

Date: 4 May 2021



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Defra

BY EMAIL ONLY

Dear [REDACTED]

Licensing the release of two non-native game birds in England: request for additional advice

Thank you for your request on 30 April 2021 for additional advice regarding the proposed conditions for the release of red legged partridge as part of the proposed Gamebird General Licence (the GGL). This is in response to our advice of 21 April 2021 that Defra give further consideration to the use of an upper limit to the number of red legged partridges that can be released immediately into the wild in a given area, given birds can also be released without the use of a release pen.

After such further consideration, Defra proposes to amend the proposed conditions on the release of red legged partridge as set out below. Defra considers that the new proposed partridge release conditions provide increased protection to European sites for the reasons set out below and that the conclusion reached that the project (the GGL) will have no adverse effect on the integrity of SAC, SPA and Ramsar site(s), either alone or in combination with other plans and projects) remains valid.

In accordance with regulation 63 of the Habitats Regulations, Defra request NE's advice on the revised partridge release conditions and our assessment of them as an update to our HRA.

The revised partridge release conditions are:

Releases on European Sites – proposed mandatory conditions

- *release no more than 700 red-legged partridges per hectare of land they inhabit, or the density stipulated by a Site of Special Scientific Interest (SSSI) consent, whichever is the lower*
- *red-legged partridge release pens must be sited in cover crops on arable or in improved grassland, rather than on semi-natural or unimproved habitats.*
- *single and trickle releases of the common pheasant must not exceed these limits during the entirety of one season cycle and gamebirds must not be released to replenish or replace any that have already been released and shot or otherwise killed in that season, except within the limits as stated.*

Releases in the buffer zone – proposed mandatory conditions

- *red-legged partridges: no more than 1000 birds per hectare of land they inhabit*
- *single and trickle releases of the common pheasant must not exceed these limits during the entirety of one season cycle and gamebirds must not be released to replenish or replace any that have already been released and shot or otherwise killed in that season, except within the limits as stated.*

Releases in the buffer zone - proposed supplementary guidance

- *Partridge release pens should be sited in cover crops on arable or in improved grassland, rather than on seminatural or unimproved habitats.*

Defra has concluded that applying a general density limit will cover releases carried out by any means (not just those via release pens) and would strengthen the protections as proposed. Natural England agrees that this revision would now cover all types of potential partridge releases and address the omission previously highlighted.

Natural England also agrees that the proposed condition to limit the location of pens within European Sites to any non-sensitive areas reflects current industry best practice and will remove the risk of release pens being placed directly onto sensitive habitats within a European site boundary under the GGL.

In the limited circumstances where the releasing of red-legged partridge within a European Site would be permitted under these revised GGL conditions, Natural England supports the revised proposal that all releases of red-legged partridge must either not exceed the proposed release threshold or must comply with the release density where stipulated in a SSSI consent, whichever is the lower.

Whilst these proposed revisions would limit the density, and therefore the number, of red-legged partridges that could be present within the areas into which they will disperse and temporarily occupy, we note that there remains a lack of more precise evidence to inform what is considered to be a sustainable red-legged partridge release density, both within

and close to potentially sensitive habitats. In the absence of such evidence, a suitably precautionary approach should be adopted (as recognised in industry best practice guidelines). Natural England considers the revised density limits of 700/1000 red-legged partridges as proposed by Defra to achieve this to be towards the lower, less intensive end of the reported scale of individual gamebird releases in practice. Madden & Sage (2020) noted that whilst those shoots releasing in excess of 10,000 gamebirds could be classed as large shoots (including a handful of shoots releasing >100,000 red-legged partridges), the median release size of red-legged partridges was 500 birds/shoot). Taking this order of magnitude into account, along with the limited duration of the GGL and the opportunity for further annual revisions to be made should these be necessary in light of further evidence, our advice is that these proposed limits on the release of red-legged partridges will, in the short-term, help to further reduce the risk of any adverse effects including deterioration of designated habitats.

We also recognise that the purpose of the buffer zone is to protect the designated features of adjacent European sites and agree that, as such, it is not necessary to include a mandatory condition on the siting of pens within the buffer zone. However, to align with existing best practice we welcome the proposal to include this revision as a formal recommendation with the supplementary guidance for the buffer zone.

Conclusion

Our advice is that these proposed revisions to the interim GGL will significantly help to reduce the risk of deterioration (in the case of habitats and supporting habitats) and the risk of significant disturbance (in the case of species) occurring on European Protected Sites as a result of gamebird releasing.

Accordingly, Natural England can further advise that in light of these proposed revisions it can be ascertained that the interim GGL will not have an adverse effect on the integrity of SACs and SPAs, either alone or in combination with other plans and projects. This takes account of the proposed limited duration of the licensing arrangement and the incorporation of the mitigating measures proposed by Defra as general restrictions and/or conditions attached to the GGL (see *Annex C* of our advice dated 20 April 2021 for further details).

We also believe these proposed revisions (as informed by Defra's HRA and this advice) will provide the same protective function to any additional features for which Sites of Special Scientific Interest (SSSI) have been notified and which are also present within European Protected Sites within the scope of the Licence within European Site boundaries. Our view is that the activity of releasing gamebirds, as would be permitted under the proposed GGL (being still subject to a SSSI consent where this occurs within a site boundary), is also unlikely to result in damage to those SSSI features (see *Annex D* of our advice dated 20 April 2021 for further details).

Given the limited studies into the specific ecological impacts of releasing red-legged partridge as noted in recent evidence reviews¹, we would reiterate our recommendation included in our advice of 20 April 2021 that Defra invests in and supports ongoing research and monitoring to address the evidence gaps and to regularly evaluate the efficacy of the GGL conditions in protecting European Sites, adjusting them as necessary.

Should you have any queries regarding this advice please do not hesitate to contact me.

Yours sincerely

[Redacted signature]

[Redacted contact information]

¹ Madden J.R. & Sage, R.B. (2020). Ecological Consequences of Gamebird Releasing and Management on Lowland Shoots in England: A Review by Rapid Evidence Assessment for Natural England and the British Association of Shooting and Conservation. Natural England Evidence Review NEER016. Peterborough: Natural England.
Mason, L.R., Bicknell, J.E., Smart, J. & Peach, W.J. (2020) The impacts of non-native gamebird release in the UK: an updated evidence review. RSPB Research Report No. 66. RSPB Centre for Conservation Science, Sandy, UK.