



Department
for Environment
Food & Rural Affairs

Summary of responses to the consultation on revising Guidance to Natural England for licensing badger control to prevent the spread of bovine tuberculosis

July 2018



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1. Overview

Introduction

1.1. This document provides a summary of responses to Defra's consultation on revising Guidance to Natural England for licensing badger control to prevent the spread of bovine tuberculosis. The consultation ran from 16 February 2018 to 15 April 2018. The aim of this document is to provide a summary of the responses received and the government response to it. It does not offer a detailed opinion on the comments received.

Background

1.2. Bovine TB is one of the most significant problems affecting animal health and sustainable livestock farming in England. The government is committed to delivering the 25 year strategy for achieving Officially Bovine Tuberculosis Free status for England.¹ Controlling the disease in badgers where TB is widespread is an important part of that strategy.

1.3. The consultation² set out a proposal to update Guidance to Natural England which currently states that under the Protection of Badgers Act 1992³ only ten new areas may be licensed each year for badger disease control ("the ten area limit").

1.4. The proposal on which Defra sought views was the removal of the annual limit, allowing Natural England (NE) to issue licences to more than ten new areas each year. We also wanted to make it clearer that when deciding how many licences to issue, NE is able to take into account the resources that it has available in order to ensure effective assurance and administration of the licences.

Methodology

1.5. Defra emailed over 300 interested parties about the launch of the consultation. These included organisations and individuals from the cattle sector (farming, health and welfare), wildlife and conservation groups and those registered on Defra's stakeholder lists.

1.6. The consultation closed on 15 April 2018.

1.7. All responses were considered. This document summarises the main points raised and the themes that arose. The consultation was not designed to be a representative survey and so the results cannot be statistically generalised to the wider population. It is not intended to be an exhaustive record of all the points

¹ Defra, 'A strategy for achieving Officially Bovine Tuberculosis Free status for England', PB14088 (2014) <https://www.gov.uk/government/publications/a-strategy-for-achieving-officially-bovine-tuberculosis-free-status-for-england>

² Defra, 'Bovine TB: revising guidance for licensing badger control areas,' consultation (2018) <https://www.gov.uk/government/consultations/bovine-tb-revising-guidance-for-licensing-badger-control-areas>

³ Protection of Badgers Act 1992 <https://www.legislation.gov.uk/ukpga/1992/51/contents>

made and the absence of a particular issue does not indicate that it has been ignored or that it is of lesser importance.

Summary of statistics

- 1.8. Defra received 908 written or online responses to the consultation, of which 70% did not disclose an organisation, 11% were from members of the public, 10% were from wildlife or welfare organisations, 3.5% were from farmers or farming organisations (some of whom had been involved in previous culls), 0.7% were from vets or veterinary organisations, 0.6% were from ecologists, and 0.5% were from landowners. A list of the organisations which responded can be found at Annex A.
- 1.9. Defra received some responses that appear to have been submitted in response to several campaigns initiated by organisations such as wildlife or welfare organisations. This accounted for 14% of responses.

2. Summary of responses

- 2.1. The majority of the farming community respondents, including the NFU, were supportive of the principle of removing the restriction on the maximum number of new badger control areas to be licensed each year. The farming community generally supported the principle as a way of controlling disease. Additionally, they stressed the importance of a bespoke approach [to deciding whether culling should proceed,] which should be based on the need in a locality rather than an imposed limit.
- 2.2. The veterinary profession ((British Veterinary Association [BVA] and British Cattle and Veterinary Association [BCVA]) is supportive of any disease control measures applied in a regulated and consistent manner, and supports removing the annual area limit.
- 2.3. Many respondents, including those who disagreed with culling policy, acknowledged the impact that dealing with bovine TB has on farmers, their businesses and the beef and dairy industries overall.
- 2.4. A general point made both by those who supported, and those who opposed, the proposal was that any decision to amend the Guidance should not be made until after the current TB Strategy Review⁴ is completed. This was because any amendments would be seen to be pre-empting the outcome of the Review and therefore undermine its purpose.
- 2.5. Several respondents, both opponents and supporters of badger control policy, suggested that NE does not have enough resources to monitor current operations,

⁴ Defra, 'A strategy for achieving Bovine Tuberculosis Free Status for England: 2018 review', February 2018 <https://www.gov.uk/government/publications/a-strategy-for-achieving-bovine-tuberculosis-free-status-for-england-2018-review>

for example, only checking a sample of activity. Such respondents doubted whether NE could effectively monitor a larger number of culls to ensure they are carried out humanely.

2.6. Three fifths of respondents disagreed with the proposal; their rationale centred around two main themes, questioning:

- the scientific rationale behind badger culling and the general applicability of the findings on the efficacy of proactive culling in the Randomised Badger Culling Trial (RBCT).
- whether there is sufficient evidence of the benefits of current culling policy on the incidence of bovine TB in cattle to merit any expansion.

2.7. Opponents also suggested that other disease control methods, such as vaccination, biosecurity and improved cattle testing regimes and stricter cattle movement controls, should be explored further before the annual area limit was lifted.

2.8. The Zoological Society of London (ZSL) and the Badger Trust asserted that rapid increases in the number of new areas, enabled by removing the annual area limit, would reduce the ability to make comparisons against non-culled areas to assess disease control benefits of the badger control policy.

2.9. The Born Free Foundation, Badger Trust, and Animal Welfare Group all believed the methodology used by Defra to estimate badger populations to be inadequate, and that it both under- and over-estimated badger numbers. The outcome being that either too few badgers are removed and thus disease control benefits not realised, or too many are removed and badger population levels cannot recover.

2.10. Many opponents to removing the annual area limit raised concerns that there is no evidence that local extinction has not occurred and contended that the UK had not complied with Article 9 of the Bern Convention. These included ZSL, the Born Free Foundation, Animal Aid and the Animal Welfare Group.

2.11. Just over a third of respondents did not engage directly with the proposal. The majority of these expressed opposition to the principle of badger control. Many believed that the current policy was ineffective, lacked scientific evidence or was not necessary; some respondents said they would prefer that badgers were vaccinated; a fifth of responses cited poor biosecurity and farming practices as the main cause of disease spread; and some opposed the principle of culling on ethical grounds.

2.12. Some of those who didn't engage directly with the proposal supported badger control in principle. Of these some advocated the removal of the badger's protected status and a few supported the principle of badger control but not in the Low Risk Area.

3. The government's response to the consultation

- 3.1. Defra is grateful to all those who took the time to respond to the consultation. The Secretary of State has noted the range of responses. The responses received, as well as the experience from the badger control operations to date and the scientific evidence and veterinary advice available, indicate that this policy should be kept under review.
- 3.2. The expansion of the cull programme to tackle endemic bTB infection in badgers continues to be sustained with the annual area limit in place. However the CVO's advice in 2017⁵ was that achieving disease control "...requires a systematic, reliable and reproducible culling delivery model..." which needs to be "...scalable to enable a more extensive level of deployment in further years..." For this reason, we will keep under review the possibility of removing the limit on the number of new areas licensed per year.
- 3.3. Removal of the annual area limit, if implemented, would not compromise efforts to assess whether badger culling is reducing cattle incidence of TB. Badger culling is not a research project, it is delivery of a policy, albeit unusual in that it is being rolled out slowly whereas most policies are delivered in one go. The approach to policy impact assessment - an integral part of policy delivery - is shaped around policy delivery rather than the other way round. The researchers involved in looking at the impact are adapting their methods to accommodate the size of current roll-out irrespective of whether the annual area limit is lifted.
- 3.4. Natural England must give careful consideration to what is practically manageable in any given year, having regard to the importance of ensuring a safe, effective and humane cull. This is irrespective of whether there is a specific maximum number of new areas they can license in one year.

⁵ Defra, 'Bovine TB: Chief Veterinary Officer's advice on the outcome of the 2017 badger culls', December 2017 <https://www.gov.uk/government/publications/bovine-tb-chief-veterinary-officers-advice-on-the-outcome-of-the-2017-badger-culls>

Annex A: List of organisations who responded to the consultation

Animal Aid
Animal Welfare Group
Badger Action Network
Badger Trust
Binfield Badger Group
Born Free
British Cattle Veterinary Association (BCVA)
British Veterinary Association (BVA)
Cornwall Badger Rescue & Brock
Country Land and Business Association (CLA)
Dartmoor Commoners' Council
Devon Badger Group
Dorset Badger & Bovine Welfare Group (DBBW)
Dorset Mammal group
Dyfi Badger Group
Essex Badger Protection Group
Friends of Ham Woods
Friends of Oakhill Woods
Herts & Middlesex Badger Group
Herts Against the Badger Cull
Humane Society International
International Fund for Animal Welfare
League Against Cruel Sports
Lismore Nature Centre
Mid Derbyshire Badger Group
National Beef Association (NBA)
National Farmers' Union (NFU)
National Trust
New Forest Badger Group
North East Essex Badger Group
Oxfordshire Badger Group
Royal Society for the Prevention of Cruelty to Animals (RSPCA)

Save Me Trust
Scottish Badgers
Shropshire Badger Group
Somerset Against The Badger Cull
Somerset Badger Group
Somerset Badger Patrol
Staffordshire Badger Conservation Group
The Wildlife Trusts
Thorne & Hatfield Moors Conservation Forum
Viva!
Wild Animal Welfare Committee (WAWC)
Warwickshire Badger Group
Worcestershire Vegans & Veggies
[Www.forwildlife.co.uk](http://www.forwildlife.co.uk)
Zoological Society of London (ZSL)