



Department  
for Environment  
Food & Rural Affairs

# **Bovine tuberculosis: consultation on proposals to help eradicate the disease in England**

**Summary of Responses and Government Response**

**27 May 2021**



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# Overview

## 1. Introduction

- 1.1. This document provides a summary of responses to the consultation launched by the Department for Environment, Food and Rural Affairs (Defra) on proposals to help eradicate bovine tuberculosis in England. The consultation ran for eight weeks, from 27 January 2021 to 24 March 2021. This document also sets out the government's response to that consultation.

## 2. Background

- 2.1. Bovine tuberculosis (bTB) is an infectious and contagious disease with a complex epidemiology, which can spread within and between cattle and badger populations. bTB is one of the most pressing and costly animal health problems in England, with a significant number of cattle herds affected each year. It threatens our cattle industry and presents a risk to other livestock, wildlife, pets and humans. Dealing with the disease is costing the taxpayer over £100 million each year. The latest official statistics show that more than 27,000 cattle were compulsorily slaughtered in England to control the disease in the last year, causing devastation and distress to hard-working farmers and rural communities.
- 2.2. The government's bTB Strategy (<https://www.gov.uk/government/publications/a-strategy-for-achieving-officially-bovine-tuberculosis-free-status-for-england>), published in 2014, aims to achieve Officially Bovine Tuberculosis Free (OTF) status for England by 2038, whilst maintaining an economically sustainable livestock industry. The strategy complements Defra's strategic priorities for a secure, productive and sustainable agriculture system, a productive and sustainable food and drink industry and enhanced animal health and welfare and plant health, as well as the government's overarching objective of supporting economic growth.
- 2.3. In 2018, Professor Sir Charles Godfray was commissioned to conduct an independent review to reflect on progress in the first four years of the bTB Strategy and consider what additional actions might be necessary now to ensure other tools and interventions are ready to be deployed in later phases of the Strategy ('the Godfray Review' <https://www.gov.uk/government/publications/a-strategy-for-achieving-bovine-tuberculosis-free-status-for-england-2018-review>).
- 2.4. The government published a response to the Godfray Review (<https://www.gov.uk/government/publications/a-strategy-for-achieving-bovine-tuberculosis-free-status-for-england-2018-review-government-response>) in March 2020 setting out three top priorities for the next phase of the bTB Strategy:

- accelerating work to develop a **deployable cattle vaccine** in the next five years – a potential game-changer;
- plans to **evolve the wildlife control policy**, by beginning to phase out intensive badger culling in the next few years and gradually replacing this with government-supported badger vaccination and surveillance. Culling would remain an option where epidemiological assessment indicates that it is needed;
- **improving diagnostic testing** to root out bTB more effectively, with deployment of more sensitive tests for surveillance supported by greater use of on-farm restriction of cattle with inconclusive test results.

2.5. A consultation was subsequently launched in January 2021, setting out in more detail proposed changes to aspects of bTB policy in keeping with these priorities, in order to begin the transition into the next phase of the bTB Strategy. Proposals were presented on:

a. Cattle TB Testing

- Extending compulsory post-movement TB testing to parts of the Edge Area.
- Revising the interferon-gamma test deployment policy in the High-Risk Area (HRA) and Edge Area.

b. Wildlife Control

- Not issuing new Badger Disease Control (intensive cull) licences after 1 December 2022.
- New Badger Disease Control (intensive cull) licences issued in 2021 and 2022, could, after two years of culling, be revoked after a progress evaluation by the Chief Veterinary Officer (CVO).
- Reducing the initial financial commitment required from companies prior to application for a Badger Disease Control licence.
- Restricting Supplementary Badger Cull (SBC) licences to a maximum of two years and prohibiting the issuing of SBC licences for previously licensed areas or areas licensed for Badger Disease Control after 2020.

2.6. In parallel to this consultation, we also sought views on additional, less developed ideas stemming from the government's response to the Godfray Review, aimed at accelerating eradication of bTB. A call for views covered several ideas, including further changes and improvements to TB testing, incentivising increased uptake of biosecurity measures, supporting responsible cattle movements and rewarding low risk cattle purchasing behaviour. To allow time for respondents to fully engage with the consultation and call for views, the deadline for the call for views was extended to 21 April 2021. We received 135 responses to this call for views. We are considering the evidence submitted through the responses to determine next steps.

## 3. Methodology

- 3.1. Defra emailed over 300 interested parties about the launch of the consultation. These included organisations and individuals from the cattle sector (farming, animal health and welfare), wildlife and conservation groups, and those registered on Defra's stakeholder lists with an interest in bovine TB.
- 3.2. The consultation closed on 24 March 2021.
- 3.3. All written 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. This summary is not intended to be an exhaustive record of all the points made and the absence of a particular issue does not indicate that it has been ignored or that it is of lesser importance.
- 3.4. Where respondents answered the specific consultation questions, their answers have been included in the analysis throughout this document. Where they provided more general comments, the views have been picked up in the analysis for question 9 which invited any other comments.

## 4. Summary of statistics

- 4.1. In response to the consultation, Defra received contributions from 20,395 respondents.
  - 1,027 responses were received through Citizen Space, our online consultation platform.
  - 19,363 responses were received via email.
  - Letters were received from 5 respondents.
- 4.2. Respondents who chose to respond online were asked for their organisation name. Some respondents who emailed their response also declared their organisation; others did not.
- 4.3. 18,886 of the responses received via email were part of a campaign organised by the Wildlife Trusts. This campaign specifically focused on Question 9 of the consultation, so further information is provided in the summary of responses for that question. Some of those who responded as part of this campaign also provided further individual comments that were all individually reviewed and considered alongside the main campaign response.
- 4.4. Some other organisations also encouraged supporters to respond to the consultation and provided suggested specific points to raise. These were

identified as part of our analysis and, as they had been substantially personalised by individual respondents, have been assessed as individual responses.

## Summary of Responses

### 5. Overview of responses

- 5.1. The responses to each question posed in the consultation are summarised below. Although we were consulting on specific proposals in relation to cattle testing and the phasing out of current intensive and supplementary badger culling policies, many individual respondents and organisations also provided wider comments on the government's bTB Strategy particularly on the approach to controlling TB in wildlife.
- 5.2. The majority of respondents supported the proposal to introduce mandatory post-movement skin testing of cattle moving from higher TB risk regions of Great Britain into those parts of the Edge Area where herds are on annual surveillance testing. Many respondents in favour of the proposal felt that it would be a sensible step to mitigate the risk of disease spread via cattle movements from higher risk areas. The majority of those who were against the proposal felt the current testing regime was sufficient and that introducing further testing was unnecessary.
- 5.3. With regards to our proposal to revise the policy on use of interferon gamma testing in the High Risk and Edge Areas, although the number of respondents in support of the policy was greater than those who oppose it, there were others who said they did not have enough information to give a definitive answer and requested more information. Those in favour of the proposal cited wanting to use the best tests available. They felt that using the Single Intradermal Comparative Cervical Tuberculin (SICCT) test alone in TB breakdown herds was not sufficient to eradicate bTB. Those who opposed the proposal felt there would be a risk of too many false positive interferon gamma test results and had concerns around deliverability.
- 5.4. On the proposals relating to future badger TB control policy, the majority of respondents from the farming community felt that revoking or reducing the duration of Badger Disease Control licences would reduce the effectiveness of the strategy and result in a regression of the progress made over previous years of culling.
- 5.5. On the proposals relating to future badger TB control policy, the majority of respondents from wildlife or badger conservation groups preferred Badger

Disease Control licences to cease immediately, stating that cull operations are not effective, cost-effective or humane. Some respondents considered the consultation invalid and unfit for purpose and asked that it be postponed because it did not provide enough time to consider data on the incidence and prevalence of TB in Cattle in Great Britain (published on 10 March 2021). Many wildlife and badger conservation organisations also stated that the “primary cause of outbreaks of bTB is cattle-to-cattle transmission” and requested culling be replaced with improved cattle TB control measures, e.g. testing, biosecurity, cattle vaccination, and movement controls.

- 5.6. Responses from Natural England (NE) and the British Veterinary Association (BVA) broadly supported the decision to retain culling as an option, made suggestions on implementing badger vaccination and on revoking Badger Disease Control licences after two years.

## **6. Responses to Question 1:**

**Do you support the proposal to introduce mandatory post-movement testing of cattle moving from higher TB risk regions of Great Britain (the High Risk, Edge Areas on six-monthly surveillance testing and Wales) into those parts of the Edge Area where herds are on annual surveillance testing?**

- 6.1. We received 1,489 responses to this question. 1,009 respondents supported the government’s proposal, 303 opposed it and 177 did not express a definitive opinion.
- 6.2. Many respondents who supported the proposal felt that it would be a sensible step to mitigate the risk of disease spread via cattle movements from higher risk areas. Earlier detection of disease and better protection to the Edge and Low Risk Areas (LRA) were highlighted as particular benefits.
- 6.3. Representative organisations such as the BVA, the British Cattle Veterinary Association (BCVA) and Holstein UK, were broadly in favour of the proposal, but suggested that consideration should be given to using a post-movement testing method more sensitive than the current skin test. This view was shared by some other organisations including the Badger Trust and the Royal Society for the Prevention of Cruelty to Animals (RSPCA).



- 6.4. Some others who supported the proposal in principle, such as the National Trust and Country Land and Business Association (CLA), had some concerns about the additional costs for cattle keepers.
- 6.5. In a similar vein, a small number of respondents caveated their support on the condition that government funded the test. Others said they would only support the proposal if badger culling continued.
- 6.6. A small number of respondents, including Wildlife and Countryside Link and the Animal Welfare Group, supported the proposal but suggested government should also tightly restrict or prohibit cattle movements from high risk areas to lower risk areas. Others said they thought cattle should be isolated pending a negative post movement test result and cattle moving to Approved Finishing Units (AFUs) should not be exempted from post-movement testing. Some respondents questioned whether there would be sufficient veterinary capacity to deliver the proposed additional testing.
- 6.7. Representative groups who did not support the proposal included the National Beef Association (NBA), Livestock Auctioneers' Association (LAA) and the Dartmoor Commoners' Council.
- 6.8. The majority of respondents who opposed the proposal did so on the grounds that they felt that the current testing regime was sufficient and introducing further testing was unnecessary. Other reasons included the additional cost and burden to farmers and concern about the potential impact on trade and cattle values. The potential stress to cattle caused by additional testing was also cited as a concern.
- 6.9. Some respondents including the National Farmers Union (NFU) and the National Federation of Young Farmers Clubs expressed concern that the costs appeared to outweigh the monetised benefits of the proposal. The NFU also questioned the timing of the proposal and thought it should be re-considered as part of a cohesive package of movement and testing proposals introduced at a future date, after some of the options in the related call for views had been fully developed and assessed.

## 7. Responses to Question 2:

### **Do you agree with the assumptions and assessment of costs and benefits in the Regulatory Triage Assessment (RTA) on introducing post movement testing to parts of the Edge Area?**

- 7.1. We received 1,489 responses to this question. 174 respondents agreed with the assumptions and assessment of costs and benefits in the RTA, 146 disagreed and 1,169 did not express a definitive opinion.
- 7.2. Representative organisations who agreed with the costs and benefits presented in the RTA included Holstein UK, the RSPCA, the National Trust and Wildlife and Countryside Link.
- 7.3. Some respondents including the BCVA, LAA and NBA questioned the estimated costs, suggesting they didn't sufficiently consider the multiple variants such as farm type and size, and time of year testing would take place.
- 7.4. The CLA and a small number of other respondents including the NBA thought the hourly rate used for farm labour costs was an underestimate. Some others said they thought the veterinary costs were too low.
- 7.5. The NFU had concerns over certain assumptions included in the RTA particularly around the envisaged non-monetised benefits. For example, the NFU doubted the benefits that were seen when post-movement testing was introduced in the LRA would be replicated in the Edge Area.

## 8. Response to Question 3:

### **Do you agree that Defra should revise the current policy for using the more sensitive Interferon Gamma (IFN- $\gamma$ ) test in the HRA and Edge Area, so that in addition to persistent breakdowns, use of the test is mandatory where the below criterion is met?**

- **TB breakdowns in the HRA and six-monthly testing Edge Area counties that occur within 18 months of the herd regaining TB free status following a previous OTFW breakdown.**
- 8.1. We received 1,489 responses to this question. 675 respondents supported the government's proposal, 223 opposed it and 591 did not express a definitive opinion.

- 8.2. Several respondents who were in favour of the proposal felt that any improvement in diagnostic testing methods for TB in cattle was to be welcomed. Some who supported the proposal felt that use of the skin test alone left too many infected animals undetected in herds with a TB breakdown and that it was sensible to use the more sensitive IFN- $\gamma$  test to address this issue. Earlier detection of bTB and preventing its spread through movements of infected cattle were highlighted as particular benefits.
- 8.3. The BCVA, BVA, NBA, National Pig Association and Holstein UK, National Trust, Animal Welfare Group, CLA, and the LAA supported the proposal. The BCVA and NBA advocated for more analysis of persistent breakdowns and the use of Enferplex or other antibody tests. In a similar vein, the CLA expressed concerns regarding the specificity of the IFN- $\gamma$  test and advocated increased investment in developing other tests.
- 8.4. Several respondents who opposed the proposal expressed the view that the IFN- $\gamma$  test resulted, in their opinion, in too many false positive results. There were also some who suggested that there were other areas, apart from cattle testing, that should be the focus of intervention including controlling the disease in wildlife and cattle vaccination.
- 8.5. Of those who did not express a definitive opinion, several, including the NFU, indicated they were in support of more sensitive testing methods but felt that they did not have enough information to give a view. The NFU asked for data to be provided on both the continued efficacy and deliverability of the IFN- $\gamma$  test. The NFU cited concerns about false positive results, deliverability issues and the possibility that the proposal may reduce the ability of Defra to detect disease on the fringe of the six-monthly testing parts of Edge area. Some respondents, including the Badger Trust, were concerned that the proposal would simply alter the distribution of testing rather than increase it and that this proposal would lead to the reduction in testing in the HRA.

## 9. Responses to Question 4:

### **Do you agree with the proposal to cease the issuing of new Badger Disease Control (intensive cull) licences beyond 2022?**

- 9.1. We received 1,489 responses to this question. 374 respondents expressed support for the proposal to cease issuing new Badger Disease Control (Intensive Cull) licences after 1 December 2022, whilst 1,052 respondents were not supportive. The remaining 63 respondents did not clearly provide a response either in support or against this proposal.

- 9.2. Of those in support, many respondents were concerned by the number of badgers which could still be culled before Badger Disease Control licences cease and wanted licences to end sooner or immediately instead.
- 9.3. Of those opposed, many stated that culling is an effective control tool so it should be maintained as part of the bTB strategy. They cited evidence within the consultation such as that from the Randomised Badger Culling Trial (RBCT [https://webarchive.nationalarchives.gov.uk/20081108133322/http://www.defra.gov.uk/animalh/tb/isg/pdf/final\\_report.pdf](https://webarchive.nationalarchives.gov.uk/20081108133322/http://www.defra.gov.uk/animalh/tb/isg/pdf/final_report.pdf)). Organisations such as the NBA further stated their opposition to ceasing badger control due to “arbitrary dates.” The NFU stated that “culling must remain the principal means of controlling the spread of bTB infection from badgers, especially in areas of high or rising infection, until such time as a proven cost-effective alternative is available.” The NFU’s response was concerned that the proposal “risks leaving areas of infection within the wildlife population while the government moves towards other controls.”
- 9.4. A significant number of respondents also opposed the proposal as they wanted to revoke all licences immediately. The Badger Trust responded that “whilst the prospect of an apparent cessation in intensive culling appears hugely positive, the Badger Trust do not believe that the proposal represents a meaningful change in policy, a reprieve for badgers, or a real switch to vaccination”.
- 9.5. The BVA were against the proposal until there is evidence that non-lethal alternatives (such as badger vaccination) are effective and practical.
- 9.6. Several groups who both supported and opposed the proposals emphasised the importance of prioritising further research and evidence on the impact of badger vaccination programmes.
- 9.7. The NFU and Natural England (NE) consider that COVID-19 restrictions have disrupted processes required for badger disease control licence applications, such as landholder sign-up. NE suggested considering removal of the annual default maximum of ten licences for 2022 or permit applications for a further year (until 2023) to provide an opportunity for applicants unable to progress applications in 2020 and 2021.

## 10. Responses to Question 5:

### **Do you agree with the proposal that new Badger Disease Control (intensive cull) licences issued in 2021 and 2022, could, after two years of culling, be revoked after a progress evaluation by the CVO?**

- 10.1. We received 1,489 responses to this question. 300 respondents expressed support for the proposal of a CVO progress review to revoke Badger Disease Control licences issued after 2020, whilst 1,054 respondents were not supportive. The remaining 135 respondents did not clearly provide a response either in support or against.
- 10.2. Of those in support, many responded similarly to question 4 saying they would prefer Badger Disease Control licences to end sooner or immediately. In a similar vein, many respondents opposed this proposal asserting that culling should be replaced by badger vaccination or improved cattle measures.
- 10.3. Of those in opposition, many respondents considered intensive culls should remain four-year strategies due to the effectiveness of four years of culling on reducing cattle TB incidence shown after the RCBT and by the analysis of the current culls undertaken by Downs et al (2019) (<https://www.nature.com/articles/s41598-019-49957-6>). Furthermore, organisations such as Holstein UK felt that shortened culls would result in a loss of the benefits gained over previous years of culling. The NFU also raised concerns that external operational delivery factors over a shorter cull duration may exacerbate reductions in the effectiveness of culls and “increase likelihood of pockets of disease being left.”
- 10.4. A small number of respondents asked what evidence is to be gathered to support the CVO decision and highlighted their concerns at the accuracy of previous epidemiology analyses at a local level.
- 10.5. The BVA and BCVA did not agree with the proposal. The BVA expressed that badger culling should be conducted in a sustained manner. Whilst they stated they trust the expertise and judgement of the CVO; they would welcome more transparency in how the evaluation will be done. BCVA cited that Downs et al.(2019) did not observe a change in disease incidence in Dorset in the cull area after only two years of culling, alongside evidence that badger culling resulted in increased roaming, to suggest that the evidence regarding the perturbation effect is inconsistent, and that the perturbation effect may appear after two years of culling and undo the benefits achieved. The BVA were concerned the proposal would result in a smaller benefit, or even a detrimental effect, on the incidence of TB in cattle.

- 10.6. Similar to the BVA, a significant number of respondents requested that the CVO's evaluation criteria should be provided for comment before implementation.

## **11. Responses to Question 6:**

### **Do you agree with the proposal to reduce the initial financial commitment required from the companies prior to application for a Badger Disease Control licence to the cost of three years of culling?**

- 11.1. We received 1,489 responses to this question. 285 respondents expressed support for the principle of reducing the initial financial commitment for badger control applications, whilst 862 respondents were not supportive. The remaining 342 respondents did not clearly provide a response either in support or against this proposal.
- 11.2. There was a broad range of reasons for supporting this proposal, some responses considered it would be more financially viable for participants and it would facilitate greater sign-up for culling. Respondents also indicated that the overall costs of culling are too high and that either participants should not be required to pay all the funds upfront, or that participants should receive financial support towards culls.
- 11.3. Of those opposed, respondents expressed that there was no need to make the culls more financially viable for participants. Many of those opposed took the view in that companies should demonstrate financial commitment for the duration of the 4-year cull.
- 11.4. Organisations such as the Wildlife Trusts and Wildlife and Country Link stated that taxpayers should not be expected to fund the costs of a badger disease control policy or licences.
- 11.5. Organisations such as the NBA also did not agree with this proposal. A small number of respondents highlighted that, asking for three years' worth of costs would make financial management more challenging for participants whilst not providing significant financial benefits. The NFU stated that because the length of culls could be variable, depending on the consultation, additional funds would need to be obtained or returned, carrying a heavy administrative burden on industry. The NFU also proposed reducing the required 25% contingency fund to 10%.

- 11.6. In their response, NE agreed with proposal to reduce the initial financial commitment suggesting that companies should not be required to collect four years' worth of funds and an additional contingency fund.

## **12. Responses to Questions 7:**

### **Do you agree with the proposal to restrict Supplementary Badger Cull (SBC) licences to a maximum of two years, prohibit the issuing of SBC licences for previously licensed areas or areas licensed for Badger Disease Control after 2020?**

- 12.1. We received 1,489 responses to this question. 297 respondents expressing support for the proposed principle, whilst 1043 respondents were not supportive. The remaining 149 respondents did not clearly provide a response either in support or against.
- 12.2. Of those in support, many respondents – including wildlife organisations - felt SBC should be restricted and that all forms of culling should be stopped immediately. Several respondents opposed the proposals for broadly the same reasons as those that supported it, that is they want to end SBC immediately. The Zoological Society of London (ZSL) and the National Trust amongst others went further to state that while intensive culls are supported by the RBCT, there is no evidence base for SBC. A small number of respondents including Wildlife and Countryside Link consider that where further badger disease control measures were needed, this should be achieved through government-supported, widespread badger vaccination.
- 12.3. Of those opposed, many respondents considered that the current policy of five years of SBC is an effective strategy and should not be removed. No evidence was provided with these responses. The NFU stated that SBC and the resulting reduced potential for disease transmission should be maintained "...sufficiently long enough, to allow all parts of the HRA and edge to achieve the same level of disease control" and also questioned why a CVO progress evaluation proposed to evaluate intensive cull operations would not be consistently adopted for SBC. Many organisations such as Holstein UK raised concerns regarding the effectiveness and the ability to deploy non-lethal alternative measures, which they believe should be addressed before SBC is removed.
- 12.4. The NFU also stated that "removing the long-term ownership and accountability from industry without alternatives could have a severe negative impact upon

motivation to deliver new disease control areas in the short term and have far reaching implications for the current industry/government partnership".

- 12.5. The BCVA and the BVA also did not agree with the proposal. The BCVA and NE suggested monitoring wildlife and cattle TB incidence and maintaining the option for culling where there is demonstrated *M. bovis* infection in wildlife. The BVA requested the government further develop the evidence base for badger vaccination before seeking to remove the option of badger culling and highlighted that areas may lose the option of SBC before this can be developed.

## **13. Responses to Question 8:**

### **Do you have any comments on the proposed revisions to the Guidance (Annex D in the consultation document)?**

- 13.1. We received 506 responses to this question; of these 76 respondents directly provided comments on the draft guidance.
- 13.2. NE recommended that the Guidance should provide more details of the criteria on which the CVO's progress evaluation will be undertaken for those licences granted in 2021 and 2022. NE also recommended that the annual cap of 10 licences is removed for 2022 or applications are permitted for a further year (until 2023) to provide an opportunity for applicants unable to progress applications in 2020 and 2021 due to coronavirus restrictions and disruption to apply for a licence.
- 13.3. Of those that responded to this question, the majority indicated keeping the guidance as it is. A small number of respondents suggested providing improved wording to enforce greater uptake of biosecurity measures.

## **14. Responses to Question 9:**

### **Do you have any other comments?**

- 14.1. We received 20,387 responses to this question, including 18,886 responses that were part of a campaign organised by the Wildlife Trusts.
- 14.2. The Wildlife Trusts' campaign was expressly directed to this question and the campaign advocated:
- Immediate cessation and revocation of cull licenses.
  - Implementation of cattle vaccine and widespread badger vaccination programmes.
  - Review of cattle transportation practices and greater measures to prevent cattle to cattle transmission.



- No taxpayer funds to be used towards the cost of badger culling.
- 14.3. Some campaign respondents included additional comments. The most common themes for campaign respondents' additional comments were suggestions badger culling was not scientific or evidence based, it was inhumane and negatively affected the environment. Some also gave the view that policies should be aimed at improving farming practices rather than controlling the disease in wildlife.
  - 14.4. Aside from the Wildlife Trusts' campaign, the majority of responses to this question were also focused on badger culling. Many of those who opposed badger culling also called for its immediate end. Many called for the development of a cattle vaccine, stricter controls on cattle movements better on-farm biosecurity and a switch to badger vaccination.
  - 14.5. Responses in favour of continued culling focused on it being an effective tool whose use should continue. Some respondents also expressed the view the culling should continue until a suitable alternative is available. Both the Tenant Farmers Association (TFA) and NBA suggested there was a need to continue badger culling until an effective and practical cattle vaccine is developed.

## Government response to the consultation

### 15. Introduction

- 15.1. We are grateful to all those who took the time to respond to the consultation. The responses received, as well as the experience from the badger control operations to date and the scientific evidence and veterinary advice available have helped inform the Secretary of State's decision on next steps.
- 15.2. The Secretary of State has noted the range of responses. The consultation has raised some important considerations for how the delivery of the government's strategy is shaped and managed on the ground.
- 15.3. Although the consultation did not ask for views on the principle of badger culling or vaccination as disease control tools, many responses expressed either pro- or anti-cull sentiments as a reason not to transition to vaccination or to cease cull operations immediately. A key theme in the responses against questions 4 through to 9 was centred around pace of exiting culling and criticism that government was not going fast enough, or indeed too quickly before evidence of an alternative was available. As highlighted in our response to the Godfray Review, the government has already committed to a gradual transition to non-lethal control measures. This consultation sought views how that transition might occur.

## 16. Policy Response

- 16.1. As outlined in the consultation document, these proposals contribute to the government's plans to evolve the multi-faceted strategy to eradicate bovine TB, through use of cattle vaccination (when it becomes available), improved testing and biosecurity, and badger vaccination. Developing a deployable cattle vaccine by 2025 will be a powerful additional tool in the fight against bTB and support the staged transition away from the current badger cull policy in ways which will help to protect gains made and ensure incremental progress continues to be made towards disease eradication. Consideration will be given to the parallel call for views exercise which explores further changes and improvements to TB testing, incentivising increased uptake of biosecurity measures, supporting responsible cattle movements, and rewarding low-risk cattle purchasing behaviour. In addition, work to align our approach and capitalise on the opportunities of wider agricultural change now that we have left the EU remains a priority.
- 16.2. Having considered all the responses to the consultation exercise, the government remains in favour of extending mandatory post-movement testing to cattle moving from higher TB risk regions of Great Britain into those parts of the Edge Area where herds are on annual surveillance testing. At this stage, however, we do not wish to set a date for implementation. As some respondents pointed out, we should first weigh up evidence gathered through the call for views to help us assess alternative, more sensitive test options for post-movement testing and inform next steps. We will also review the supporting Regulatory Triage Assessment.
- 16.3. Following the consultation, the government intends to revise the current policy for the use of the IFN- $\gamma$  test in the HRA and Edge Area, so that use of the test becomes mandatory for TB breakdowns, in the HRA and six-monthly testing Edge Area counties, that occur within 18 months of the herd regaining TB free status following a previous OTFW breakdown. The government will introduce this change as soon as practicable. Some stakeholders have continuing questions about the specificity of the test and the impact of its use on certain herd types. For that reason, when considering responses to the call for views we will also consider whether further analyses on the use of the IFN- $\gamma$  test should be carried out. If necessary, further adjustments to the criteria for its use may be proposed in a future consultation exercise.
- 16.4. Similarly, the government believes proceeding with the proposals set out in the consultation document is the right approach for the transition to non-lethal wildlife controls. However, as a result of responses to question 6 in the consultation, alterations will be made to the proposed changes to the initial financial commitment of cull companies.
- 16.5. The government's view is:

- New Badger Disease Control (intensive cull) licences will cease to be issued after 2022.
- New Badger Disease Control (intensive cull) licences issued in 2021 and 2022, could, after a minimum of two years of culling, be revoked after a progress evaluation by the CVO. In practice this evaluation could take place after two or three years of culling.
- The initial financial commitments for companies to apply for a Badger Disease Control licence will remain at four years' worth of funding. However, the 25% contingency requirement will be removed.
- Supplementary Badger Culling will be limited to a maximum of two years and the issuing of SBC licences for previously licensed areas or areas licensed for Badger Disease Control after 2020 will be prohibited.

The rationale and evidence for making the proposed policy changes were laid out in detail in the consultation paper, and additional information, given the consultation response, is set out below.

- 16.6. The government agrees with the recommendation of Natural England that it is important to maintain surveillance of the badger population in areas that have completed culling. We will therefore develop a monitoring system to track the badger population and disease in badgers in former culling areas to monitor trends and publish these data. The government would like to maintain open engagement with the farming community, in order to tackle bovine TB and help us to achieve our aim to secure officially bTB free (OTF) status for England by 2038.
- 16.7. Some respondents questioned the use of “arbitrary” dates to signpost the end of the current culling policy. The government considers that setting a clear date to cease the issuing of new intensive cull licences provides clarity to transition away from widespread culling. The timeline also provides an opportunity to work with stakeholders to develop future wildlife control policy. The government anticipates that any remaining areas located where there is a significant reservoir of infection in badgers, and that wish to undertake culling for the purposes of tackling bovine TB, will come forward to apply for a licence by 2022. We believe that the challenges of COVID-19 restrictions will not prevent the remaining areas from applying for a badger disease control licence by the 2022 application deadline.
- 16.8. Natural England recommended that, if applications are not permitted for a further year (until 2023), the annual default maximum of ten new Badger Disease Control licences should be removed from the Guidance (Annex D in the consultation document). This policy remains under continual review. Any exercise to review this maximum limit will also consider the impact that COVID-19 related restrictions have had on the ability to meet NE’s licensing criteria.
- 16.9. Many respondents asked for more detail on how the CVO would assess progress of culls in question 5. The CVO evaluation will be based on all data available at the time. An evaluation would not take place until after a minimum of 2 years of culling, but if appropriate it could take place after three years. This will consist of an assessment of how the cull has been carried out in terms of effort deployed

and spatial coverage. In addition, any epidemiological evidence of cattle TB will be assessed although it is unlikely that there will be any meaningful evidence in cattle for a given area after two or three years, given the time lag in effects appearing and the relatively small sizes of areas which makes drawing statistical inferences from a single area very difficult. However, we will have a better indication of the progress of the culls as a whole in reducing TB incidence in cattle, which should reinforce our position that culls deemed effective during in-cull monitoring go on to deliver the expected benefits in cattle incidence. The CVO's evaluation of the progress of Badger Disease Control licences and recommendation to NE will be published.

- 16.10. As some respondents highlighted, it is possible that shortening the intensive cull period may reduce the total benefits when compared to a four-year cull. However, respondents may not have considered that alternative non-lethal measures, such as badger vaccination, could be put in place to offset this effect and bank the benefits of culling. It should be acknowledged that benefits are expected to accrue after two or three years of culling. The government also believes that the proposal to potentially shorten intensive cull licences, which would only occur after a progress review of the CVO based on all of the available evidence, strikes a balance between allowing areas to access the benefits of culling while still ensuring a clear transition away from widespread culling to non-lethal methods of disease control.
- 16.11. The consultation responses provided a compelling case against the government's proposal in question 6 to reduce the initial financial commitment from companies prior to application for a badger disease control licence. Of those respondents that were not supportive there was a clear indication that the proposal would cause significant administrative and financial challenges to companies and cull participants. The government's view is that the requirement for companies to provide cost for four years of culling should be retained, however the 25% contingency requirement will be removed. This reflects the government's improved understanding of the financial requirements to conduct a four-year intensive cull. The Guidance will be amended to reflect this.
- 16.12. The rationale for restricting SBC licences in question 7 is in line with the government response to the Godfray Review and the commitment to phase out culling. SBC licenses can already be revoked following a progress review or on other reasonable grounds as stated in the Guidance.
- 16.13. Although the consultation did not ask for views on the principle of badger vaccination as a disease control tool, many responses raised concerns regarding this. There is clear evidence that vaccination reduces disease in badgers. Although a trial of the effect of badger vaccination on cattle breakdowns has not been carried out in the UK, results of such a study in Ireland from Martin et al (2020) published last year (<https://www.sciencedirect.com/science/article/pii/S0167587719308086>) showed that badger vaccination implemented after culling was not inferior to continuation of culling in four of the seven areas where it was implemented, and results were

inconclusive in a fifth area. As outlined in the consultation document, the proposals make up an early phase of the Government's evolving strategy on badger disease control. The transitional period should enable badger vaccination schemes to generate an evidence base which will be used to develop the future badger vaccination policy.

16.14. The Government's view on requests for the consultation to be postponed is that the consultation was not misleading or erroneous and that it should not be postponed. The data published on 10 March does not provide a reason for postponing or extending the consultation. This is routine data on cattle TB testing results for Great Britain, broken down by country, then by risk area and then by county and published quarterly. There is nothing unusual about the March 10th data release which added three months of data from October to December 2020 to the existing dataset. The data to September 2020 was already in the public domain when the consultation was published, and these data were not central to any of the proposals being consulted on.

## 17. Operational Response

17.1. Having consulted Natural England, the Environment Agency and members of the public in accordance with section 15(3) of the Natural Environment and Rural Communities Act 2006, the government has published new Guidance to Natural England on licences to control the risk of bovine tuberculosis from badgers. This Guidance incorporates the proposed changes which were consulted on together with amendments to those proposals which have been made having considered and taken into account responses to the consultation, as explained in this government response.

17.2. Natural England must have regard to this Guidance when considering any licence applications to kill or take badgers for the purpose of preventing the spread of bovine TB under section 10(2)(a) of the Protection of Badgers Act 1992, with immediate effect.

## 18. Summary of Changes to the Guidance

### 18.1. Culling Policy Requirement

- Amendments to paragraph 8.h.i., and 9.b. stating that culling must be sustained for each year in which the licence is in operation, removing the requirement for a licence to be in operation for a minimum of four years.
- Amendment to paragraph 8.k. to remove the requirement that applicants must have a contingency sum of 25%.
- Addition of paragraph 8.m. stating that licences may be revoked after two or three years, following a progress evaluation by the Chief Veterinary Officer or on reasonable grounds.

- Addition of paragraph 8.n. stating that Badger Disease Control licences will not be issued after 1<sup>st</sup> December 2022.
- Addition of paragraph 8.o. stating that the area to which the application relates must not have previously been included in a Badger Disease Control licence.

#### 18.2. Supplementary badger disease control requirements

- Amendment to paragraph 14.g. stating that the duration of a Supplementary Badger Disease Control licence will be limited to two years.
- Addition of paragraph 14.h. stating that areas to which the application relates must not have previously been included in a Supplementary Badger Disease Control licence.
- Addition of paragraph 14.i. stating that the area to which the application relates must not have previously been included in a Badger Disease Control Licence first issued after 1<sup>st</sup> December 2020.

#### 18.3. Implementation

- Amendment to paragraph 40. stating that each Supplementary Badger Disease Control licence will be granted for a period of not more than two consecutive years.

#### 18.4. Enforcement

- Amendments to section 47.b. stating that for each year in which the licence is in operation, rather than for a minimum of four years.

#### 18.5. Glossary

- Amendment to update the definition of Badger Disease Control.

The changes made to the revised guidance to Natural England can be found in [Annex A](#).

The formal [updated guidance to Natural England](#) can be found on GOV.UK.