



Subject:	Outcome of the Judicial Review in relation to Animal Welfare Services and new Animal Welfare Legislation.
Date:	22 nd May 2026
Reporting Officer:	Nora Largey, City Solicitor & Director of Legal Services David Sales, Strategic Director, City & Neighbourhood Services
Contact Officer:	David Bone, City Service Manager, Helen Morrissey, City Protection Manager

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.	
Insert number	<input type="checkbox"/>
<ol style="list-style-type: none">1. Information relating to any individual2. Information likely to reveal the identity of an individual3. Information relating to the financial or business affairs of any particular person (including the council holding that information)4. Information in connection with any labour relations matter5. Information in relation to which a claim to legal professional privilege could be maintained6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction7. Information on any action in relation to the prevention, investigation or prosecution of crime	
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report/Summary of Main Issues
1.1	The purpose of this report is to provide an update to Members on the outcome of the High Court Judicial Review in relation to Animal Welfare Services and to advise the Committee

	about new Animal Welfare legislation that the Department intends to introduce in April 2027.
2.0	Recommendation
2.1	<p>The Committee is asked to approve:</p> <ol style="list-style-type: none"> 1. Support to write to the AERA Committee (Appendix 1). 2. The continuation of the existing Animal Welfare Service Delivery Model to March 2027 subject to the agreement of respective Councils within each region, to enable continued service delivery. 3. Note that a review of future Service Delivery Options may be required depending upon the response from the AERA Committee.
3.0	Main Report
3.1	Since April 2012, councils have held responsibility for the enforcement of the Welfare of Animals Act (NI) 2011, in relation to non-farmed animals, namely companion animals and equines.
3.2	The Animal Welfare Service delivery model is a five region model – Northern Region, Southern Region, Eastern Region, Western Region and Belfast which is a standalone region. The five regions employ a total of 10 Animal Welfare Officers (who are authorised to carry out work in all 11 council areas) and 5 administration staff across NI. Based on the contents of this report, members are asked to approve the continuation of the existing Animal Welfare Service Delivery Model to March 2027, subject to the agreement of the other councils to enable continued service delivery.
3.3	The Animal Welfare Service within councils was fully funded (approx. £1.25M per annum) by DAERA until August 2023, when DAERA advised that it was unable to continue to provide funding to support councils in relation to non-farmed animal welfare services.
3.4	A Judicial Review was then lodged in the High Court by Belfast City Council & Fermanagh Omagh District Council on behalf of SOLACE against DAERA, to challenge the Department’s decision to cease funding of the Animal Welfare Service.
3.5	The court found that there was a breach on the grounds of a procedural legitimate expectation. The Judge concluded that <i>‘the making of that decision by the Minister without giving advanced notice to the relevant Assembly Committee was in breach of a procedural expectation.’</i>

3.6	<p>The Judgement of the Court can be found at the following link: https://www.judiciaryni.uk/judicial-decisions/2025-nikb-58</p>
3.7	<p>Members are advised that the final Court Order required the following:</p> <ul style="list-style-type: none">• Before making any decision in respect of funding for non-farmed animal welfare services provided by district councils for the financial year 2026/2027 only, the Department must give such advance notice to the AERA Committee for its consideration and must notify councils once it has done so.• DAERA must reimburse the Councils' full legal costs in relation to the Judicial Review.
3.8	<p>At a meeting of councils CXs SOLACE on 6th March 2026, it was agreed that councils would:</p> <ol style="list-style-type: none">a) Continue current delivery model for the Animal Welfare Service in 2026-27, which is subject to the consideration of the 11 councils on an individual basis;b) Consider options regarding the future delivery of the Animal Welfare Service from April 2027 onwards, in advance of the 2027-28 rates setting process, and when the funding position is clarified by the DAERA Minister.
3.9	<p>Officers are now aware that a letter from the Minister / Permanent Secretary was tabled at the AERA Committee on Thursday 16 April 2026. The letter advised the Committee that DAERA does not intend to provide funding to councils for Animal Welfare Services in 2026/27 due to budget constraints. Members of the Committee raised a query around the budget and requested further explanation as to why the budget changed, why the Department was deciding now when budget was not yet finalised and also asked if the Department had made a bid for the funding in 2026/27.</p>
3.10	<p>Members are asked to consider whether they wish to write to the AERA Committee setting out the Council's position in advance of the Departmental response to the questions raised and any further debate about funding.</p>
3.11	<p>On 18th February 2026, the Minister outlined that officials would now take forward legislation to require sellers and suppliers of puppies, and sellers of kittens, under six months of age, to register with their local council. The registered seller and/or supplier will be required to meet specified conditions of registration.</p>

3.12	Whilst officers welcome any steps to improve animal welfare it has been stressed to Departmental officials that councils do not have the capacity to implement this legislation and therefore there needs to be appropriate assurance around the resources which will be provided to councils to deliver this additional function.
3.13	The Department has indicated that the registration scheme would be self-financing. Officers have asked for evidence to demonstrate that would be the case. To date this additional, supporting financial information has not been provided by the Department.
	Financial & Resource Implications
3.14	The annual cost of operating the basic shared Animal Welfare function within Belfast City Council is approx. £210k. Since funding ceased this has been met from reserves.
	Equality or Good Relations Implications / Rural Needs Assessment
3.15	No equality or good relations implications envisaged.
4.0	Appendices – Documents Attached
	Appendix 1 - Draft Letter to AERA Committee