

Dear Mr McCarthy

I would like to request that this letter is put before the next Licensing Committee under Procedural Rule 19.3.

I am grateful for the opportunity to put my concerns to members of the Licensing Committee regarding the response to complaints about Brighton Sealife Centre.

In a 10 page report sent to BHCC Licensing team on Aug 20 2007, the Captive Animals Protection Society (CAPS) set out their concerns about animal welfare and public safety at Brighton Sea Life Centre. This was following complaints regarding conditions at the premises.

CAPS was founded in Hove in 1957 and campaign on issues relating to the captivity of wildlife and the use of animals in entertainment.

They asked the Council to look at their concerns and to respond. They also raised six specific questions.

Some of the significant concerns raised by CAPS include:

- The small tank size for large species such as Wels catfish, Moray eels and Giant spider crabs.
- Injuries to rays and a shark
- Concerns about the behaviour of Smooth hound sharks and Thornback rays
- The public being able to touch Thornback rays without supervision
- Several areas that had wet floors, indicating possible leaking and safety risks

On 5th October CAPS received a reply from the Licensing team in response to their six questions. The Licensing team also informed them that the Council had asked Peter Scott FRCVS, a DEFRA Zoo Inspector, to respond in detail to their report. On 6 November, more than two months after CAPS submitted the report, they received a final response including a letter from the Inspector and 2 letters sent to the Sealife Centre by the Health and Safety team.

I am concerned by the significant delay in responding to the report, but especially troubled that the response has been given by the same DEFRA Zoo Inspector responsible for formal licensing inspections of the premises. The Inspector had previously raised no significant concerns regarding the size of tanks, the type and nature of exhibits or the welfare of rays, all of which are concerns that were raised in the CAPS report.

Rules of 'natural justice' would suggest that the veterinarian requested by the Council to respond to the concerns raised by CAPS, should not have been the same individual responsible for some of those same assessments now being challenged. How under those circumstances could the professional be expected to give an impartial and independent view?

Further, comments made by the DEFRA Zoo Inspector, submitted as part of the Council's response to CAPS, failed in my view to demonstrate that they were impartial and independent for example:

'I apologise for the delay in replying but whilst CAPS may be free to spend their time this way I'm afraid that I had an extremely busy September and October. This in no way minimises animal welfare as in fact that is what most of the period was spent on. CAPS walk a fine line

in responsibly reporting concerns and weaving in alarmist nonsense, and appear content to waste other people's time because they know that it could be spent more usefully.'

I would therefore propose:

- that an impartial and independent veterinarian is now engaged by the Council to comment on the CAPS report. Not only would this be an independent response to the significant concerns raised, but would also help to restore public confidence in the way the Council deals with complaints of this kind.
- the Committee consider stipulating that all further Sealife Centre inspections which follow complaints are undertaken by a suitably qualified independent vet. In the past, inspections have also been undertaken by Animal Welfare officers, who, while being 100% committed to animal welfare issues, should not be placed in a position where they are expected to comment on specialist conditions for marine animals, where they are not qualified to do so. This stipulation would help restore public confidence in the Inspection regime.
- that this new independent report, together with the Council's proposed action(s) are reported back to the next Licensing Committee.

I appreciate your attention to this matter.

Yours sincerely

Councillor Georgia Wrighton
Deputy Convenor Green Group

Georgia Wrighton
Green City Councillor