



CONSULTATION ON IMPROVEMENTS TO ANIMAL WELFARE IN TRANSPORT

Defra Consultation

Date: 25th February 2021

The CLA is the membership organisation for owners of land, property and businesses in rural England and Wales. We help safeguard the interests of landowners, and those with an economic, social and environmental interest in rural land. Our members own or manage around half the rural land in England and Wales and more than 250 different types of businesses.

Consultation background

The UK government has a manifesto commitment to end excessively long journeys for slaughter and fattening. This consultation proposes to ban the live export of all animals for the purposes of slaughter and fattening. The government also wishes to make changes to existing requirements for transporting animals in an attempt to improve animal welfare and is considering implementing additional regulation. This consultation follows a report the Farm Animal Welfare Committee (FAWC) submitted to Defra. The proposals, if introduced, would be brought into force in England and Wales.

Consultation questions

Live exports for slaughter and fattening

Q1: Do you agree that livestock and horse export journeys for slaughter and fattening are unnecessary? Please explain your views.

Our members wish to see the highest standards of welfare throughout the lifespan of their stock. Long journeys across Europe for slaughter are not ideal for welfare particularly as some countries' standards of welfare during slaughter are below those within the UK. However, capacity and availability of abattoirs can be an issue and we would strongly encourage the UK Government and the Devolved Administrations to work with the industry to improve the availability of local abattoirs. For some producers in the south-east, it may be preferable in terms of shorter journey times and economic viability to export live animals to abattoirs in northern France, than it would be to transport them to certain parts of the UK. In these instances, flexibility to ensure the journey most conducive to welfare and economic viability should be considered.

Q2: Do you agree that in order to prohibit livestock and horse export journeys for fattening where the animal will be slaughtered soon after arrival, these export journeys where animals are slaughtered within 6 months of arrival should be prohibited? Please explain your views.

Regulating and enforcing this proposed regulation across Europe would not be practically possible once the livestock have departed the UK, so a clearer definition based on the type of live animal being exported would be preferable.

Q3: Do you agree that the only exceptions to prohibiting live export journeys should be for poultry live exports, and animals going for breeding or production that will not be slaughtered within 6 months of arrival? Please explain your views.

We do not agree and believe there should be exceptions for livestock where live export is preferable for animal welfare and economic reasons. We would like to see some flexibility within the system that considers the best end of life period for livestock that is ready for slaughter and the economic viability of livestock producers. If this means that for animal welfare and economic reasons, livestock could be slaughtered in abattoirs close to our sea border with France, this should be considered.

Q4: What would be the financial impact to your business or organisation of no longer being able to export livestock or horses for slaughter or fattening? Please explain any impacts provided.

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Q5: What alternatives would your business or organisation explore if it was not able to export livestock or horses for slaughter or fattening?

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Maximum journey times

Q6: Do you agree with the proposed maximum journey times as outlined in Table 1? Please explain your views and highlight any potential regional impacts that your business or organisation might experience.

The proposed maximum journey times, as outlined, could be acceptable for the vast majority of journeys, say from farm to livestock market. However, the definition of journey time to include any unloading, accommodation and loading at intermediate points in the journey is highly problematic and will lead to unintended consequences. The link between journey time and journey experience is also questioned.

Definition of journey time

The proposed new maximum journey times are a cause for concern if, as the consultation states, 'journey means the entire transport operation from the place of departure to the place of destination, including any unloading, accommodation and loading occurring at intermediate points in the journey.' The assumption is that for animals that are brought to market, time spent in lairage and in the market is included in the journey time, along with the departing journey. It is not unusual for livestock to be brought to market one day in advance, where they are left in

lairage overnight before market on the following day. It is also not uncommon for the animals to be collected the day after market, once the buyer has arranged transport. Therefore in this instance, the 'journey' time could easily reach 40 hours and therefore would be in breach of the proposed rules.

Limitation to livestock trade in the UK

Buyers and sellers of livestock often travel long distances to market (see appendix for map of livestock markets in England and Wales). This rule would have a damaging effect on the livestock trade within the UK, limiting where in the country it is possible to purchase livestock from and reducing selling opportunities and access to animal genetics that could improve businesses. It could also have the effect of restricting national livestock gene pools, which would be a concern from a productivity and disease resistance perspective. These markets already operate to APHA, Local Authority, Animal Gathering Order and Farm Assurance Standards, which require that animals are fed and watered whilst at market.

Specific concerns

- Consideration should be given to how this proposal would impact cattle infected with TB, which have to be sent to a Defra-designated slaughterhouse, which may not be the closest.
- The 4 hour limit for broiler chickens is not practical. Growers may not have an arrangement with the nearest slaughterhouse, and may have to travel to a more distant slaughterhouse for contractual reasons. The 4 hour limit would also reduce grower's options in terms of what they could rear and supply. This proposal could increase disease risk, as poultry producers would become more tightly concentrated in order to be within the 4 hour radius of a slaughterhouse. The effect would be that diseases such as avian influenza spread more rapidly throughout a local population.

Logistical challenges – bulk consignments, unknown destinations, different drivers, unforeseen delays

Implementing the proposed maximum journey time will be extremely challenging logistically for all involved in the process, particularly for bulk consignments, where animals are separated on farm, taken to market and then sold to various different individuals from different parts of the country. The duration of the final journey is not known at the point of departure and would only become clear at the point of sale and even then, collection may still need to be arranged. Who would be responsible for monitoring the journey time- the seller, the market employees, the haulier (of which there could be more than one) or the buyer?

The impact of roadworks, traffic jams and permanent or temporary changes to speed limits could also impact on journey times.

Market and abattoir infrastructure limitations

The closure of local abattoirs in recent years has been well documented, with the number of small abattoirs in England and Wales declining by more than one third in the last decade. The

number of livestock markets has also dwindled. These closures have resulted in longer journey times, as would any future closures. The CLA has previously supported calls for funding for small abattoirs and mobile slaughter facilities which would reduce the need to transport livestock longer distances for slaughter and would also provide greater choice to producers, increasing competition.

Confidence in the evidence

The FAWC 2019 Report states that 'There is little scientific research on the interaction of journey duration and journey experiences and direct impacts of journey 'length' (distance/ duration) on adverse welfare (or health) effects. As such it is not possible to make evidence-based recommendations on the maximum journey length/ duration for all animals that are transported.' This statement suggests that more research is required in order to have greater certainty regarding the proposed maximum journey times for all animals. Without such evidence, the proposed maximum journey times appear arbitrary.

Prioritising driver training

Two key elements of ensuring high welfare standards for animals in transportation, include safe and responsible driving and careful loading and unloading. There are a number of training courses covering these elements. An unintended consequence of these maximum journey times and their definition could be that journeys are rushed and animal welfare is compromised as hauliers, who have their own permissible journey length limits, will be aware of the ticking clock. Loading and unloading of animals onto vehicles requires care and patience and the process will not be helped if those loading the animals are stressed by time pressures. Increased time pressure would also hinder the loader's ability to scan the loaded livestock to determine their fitness to travel.

Horses

The proposed maximum journey times would affect competition horses particularly. They travel to events nationwide and if journey time is to include intermediary stops and time spent competing then it is going to make participation at some of the big events almost impossible.

Those that train horses can travel long distances in a day with a full day of racing in between, leaving little margin for delay.

The proposals would also affect the transport of horses between studs and to emergency foster mares.

Q7: Do you see a need for any exceptions to the maximum journey times and, if so, why? Please provide evidence.

The maximum journey time should not include any time spent by animals held in lairage or on display at livestock markets.

Time spent at agricultural shows should not be included in overall journey times, as animals can remain at showgrounds for 1-4 days before returning home.

There should be exceptions for horses, ponies and livestock that travel to and from events and shows in one day, provided they are fed and watered when they arrive at their destination.

There are a range of traffic related exceptions that should be included in the list of exemptions, such as delays caused by accidents, traffic congestion or delays, bad weather and ferry cancellations.

Q8: In the case of such exceptions, what requirements should be put in place to ensure animal welfare is protected?

Animals that are away from home for a temporary period should be afforded suitable bedding, food and water, as legislated for by existing animal welfare regulation.

Q9: What would be the financial impact to your business or organisation due to new maximum journey times being implemented? Please explain any impacts provided.

As a membership organisation, the CLA has asked individual members to submit financial details. There is a need for additional research by government to determine the impacts of this proposal.

Q10: Including loading, unloading and stops, how long is your average journey for the livestock, poultry or horses that your business or organisation manage?

As a membership organisation, the CLA has asked individual members to submit specific details. There is a need for additional government research in this area.

It should be noted that average journey statistics will not be reflective of the journeys undertaken by those farming in more remote locations, such as our island communities, who will be disadvantaged by these changes.

Q11: Do you agree that a new journey should not start until a minimum of 48 hours have elapsed after the previous journey? Please explain your views.

Animals should not be kept in transit for an indefinite period, but we cannot support the proposal to introduce a mandatory 48 hour rest period. This proposal would add to the stress experienced by the animal, could increase biosecurity risks and will cause logistical problems.

According to the FAWC 2019 report, loading and unloading of sheep causes the greatest change in stress response. If an animal has been to market, was in lairage and was close to exceeding the maximum journey time, rather than being transported to its final destination, there would be a requirement to locate a temporary location to house the animal for a 48 hour period, before it can embark on the final journey. This would be nonsensical in scenarios where the temporary location could just be reached within the maximum journey time, but travelling to the final destination would exceed the maximum journey time by a small amount, say, one hour.

There is also no consideration given to the economic impact of providing temporary livestock accommodation. It is likely to be uneconomic to transport animals beyond the initial permissible period.

In addition, frequent movement of animals in and out of temporary accommodation presents an additional disease risk.

Q12: Do you agree that there should be a minimum 7-day rest period for cattle? Please explain your views.

The same practical concerns raised in response to the previous question are also applicable here. Finding a mid-journey rest point where it will be possible to rest cattle for a 7 day period is likely to be problematic and would result in increased cost and biosecurity issues.

Temperature & ventilation

Q13: Do you agree that we should prohibit both short and long poultry journeys when the external temperature is outside of a temperature range of 5-25oC, unless the vehicle is able to regulate the internal temperature within this range for the duration of the journey by means of a thermo-regulation system, and that this temperature range should be 5-25oC? Please explain your views.

Certain breeds or species of poultry are less capable of withstanding extreme external temperatures than others. The assumption is that the proposal is to encompass all 280 poultry breeds farmed in the UK, including duck, geese, fowl and turkey breeds¹. The consultation does not refer to any research that has been done to assess the impact of the proposals on each of these breeds. There will be a variety of tolerances to extreme weather conditions across the multiple breeds, with native breeds more likely to tolerate UK temperatures.

These proposals, if introduced at short notice, would present challenges for poultry producers, given the existing fleet of transportation vehicles is not equipped to regulate temperatures within this threshold. Poultry producers operate to tight turnarounds when birds leave and chicks arrive. Arrangements are made with hatcheries weeks in advance and delays due to the weather raises the question of what happens to both the birds and chicks that were due to be transported on a pre-arranged day. A period of cold or hot weather could cause significant disruption, as poultry that were due to be transported on a given day may have to remain on farm until temperatures change. This could cause animal welfare issues, as birds that were due for slaughter continue to grow, leading to overcrowding issues and breaches of farming codes of practice. There would also be an economic impact for growers that would have no choice but to continue feeding their poultry for an undetermined period of time, in the hope that weather conditions change to allow transportation.

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/69294/pb13451-uk-poultry-faw-101209.pdf

In the light of these challenges and the scale of the possible economic impact on UK poultry production, it's important that any proposed rules is based on sufficient, and sufficiently detailed, evidence. More research is required to establish which breeds are more tolerant of certain external temperatures than others.

Q14: What would be the financial impact to your business or organisation of prohibiting both short and long poultry journeys when the external temperature range is outside of 5-25oC? Please explain any impacts provided.

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Q15: Do you agree that we should prohibit both short and long livestock and horse journeys when the external temperature is outside of a temperature range of 5-30oC, unless the vehicle is able to regulate the internal temperature within this range for the duration of the journey by means of a thermo-regulation system, and that this temperature range should be 5-30oC? Please explain your views.

The CLA does not support this proposal.

Livestock are able to cope with wider extremes

The proposals seek to impose in-vehicle conditions that are inconsistent with the temperatures many of these animals experience for long periods outside and have been bred to thrive in. A large proportion of upland livestock in England and Wales will spend much of the winter in temperatures lower than 5 degrees Celsius. These proposals would mean that whilst an animal can spend all night in freezing temperatures, it could not be taken to a market over 65km away if temperatures remain below 5 degrees Celsius. There is no evidence to support the proposed temperature limits. The consultation does not acknowledge that in-vehicle temperatures will increase once a vehicle is fully loaded, due to radiating body heat.

The upper temperature limit

Whilst the bulk of concern is directed at impracticalities with the lower temperature limit, climate change may mean that the upper temperature limit becomes increasingly limiting and there should be strong evidence to support the proposed limit, recognising the need to prioritise the welfare of the animals.

Cost of upgrading haulage fleet

The existing fleet of domestic livestock haulage vehicles, though highly specialised, has not been designed to thermoregulate internally, with ventilation prioritised in existing models. These proposals would hinder the ability of the existing fleet of expensive and specialised vehicles to transport livestock at certain times of the year. This would be compounded by the fact that there are no widely available alternative vehicles in place, disrupting livestock sales and movement. To make the required changes would take considerable time and would require a huge investment in the existing fleet, ultimately increasing the costs of transportation.

Livestock transporters and trailers are manufactured in a variety of sizes. Buyers and sellers of livestock routinely travel substantial distances to livestock markets, often in excess of 65km, in

smaller trailers that will not meet the proposed height or temperature regulation requirements. These smaller trailers are often used to transport a small number of breeding stock to market over 65km away. Therefore these proposals will not just impact the food chain, through preventing the transportation of animals for slaughter, but will impact the movement of breeding stock across the country, jeopardising the functionality and productivity of the industry.

Variation in external temperature during journey

External air temperatures are highly variable and weather predictions are not sufficiently concrete to make these proposals workable. Under these proposals, journeys would have to be planned on the basis of forecast temperatures, which may turn out to be inaccurate, adding an element of uncertainty to the journey planning. External air temperatures are also likely to fluctuate over the course of a journey. The driver would also be required to estimate the temperatures along all whole stretch of the journey, which could change once the journey is underway, leaving the haulier at risk of breaching regulation should temperatures fall outside the proposed limit. Those that run livestock markets or abattoirs may be forced to close at no notice if weather is colder or warmer than forecast, leading to staffing issues and impacting the food chain. Some vehicles would be left in limbo, waiting to see if external temperatures change for a sufficiently long period to allow them to deliver their load, creating animal welfare issues.

Impact on markets and shows

The proposals could impact animals that are in temporary lairage at a market, or at an agricultural show. If temperatures fall outside this range, animals would be temporarily stranded. This delay could increase an animal's overall journey time, which may be exceeded, meaning the minimum rest period would be required and animal welfare would be compromised.

Regional impacts

The proposals risk putting parts of the country at a disadvantage, as low or high temperatures could prevent livestock movement in one part of the country, whilst livestock movement is unaffected in other parts of the country. Analysis of winter weather statistics over the last 20 years suggests that livestock could not be moved for 75 days/ year in north-east England and for 39 days/ year in south-west England, due to temperatures that fall below 5 degrees Celsius.

Whilst the consultation references the external temperature range, no mention is made of the internal vehicle temperature, which increases when livestock are loaded.

The proposal could also lead to rushed journeys, where the haulier is under pressure to complete a journey before temperatures drop below 5 degrees Celsius.

Horses

This proposal would be problematic for those that transport horses. All but the highest value horses are transported in horse boxes, which don't have temperature control functions. Typically in cold weather, horses will wear rugs to travel. On particularly hot days, the decision may be made to not travel.

Q16: What would be the financial impact to your business or organisation of prohibiting both short and long livestock and horse journeys when the external temperature range is outside of 5-30oC? Please explain any impacts provided.

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Q17: Do you think that there are other species that should be considered as vulnerable and have a smaller external temperature range applied, outside of which journeys cannot take place? Please provide evidence.

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Q18: What proportion of your current transportation vehicles have the facility to regulate temperature and provide ventilation?

Industry information indicates that approximately 1-2% of the existing fleet have the required temperature controls.

Q19: For your vehicles which do not have the facility to regulate temperature and provide ventilation, what would be the cost of retrofitting to enable them to regulate temperature and provide ventilation?

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Q20: Are there any other steps that can be taken to ensure animal welfare can be maintained in extreme weather? Please provide evidence.

The definition of extreme weather for livestock transport needs to be defined and agreed with the industry. The conditions will vary for livestock species, journey duration and transport type, and many find the suggested range unreasonable.

Animal welfare is prioritised by our members and that use of 'common sense' in decision making can avoid situations where animal welfare could be compromised. For example, if it is particularly hot, producers and hauliers will make their journeys in the evening when temperatures cool. If there is a storm forecast, journeys for animals going to and from our islands will be delayed.

Refresher training courses for livestock drivers

The competency of those loading and transporting livestock is vitally important in ensuring welfare standards are maintained, regardless of the external temperature. There is existing certification for drivers and loaders transporting livestock over 65km however, we would support a decision to review the certification requirements and would happily engage in a communications effort to widely promote these requirements.

Current qualifications include the City and Guilds NPTC Level 2 Award in the Transport of Animals by Road and the LANTRA Level 2 Award in Animal Transport by Road. We would support continued and improved haulier training and competence, improving their ability to determine whether animals are fit to travel, how to load vehicles correctly and how to drive with a

full vehicle. We would endorse requirements to have training refresher courses and believe that this course of action is likely to have a greater positive impact on animal welfare than the proposals within this consultation.

Space allowances

Q21: Do you agree that we should use allometric principles as a basis for future space allowance calculations? Please explain your views.

Conditions for animals in transit in England must satisfy the freedom of movement requirements under the Welfare of Farmed Animals Regulations 2007. The use of allometric principles are a useful tool to calculate space allowances however, space requirements should factor in the stability and safety issues created by too much space between animals.

Q22: Do you think that reforms to space allowances based on allometric principles should apply to both short and long journeys? Please explain your views.

The need to express natural behaviour and the stability considerations should apply to both long and short journeys.

Headroom allowances

Q23: Do you agree with the proposed species-specific headroom requirements? Please explain your views.

We do not agree with the proposed species specific headroom requirements.

Practical issues – livestock trailers, animal size variations

There are very few livestock trailers or vehicles with adjustable decks and the existing configurations are not changeable in all vehicles. This is an issue, as there is significant variation in size between different livestock breeds and therefore, whilst it may be possible to ensure the minimum headroom requirement for one breed, it may not be possible to ensure the minimum headroom for another species, depending on a vehicle's internal fittings. To illustrate the difference between two sheep breeds in the UK (of which there are over 80), the Ouessant is 49cm tall at the shoulder, whilst the Cotswold breed measures 1m at the shoulder. This proposal would mean that many existing livestock trailers would not meet the minimum requirements for a range of both sheep and cattle breeds.

A comprehensive explanation of how the proposed headroom allowances have been calculated is lacking in the consultation and would be welcomed. The FAWC report merely states that their minimum headroom allowance recommendations remain in place until further research is conducted.

The size and capacity of livestock transporting vehicles is limited by the nature of the highway infrastructure, such as the height of bridges. This places a restriction on how many livestock of a certain size can be transported on a single vehicle. Increased headroom requirements risk reducing the number of livestock it is possible to transport in one vehicle. This would require a greater number of vehicles transporting the same number of animals, which would increase transportation costs as well as increasing vehicle emissions and adding stress to highway infrastructure.

Q24: Do you think that the proposed species-specific headroom requirements should apply to both short and long journeys? Please explain your views.

As outlined in our response to question 23, we do not agree with the proposed species-specific headroom requirements for any length of journey.

Q25: What would be the financial impact to your business or organisation of the proposed headroom requirements for both short and long journeys? Please explain any impacts provided.

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Sea Transport

Q26: Do you agree that we should prevent animals from being transported in rough weather at sea and that animals should not be transported during Beaufort Wind Force 6 or above? Please explain your views.

We appreciate that, at times, weather conditions will make it unsafe for any kind of sea transport. However, transportation of livestock by sea is vital to our island farming communities, particularly due to the absence of slaughter and market facilities on islands such as the Isle of Wight. The inherent uncertainty with weather predictions will make it difficult to plan future ferry journeys with any degree of certainty. Space on ferries has to be booked in advance, depending on mainland livestock market dates and abattoir appointments, at which point future temperatures and wind speeds are unknown. Farmers would be faced with paying hauliers late cancellation fees if weather conditions changed. There would be animal welfare concerns for stranded animals, particularly for those that have travelled long distances on the mainland and are then stranded at a ferry port with limited or no options for temporary accommodation.

Q27: What would be the financial impact to your business or organisation of prohibiting transport during Beaufort Wind Force of 6 or above? Please explain any impacts provided.

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Exceptions

Q28: Do you think that there should be any exceptions to the previously mentioned proposals alongside the specific exceptions already outlined, excluding the proposal to prohibit live exports for slaughter and fattening? Please provide evidence.

We see significant shortcomings with the proposals. Our response has highlighted a range of these practical issues.

Should a ban on live exports for slaughter and fattening be introduced, there would need to be an enforceable process that would permit the slaughter of animals that are exported for permissible purposes, but require slaughter within the 6 month period, due to unforeseen circumstances, such as unexpected illness, injury or contraction of contagious disease.

Q29: What conditions should be met in order to ensure animal welfare is protected in the case of other exceptions?

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Q30: Do you think that it should be possible to obtain permission to use an exception on an ongoing basis to avoid the need for transporters to apply before every applicable journey? Please explain your views.

We do not agree with the proposals put forwards. However, should any of the proposals be introduced, it will be essential that hauliers are be able to obtain permission to use an exception on an ongoing basis.

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