



Our ref: RFI 5834  
Date: 18<sup>th</sup> October 2013

Dear [REDACTED],

### **REQUEST FOR INFORMATION: Numbers of Badgers in Pilot Cull Zones**

Thank you for your request for information about badger numbers in pilot cull zones, which we received on 21 September 2013. We have handled your request under the Environmental Information Regulations 2004 (EIRs).

The EIRs apply to requests for environmental information, which is a broad category of information defined in regulation 2 of the EIRs. Public authorities are required to handle requests for environmental information under the EIRs. They give similar access rights to the Freedom of Information Act 2000 (FOIA).

Following careful consideration, we have decided not to disclose some of this information. The answers to your questions are below together with advice on information that has been withheld and the EIR exceptions which apply.

#### **1. Please confirm the number of badgers populating the cull zones in Somerset and Gloucestershire before the cull commenced.**

Prior to the cull, population estimates were 2,400 in Somerset and 3,400 in Gloucestershire. The latest population estimates have been revised to 1,450 and 2,350 respectively. The revised population estimates are based on data collected from the pilot areas immediately before the cull began. These data are therefore the most up to date – previous estimates were based on information collected in autumn 2012.

#### **2. Please confirm the number of badgers that have currently been killed in these zones.**

The numbers of badgers killed in Somerset and Gloucestershire during the 6 week cull period are 850 and 708 respectively. This does not include the number culled during the extension period granted by a new license to the Somerset cull companies. At the time of writing, Natural England is considering an application for an extension from the cull company in Gloucestershire.

**3. Please confirm what protocol is in place to avoid over culling inside the cull zone and avoidance of local extinction.**

The protocol includes the following.

- The licence would set a maximum on the number of badgers that might be removed in each year.
- Up to 30% of land in the cull zones would not be open for shooting.
- There could be adjoining culling areas covering a very large area in total, but each individual area would have a maximum number of badgers that may be removed.
- A closed season would be operated over winter and spring months. The earliest any culling could start within any year would be June.
- Annual monitoring of badger activity will be monitored in licensed areas. Any sign of localised extinction will be acted on, for example by withdrawing local areas from cull zones.

**4. Please confirm if you have included in your assessment the impact of road traffic deaths and the like.**

No assessment of non-cull removals has been made in the population assessments.

**5. Please confirm what information regarding monitoring was passed to the Bern Convention to enable their decision to be formed.**

The UK takes its responsibilities under the Bern Convention very seriously and we are confident that the policy of badger control to reduce the incidence of bovine TB in cattle is consistent with the Convention's requirements. To demonstrate this, we reported fully to the Bern Convention Secretariat setting out the background to the policy, the evidence on which it is based and the additional measures we have taken to ensure that some badgers remain in each of the control areas. The reduction of badger populations under strict controls, with a closed season and for a limited period is accepted under the Bern Convention and the Secretariat raised no concerns with the information presented or the policy itself.

Some information supplied to the Bern Convention is in the public domain included the following:

[http://www.naturalengland.org.uk/Images/1112019badgercontrol\\_tcm6-27539.pdf](http://www.naturalengland.org.uk/Images/1112019badgercontrol_tcm6-27539.pdf)

<http://www.defra.gov.uk/news/2011/07/19/next-steps-to-tackle-bovine-tb-in-england-2/>

<http://www.defra.gov.uk/consult/2011/07/19/bovine-tb/>

<http://www.defra.gov.uk/animal-diseases/a-z/bovine-tb/> (please note, this webpage has continued to be updated following the link being forwarded to the Bern Secretariat.)

There were a number of written and email exchanges as well as telephone conversations between Defra officials and the Bern Secretariat. These exchanges are withheld under regulations 12(5)(g) (Protection of the Environment). The information is withheld because Defra forwarded restricted information linked to policy development and delivery to the



Secretariat. The information was vital as it enabled the Secretariat to reach a well-informed decision and maintain continued protection of the environment.

In applying this exception, we have also had to balance the public interest in withholding the information against the public interest in disclosure. We recognise that there is a public interest in disclosure of information concerning Defra's contact with the Bern Secretariat. There is, however, a strong public interest in withholding the information in view of the potential limitation placed on the information that Defra would be able to share with key bodies such as the Bern Convention and the impact that would have on environmental protection.

In keeping with the spirit and effect of the EIRs, and in keeping with the government's Transparency Agenda, all information is assumed to be releasable to the public unless exempt. Therefore, the information released to you will now be published on [www.gov.uk](http://www.gov.uk) together with any related information that will provide a key to its wider context. Please note that this will not include your personal data.

I also attach an Annex giving contact details should you be unhappy with the service you have received.

If you have any queries about this letter, please contact me.

Yours sincerely,

**Defra TB Programme**

**Email:** [ccu.correspondence@defra.gsi.gov.uk](mailto:ccu.correspondence@defra.gsi.gov.uk)

## Annex

### Complaints

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 18 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to Mike Kaye, Head of Information Standards, Area 4D, Nobel House, 17 Smith Square, London, SW1P 3JR (email: [requestforinfo@defra.gsi.gov.uk](mailto:requestforinfo@defra.gsi.gov.uk)) and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our [website](#).

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted Defra's own complaints procedure. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF