

Date: 30/01/20

Rt. Hon Theresa Villiers MP
Secretary of State for Environment, Food, and Rural Affairs
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Dear Secretary of State,

I am writing to inform you of the licensing arrangements that Natural England is developing for the coming year for the control of herring gulls and lesser black-backed gulls. This is in pursuance of the licensing functions you have delegated to Natural England and in accordance with the Wildlife and Countryside Act 1981 and the Government's policy framework.

As you are aware, these two species of gull were not included in the three general licences issued by Defra last summer on account of significant concerns about their conservation status.

Both herring gull and lesser black-backed gull have been listed as species under threat in the publication Birds of Conservation Concern 4: the Red List for Birds; published by the BTO in December 2015.

The breeding population of herring gull has fallen by 60% in recent decades, with lesser black-backed gulls declining by an estimated 48%, and there is a particular concern about drastic declines in the numbers of lesser black-backed gulls at breeding sites classified as Special Protection Areas.

In June 2019, Natural England gave a public commitment to develop new licensing arrangements ready for the 2020 bird breeding season.

Our arrangements will support the Government's commitment to protect and restore the natural environment and be consistent with the UK's legal obligation under international conventions to maintain the conservation status of wild bird species, including gulls, within England.

We recognise that there are situations where it is essential to control these gull species for purposes which include public health and safety, protection from serious damage, and conservation. It is important that our arrangements enable stakeholders to manage any conflicts that occur between humans and these gulls in a way that does not affect the species' long-term survival.

Information gathered from emergency individual licences issued in 2019 indicate that a very high level of lethal control of gulls has been undertaken. Having assessed this level of lethal control in comparison with natural mortality levels, we believe that continuing to license control at the current rate would contribute substantially to the continued decline of herring gull and lesser black-backed gull species. Therefore we have concluded that reductions in the numbers killed or taken are necessary to safeguard the long-term viability of these species in this country.

We have re-issued a class licence this year to permit the control of certain wild bird species necessary to preserve air safety and this will continue to cover herring gull and lesser black-backed gulls. The licence was amended for 2020 to introduce a requirement for registered users to report to Natural England the scale of control of these species (and great black-backed gulls) which they expect to undertake in the coming year.

Beyond this, we will license gull control through individual licences, which will need to be prioritised. We will consider the strength of need in each licence application individually but generally protecting human life and health will be the overriding priority. Any control undertaken under other purposes such as preventing serious damage and conserving wild birds and flora or fauna will need to be targeted.

This process will provide consistency and clarity for applicants, and will allow Natural England to assess the merit of each proposal and potential effects on the gull species, factoring in the cumulative impact of all other licensed control. It will also enable us to monitor the number of gulls killed or taken over the year.

This approach also takes into account the strength of local populations of the gull species which can vary between urban and rural areas. In rural areas, where lethal control may have contributed to declining populations, we have identified a sustainable number of birds that could be killed or taken. This is equivalent to no more than 5% of the natural mortality total of each species.

Natural England has concluded that this level will not harm the conservation status of these species and is a recognised benchmark for the sustainable hunting of birds (European Commission guidance, 2008).

Urban populations tend to be healthier and appear more resistant to decline from lethal control by having better breeding success rates. Control levels of nests, eggs and chicks will not be limited in these areas.

Natural England will continue to promote the use of non-lethal methods that reduce opportunities for gulls to nest and scavenge in problem areas within the built environment. In order to ensure a more harmonious coexistence of people and gulls, applicants will be encouraged to put in place an integrated gull management strategy that includes alternatives to lethal control. In many cases, this will mean working with other householders, businesses and local authorities to resolve problems experienced in the areas used by gulls.

Natural England will seek input from stakeholder organisations and business leaders to provide further guidance on how integrated gull management strategies may be demonstrated.

As part of our work we have identified the need to undertake research into gull populations in urban areas in order to fill the current gaps in evidence. We are working with Defra colleagues to explore options for filling current gaps in evidence around urban gull populations. Our current proposals, based on best available evidence, will therefore be subject to review as the evidence base develops further.

Customers will be encouraged to submit individual licence applications in February and March in preparation for the bird breeding season, which is consistent with the majority of user needs. This window will enable Natural England to assess the cumulative scale of control across the applications submitted and take this into account in prioritising the licences to be granted.

Natural England will continue to accept licence applications outside this period and will provide licences where there is a clearly demonstrated need for lethal control.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tony Juniper', with a long, sweeping flourish extending to the right.

Tony Juniper
Chair, Natural England
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