

TEIGNBRIDGE DISTRICT COUNCIL

EXECUTIVE

31 OCTOBER 2019

Report Title	Ban on sale of real fur on Council-owned land and at Council run/leased markets
Purpose of Report	To agree on the ban of real fur sale on Council owned land and at Council run or leased markets, and to sign up to the Fur Free Markets campaign.
Recommendation(s)	<p>The Committee RESOLVES to:</p> <p>1) Adopt the official Fur Free Markets policy:</p> <p>Teignbridge District Council recognises that the United Kingdom has banned the farming of animals for their fur on ethical grounds since 2000 and the use of one of the most common traps used to catch animals for their fur has also been banned for many years.</p> <p>Recognising that real fur is cruel and unnecessary, this Local Authority prohibits the selling of products containing real animal fur on council owned land, council run markets or council leased markets (including seasonal and Christmas markets). All products wholly or partially made with real fur are covered by this ban and include for example; fur coats, vintage fur, fur shawls, garments with fur trim, fur pompom hats, and fur accessories and trinkets; and</p> <p>2) Support the Fur Free Markets campaign of the animal welfare charity, Respect for Animals, the UK's leading anti-fur organisation, by:</p> <p>a) Becoming a signatory to the initiative.</p> <p>b) Seeking the advice and assistance of the charity in the enforcement of this ban.</p>

Financial Implications	<p>Financial implications are detailed in 2.1. There are not considered to be any financial impacts from this policy.</p> <p>Martin Flitcroft, Chief Finance Officer Tel: 01626 215246 Email: martin.flitcroft@teignbridge.gov.uk</p>
Legal Implications	<p>There may be potential issues not least risk of reputational harm if the Council was to become closely associated with any activist/campaign group. Also, the Council's Leases etc will need to express any prohibited activity.</p> <p>Paul Woodhead – Legal Services Team Leader and Deputy Monitoring Officer Tel: 01626 215 Email: Paul.Woodhead@teignbridge.gov.uk</p>
Risk Assessment	<p>Legal implications are detailed in 2.2. There may be additional reputational harm to that referred to above, from preventing the sale of goods that haven't come from illegally trapped animals. There may also be confusion as this policy won't apply to all markets operating in Teignbridge District.</p> <p>Neil Blaney, Economy Manager Tel: 01626 215233 Email: neil.blaney@teignbridge.gov.uk</p>
Environmental/ Climate Change Implications	<p>The proposed policy would have a neutral impact on climate change.</p> <p>David Eaton, Environmental Protection Manager Tel: 01626 215064 Email: david.eaton@teignbridge.gov.uk</p>
Report Author	<p>Neil Blaney, Economy Manager Tel: 01626 215233 Email: neil.blaney@teignbridge.gov.uk</p>
Portfolio Holder	<p>Cllr Nina Jeffries, Portfolio Holder, Business, Economy and Tourism</p>
Appendices	<ol style="list-style-type: none"> 1. Overview of the Fur Free Markets campaign http://www.respectforanimals.org/fur-free-markets/ 2. Overview of the Real Deal campaign for 'fake free' markets http://www.realdealmarkets.co.uk/
Part I or II	<p>Part I</p>
Background Papers	<ol style="list-style-type: none"> 1. Business Impact Assessment

1. PURPOSE

- 1.1 At Full Council on 24 September 2019 a Notice of Motion was proposed to adopt a new policy prohibiting the sale of products made wholly or partially with real animal fur on Council owned land and at Council run or Council leased markets.
- 1.2 The policy is taken from a template recommended by the animal welfare charity Respect for Animals.
- 1.3 The Council resolved to refer the motion to Executive for a report.

2. REPORT DETAIL

2.1 Financial

2.1.1 The introduction of the new policy will require updates to existing forms and awareness raising through existing media channels. However these changes are considered to be minimal and won't require additional resource. There are no other financial implications from this policy.

2.2 Legal

2.2.1 The United Kingdom outlawed the farming of animals for their fur on ethical grounds since 2000, and the use of one of the most common traps used to catch animals for their fur has been illegal for many years.

2.2.2 There are a number of pieces of legislation in place to deal with this issue in the UK, which are enforced by Trading Standards, the Police and HMRC including:

- The Cat and Dog Fur (Control of Import, Export and Placing on the Market) Regulations 2008 – which sets out the punishments for anyone bringing banned products to the market;
- Consumer Protection from Unfair Trading Regulations 2008 – deals with any trader engaging in misleading omissions, such as passing off real fur as faux fur; and
- The Textile Products (Labelling and Fibre Composition) Regulations 2012 – which requires textiles containing real animal fur to carry the wording 'contains non-textiles parts of animal origin'. However this does not apply to shoes, handbags and accessories, as it only covers textiles. Garments that are comprised of less than 80% textile fibres (more than 20% fur) fall outside of the scope of the textile regulations as they are no longer classified as a textile product.

2.2.3 A House of Commons report into the sale of fur items has recommended the introduction of mandatory labelling that identifies fur and other animal products accurately – species, country of origin and method of production. A request has been made for government to amend labelling regime post Brexit.

2.2.4 The Police would enforce any wildlife offences, for example the sale of leopard skin, using the Control of Trade in Endangered Species Regulations, if an endangered animal is on CITES (Convention on International Trade of Endangered Species) list of species. This can happen when people sell old vintage clothes and don't realise the rules.

2.2.5 Existing leases contain a clause that states that the tenants are '*not to use the Property for any noxious noisy or offensive trade or business not for any illegal or immoral act or purposes.*' The 'immoral' clause could be used in the event of a complaint.

2.2.6 New and renewed Council's Leases and contracts, the Newton Abbot Market Code of Practice & Trading Contract, and all forms relating to the use of Council land will need express any prohibited activity. This will not apply to existing leases and contracts, as there is insufficient resource in the Estates and Legal teams, or financially, to amend the leases and contracts, which also requires the tenants agreement to the change.

2.3 Risks

- 2.3.1 The Council could be open to challenge on its approach from traders seeking to sell fur related products that haven't been sourced from illegally trapped fur. The selling of fur related products, particularly vintage goods, isn't illegal.
- 2.3.2 There may be potential issues, not least risk of reputational harm, if the Council is to become closely associated with any activist or campaign group.
- 2.3.3 There are a number of markets across Teignbridge that are not run by the Council or on Council land. This policy would not cover those markets, but the publicity generated may give the impression that it does which may result in some confusion for traders and customers. For example, the Festive Markets in Newton Abbot are run by Newton Abbot Town Council on Devon County Council land.

2.4 Environmental/Climate Change Impact

- 2.4.1 The proposed policy would have a neutral impact on climate change.

3 OPTIONS

- 3.1 The welfare charity, Respect for Animals, is promoting the 'Fur Free Markets' campaign (appendix 1). It has found real fur items, including bobble/pompon hats sold at festive markets, with no labelling to highlight this fact. However, there is no evidence of this being the case for any markets in Teignbridge.
- 3.2 Enforcement of correct labelling doesn't fall onto the District Council, responsibility is on Trading Standards, HMRC and the Police.
- 3.3 The Council does not have a policy on the sale of real fur, but takes an informal approach at Newton Abbot Market whereby real fur is not allowed to be sold due to the reputational impact on the market. To date there have been no recorded incidents of real fur products being sold or any traders seeking to sell real fur products.
- 3.4 The Council has recently signed the 'Real Deal' status, which is a national campaign where market operators work closely with Trading Standards to prevent counterfeit and other illicit goods being sold at the market.
- 3.5 The 'Fur Free Markets' initiative ties in well with the 'Real Deal' campaign, and will give consumers further confidence in the provenance of produce purchased at markets run by the Council, or market events run on Teignbridge land.
- 3.6 Adoption of this policy will require forms to be updated for anyone looking to run markets on Council owned land and for prospective traders at Newton Abbot indoor and outdoor markets, to be made aware of the ban on real fur. It will also require promotion of the approach being taken by the Council, with the onus being on traders to be able to demonstrate the legitimacy of the products they are selling.
- 3.7 The Council could also continue with its current informal approach without the need for any changes, as there are already measures in place to deal with counterfeit or illegal goods.
- 3.8 To address the potential confusion for markets unrelated to Teignbridge District Council, either as the operator or landlord, we can write to known market organisers to make them aware of the Council's policy.

4. CONCLUSION

- 4.1 The introduction of this policy would be in line with the current approach taken by the Markets Manager in Newton Abbot and the 'Real Deal' campaign that the Council have signed up to.
- 4.2 Adoption of the policy would require existing leases, contracts and forms to be updated.