

Record of officer decision

Decision title:	Decision to prosecute 1 defendant for breaching a disqualification order and allowing animals to suffer
Date of decision:	30.04.20
Decision maker:	Acting Assistant Directorate for Regulatory, Environment and Waste Services
Authority for delegated decision:	Economy and Place Scheme of Delegation item 70
Ward:	Bromyard Bringsty
Consultation:	Legal Services: : In accordance with S222 of the Local Government Act 1972 we consider a prosecution is both appropriate and reasonable in this matter for the promotion or protection of the interests of the people of the County of Herefordshire which is also in accordance with the Herefordshire Council's Enforcement and Prosecution Policy.
Decision made:	To prosecute for offences under Section 4, 9 and 34 of the Animal Welfare Act 2006, and the Animal By-Products (Enforcement)(England) regulations 2013.
Reasons for decision:	<p>In November 2019 the defendant was disqualified for owning and keeping animals. Officers received information that he still owned and kept cattle and sheep. Upon investigation, evidence was found that the defendant still owned a number of sheep and cattle and therefore was in breach of the disqualification order. Subsequent to that, officers found that the cattle were suffering. 49 cattle were therefore seized as officers found that the livestock did not have a suitable environment nor adequate food to prevent them from deteriorating to a point of suffering.</p> <p>The evidence is met through witness statements and photographic evidence and the defendant's admission of the offences.</p> <p>It is in the public interest to prosecute because</p> <ol style="list-style-type: none"> 1) harm was caused to animal health and the environment; 2) the defendant's previous convictions are relevant to the present offence 3) there are grounds for believing that the alleged offence is likely to be repeated; 4) a prosecution would have a significant positive impact on maintaining community confidence 5) the defendant has failed to comply, in part or in full, with a statutory notice;
Highlight any associated risks/finance/legal/equality considerations:	None
Details of any alternative options considered and rejected:	None
Details of any declarations of interest made:	None

Signed:

Date: 30 April 2020