

Mr. Alan McCarthy
Chief Executive
Brighton & Hove City Council
King's House,
Grand Avenue
Hove
BN3 2LS

2nd June 2006

Dear Mr. McCarthy,

I am writing to Brighton and Hove City Council to request clarification concerning the recent planning permission granted to the Sea Life Centre to build enclosures for Common Seals and Asian short-clawed otters. This enquiry is on behalf of a coalition of concerned organisations signatory to this letter.

In a recent letter to the Argus (May 20th 2006), Councillor Hamilton admitted that animal welfare was not taken into account when permission was granted for the new enclosures. Inferring that during the planning application discussions, no consideration is even given to the species that are to be housed. Despite this however, and following the Council's permission for building to commence, Cllr Hamilton, himself admitted he "*would have concerns for the welfare of animals in the proposed pools*". This leads to a wider question as to why a planning committee which must consider public safety and disabled access, for example, should not also consider the wellbeing of the animals to be contained within the structure (where applicable) before construction is begun.

To "*reflect the concerns of local people who care about animal welfare*", the Brighton and Hove City Council introduced an "Animal Welfare Charter" for the City. This states that the Council will recognise that "*all animals have a right to life free from cruel treatment and unnecessary suffering of animals*" and "*considers animals have the right to enjoy five basic freedoms*".

The Charter also states that the Council will take account of animal welfare issues in its "*decision making processes*". This was clearly not done by the Planning Applications Sub-Committee; in fact, they were actively urged by the Sub-Committee's Chairman not to take animal welfare into account. This is despite the fact that in national planning policy advice, the function of proposed infrastructure should be taken into account (Planning Policy Statement 1: Delivering Sustainable Development). The function of the new enclosures at the Brighton Sea Life Centre is to house animals, but in this instance it appears the entertainment aspect of clear viewing was the only function considered.

The 'five basic freedoms' or provisions, as referred to by zoo licensing law incorporate an over-arching commitment offering animals a suitable environment which satisfies the animal's requirements, emulates the wild's physically and psychologically stimulating environment and in which they are given every opportunity to exhibit behaviour as displayed in the wild. Although the Sea Life Centre maintains that they provide adequate care for the specific needs of each animal, we believe that the plans for the new enclosures cannot guarantee these requirements. Without doubt, the authorisation of the plans by the City's planning Sub-Committee can in no way assure the welfare of the animals as it has been established that this aspect was not considered in any capacity.

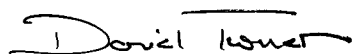
One of the five freedoms states that animals should have "freedom from fear and distress". The new enclosures planned for the Sea Life Centre in Brighton clearly cannot commit to this requirement. The position of the enclosures on a public thoroughfare and near the main road will mean the animals in the new enclosures will be subjected to constant disturbance, noise, vibration and are not protected from airborne pollution or invasion from objects or people. Fireworks, constant car noise and possible invasion remove this 'basic' freedom from the animals.

The Council have written their commitment into this Animal Welfare Charter stating that "*it hopes it can have some influence as a public body*". This case is certainly somewhere which the Council may have been able to have tremendous influence. The Charter calls all "*members of the public to support this Charter*" and we therefore urge the public to note the fact that the new enclosures of the Sea Life Centre contravene this Charter and an animal's basic freedoms.

May I therefore ask Brighton and Hove City Council to clarify their commitment to this Animal Welfare Charter and explain why the Charter was not taken into account in any capacity in the decision to permit the new enclosures at the Sea Life Centre? The Charter was designed to 'prevent the unnecessary suffering of animals'; if it cannot be considered in this situation then where will the Charter be implemented? I am sure I do not need to remind you that the Brighton Sea Life Centre is situated on Council-owned land.

We look forward to receiving Brighton and Hove City Council's response through the Argus in due course.

Yours sincerely,

A handwritten signature in black ink that reads "Daniel Turner". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

Daniel Turner

Senior Programme Officer
Born Free Foundation

For and on behalf of:

Brighton Animal Action
Born Free Foundation
Marine Connection
International Animal Rescue
Sussex Brighton & East Grinstead Branch RSPCA