an economic activity and its veterinary inspectors have powers to ensure transporters are following the rules. The information gathered by the APHA and other bodies is then used by DEFRA to determine whether to grant, suspend or cancel transporter authorisation.

Table 3 – Number of Inspections (Infringements) by APHA in 2012

| | Cattle | Pigs | Sheep | Horses |
|-----------------------------|---------------------|-------------------|---------------------|-------------------|
| During transport by road | 98 (38) | 32 (3) | 85 (24) | 228 (17) |
| At the place of destination | 956 (101) | 1,113 (58) | 1,800 (54) | 194 (3) |
| At markets | 22,318 (132) | 949 (24) | 46,114 (360) | 942 (20) |
| At place of departure | 618 (11) | 83 (6) | 692 (21) | 56 (3) |
| At control points | 34 (0) | 0 (0) | 34 (0) | 1 (1) |
| At transfer points | 1,592 (16) | 398 (3) | 937 (10) | 1,270 (29) |
| Total | 25,616 (298) | 2,575 (94) | 49,662 (469) | 2,691 (73) |
| Document Checks | 321 (24) | 48 (11) | 1,867 (18) | 82 (21) |

Supporting Papers (attached)

Appendix 1: Correspondence and Information Submitted in Response to Questions of the Committee

- Mr Richard Ashworth, MEP for the South East England Region
- Mr Ray Finch, MEP for the South East England Region
- Mr Keith Taylor, MEP for the South East England Region
- Royal Society for the Prevention of Cruelty to Animals

Appendix 2: Minutes of the Scrutiny (Community and Regeneration) Committee

| | |
|----------------------------------|--|
| 09 April 2014 | Dover Harbour Board |
| 04 June 2014 | Royal Society for the Prevention of Cruelty to Animals (RSPCA) |
| 18 June 2014 | National Farmers Union, National Sheep Association, Kent Trading Standards and the RSPCA |
| 02 July 2014 | Kent Action Against Live Exports, Thanet Action Against Live Exports and Compassion in World Farming |
| 25 February 2015 | Other Speakers (Clare Hawkins) |

Source Material Used in Compiling the Research Report

- Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations
<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:277:0001:0040:EN:PDF>
- E-Petition to HM Government – ‘Live Transport of Farmed Animals’, 2013
<http://epetitions.direct.gov.uk/petitions/42002>
- The Guardian – ‘Live Animals Exports Going Via Previously Unknown Routers, 13/12/12
<http://www.theguardian.com/world/2012/dec/13/live-animal-exports-unknown-routes>
- Annual Report on the Protection of Animals During Transport
http://ec.europa.eu/food/animal/welfare/transport/docs/uk_report_2012_en.pdf
- Long Distance Animal Transport in Europe: A Cruel and Unnecessary Trade, Compassion in World Farming, June 2008
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