

### Record of officer decision

<b>Decision title:</b>	Decision to prosecute 1 defendant for failing to remove dead livestock and not providing a suitable environment for livestock
<b>Date of decision:</b>	6 September 2021
<b>Decision maker:</b>	Assistant Director for Regulatory, Environment and Waste Services
<b>Authority for delegated decision:</b>	Economy and Place Scheme of Delegation item 70 (20/07/2021)
<b>Ward:</b>	Llangarron
<b>Consultation:</b>	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
<b>Decision made:</b>	To prosecute for offences under Section 9 of the Animal Welfare Act 2006, and the Animal By-Products (Enforcement)(England) regulations 2013
<b>Reasons for decision:</b>	<p>Officers were called to a field where there were a number of dead sheep. On inspection a large number of deadstock/carcasses were found in the field. Further inspection and visits of 3 other farms used by the defendant found dead stock/carcasses including dead stock left in a water course to which livestock had access to and on top of feed as well. Officers advised the defendant to remove these carcasses but on several revisits it was not carried out. The defendant has received a caution in regard to similar offences but has continued to disregard clearing up the dead stock.</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"> <li>1)harm was caused to animal health and the environment;</li> <li>2)the defendant's previous caution is relevant to the present offence</li> <li>3)there are grounds for believing that the alleged offence is likely to be repeated;</li> <li>4)a prosecution would have a significant positive impact on maintaining community confidence</li> </ol>
<b>Highlight any associated risks/finance/legal/equality considerations:</b>	None
<b>Details of any alternative options considered and rejected:</b>	None
<b>Details of any declarations of interest made:</b>	None

Signed:

Date: 6 September 2021