

Declaration of a Captive Bird (Monitoring) Controlled Zone (Avian Influenza) – near Appleby-in-Westmorland, Eden, Cumbria (AIV2023/19)

1. The Chief Veterinary Officer has confirmed that highly pathogenic avian influenza H5N1 is present in England and has taken into account the criteria set out in article 29(5)¹ of the Avian Influenza and Influenza of Avian Origin in Mammals (England) (No 2) Order 2006² (“the Order”).
2. Pursuant to article 28(1) and (6)³ of the Order, the Secretary of State has carried out a risk assessment under article 33(2)⁴, and pursuant to article 22(3)⁵ and article 33(1) (d) the Secretary of State hereby declares the area described in Annex 1 to this Declaration to be a Captive Bird (Monitoring) Controlled Zone in which the measures set out in Annex 1 apply.
3. The Captive Bird (Monitoring) Controlled Zone is marked on the map in Annex 2.
4. These measures apply from 20.15 on 23 February 2023 until this Declaration is withdrawn or amended by further declaration.

Signed: Gordon Hickman

20.15 on 23 February 2023

Authorised by the Secretary of State

Failure to comply with this Declaration may be an offence under section 72 or 73 of the Animal Health Act 198.

Copies of this Declaration and of the Order are available at <https://www.gov.uk/guidance/avian-influenza-bird-flu> and from the Department for Environment, Food and Rural Affairs, 2nd floor, Seacole Block, 2 Marsham Street, SW1P 4DF

¹ Size of zones.

² S.I. 2006/2702, as amended by 2018/1406, 2021/ 1472, 2022/1108 and 2022/1224.

³ Declaration of protection, surveillance and restricted zones.

⁴ Alternative measures where avian influenza is confirmed at a hatchery or in other captive birds on special category premises.

⁵ Measures on special category premises.

Annex 1 – Captive Bird (Monitoring) Controlled Zone

The Captive Bird (Monitoring) Controlled Zone comprises that part of England contained within the blue circle of radius 3 kilometres, centred on grid reference NY7004117417. The grid reference is to the Ordnance Survey [Landranger 1:50,000 series]. The zone is the area within the blue circle on the map in Annex 2.

The Measures in the Captive Bird (Monitoring) Controlled Zone

Record of visitors

- 1) Subject to paragraph 5, the occupier of any premises in the zone where poultry or other captive birds are kept must make records of—
 - (a) the name and address of any person visiting the premises (unless the visit is only to a part of the premises where people live and where no poultry or other captive birds are kept);
 - (b) the date of the visit;
 - (c) whether the person had any contact with poultry or other captive birds on the premises.

Record of poultry

- 2) The occupier of any premises in the zone must make a record of all poultry entering or leaving those premises as soon as reasonably practicable after the movement.

Record of poultry and egg movements

- 3) Subject to paragraph 5, any person who is engaged in the transport or marketing of poultry or poultry eggs in the zone must make a record as soon as reasonably practicable of all poultry and poultry eggs transported or marketed by him.

Poultry movements to be recorded

- 4) The records referred to in paragraphs 2 and 3 above must include—
 - (a) the quantity and description (including species of poultry or type of egg) transported or marketed;
 - (b) in the case of a movement from premises in the zone—
 - (i) the date of the movement off the premises;
 - (ii) the premises of destination (if known);
 - (iii) the name and address of the person to whom ownership or possession is being or has been transferred;
 - (c) in the case of a movement on to premises in the zone—

- (i) the date of the movement;
 - (ii) the premises from which the movement originated (if known);
 - (iii) the name and address of the person from whom ownership or possession is being or has been transferred;
- (d) in the case of marketing without an associated movement, the identity and address of the person to whom and the date on which ownership was transferred.

Scope of record keeping duties

- 5) Paragraphs 1 and 3 do not apply in respect of—
- (a) a movement of eggs direct to retail premises, at or from such premises or subsequent to such a movement;
 - (b) the movement of people to zoos, wildlife parks or (unless required by the Secretary of State) any other premises open to the public, provided the public has no access to any area where birds are kept;
 - (c) the movement of the following onto any premises where poultry or other captive birds are kept—
 - (i) any person on a public right of way or exercising a right of access to the premises;
 - (ii) trespassers;
 - (iii) any person executing this Order.

Isolation of poultry and other captive birds

- 6) The occupier of premises in the zone where poultry or other captive birds are kept must ensure that they are—
- (a) housed; or
 - (b) kept isolated (if so directed by a veterinary inspector on the basis that housing is impractical or would adversely affect the birds' welfare to a significant degree).

Measures where birds not housed

- 7) If birds are kept isolated but not housed, the occupier must—
- (a) ensure that they have no contact with poultry or other captive birds on other premises; and
 - (b) take all reasonable steps to minimise their contact with wild birds, in accordance with a veterinary inspector's instructions.

Biosecurity measures

- 8) The occupier and any person entering or leaving premises in the zone where poultry, other captive birds or eggs are kept must—
- (a) take such biosecurity measures as he considers necessary to reduce the risk of the spread of avian influenza to or from the premises; and
 - (b) comply with any biosecurity requirements which a veterinary inspector or an inspector under the direction of a veterinary inspector, by notice to him, imposes.

Gatherings of poultry

- 9) No person shall permit any poultry or other captive birds to be collected together at any fair, market, show, exhibition or other gathering in the zone.

Release of game

- 10) No person shall release game birds.

Cleansing and disinfection of vehicles carrying any thing which may be contaminated

- 11) A person who moves any poultry, other captive bird, meat, feed, manure, slurry, litter or any other thing which may be contaminated must cleanse and disinfect the vehicle and any equipment used to transport that thing as soon as it is unloaded, in accordance with article 66 of the Order.


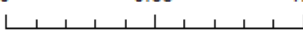

Cleansing and disinfection of vehicles

- 12) A person who enters or leaves premises in the zone by vehicle must cleanse and disinfect any part of the vehicle which may have been contaminated without delay, in accordance with article 66 of the Order.

Annex 2 - Map showing the Captive Bird (Monitoring) Controlled Zone

**Highly Pathogenic Avian Influenza H5N1,
3km Captive Bird (Monitoring) Controlled Zone,
near Appleby-in-Westmorland, Eden, Cumbria
23 February 2023**



 <p>Animal & Plant Health Agency</p>	<p>© Crown copyright and database rights 2013 Ordnance Survey 100051110</p>	<p>0 0.85 1.7 Kilometers</p> 	 <p>Department for Environment Food & Rural Affairs</p>
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