



Report to: Environment Committee, 27th October 2020

Report of: Corporate Director - Homes and Communities

Subject: ANNUAL GULL CONTROL REPORT 2020 AND PROPOSED 2021 GULL CONTROL WORK PROGRAMME

1. Recommendation

That the Committee

- 1.1 Notes the work undertaken during 2020, and**
- 1.2 Approves the Proposed Gull Control Work Programme for 2021 as detailed in Section 3 of the Report**

2. Background

- 2.1 There are many negative aspects to having an urban gull population breeding in Worcester, including fouling of buildings, paving, vehicles and people, damage to buildings, injury from attacks and fear of gull attacks. Sleep disruption due to early morning calls from gulls is the main source of complaint as reported to the Council. Two-thirds of complainants cited persistent sleep disruption as their primary concern and about one-third contacted the Council about gull attacks. In many cases, complainants were concerned about the multiple negative effects of urban gulls.
- 2.2 Gull control work in Worcester City is primarily undertaken by Worcestershire Regulatory Services (WRS) with support from colleagues within the council including, Communications, Planning and Environmental Operations. The city is home to a significant population of Lesser Black-Backed Gulls which generally favour nesting on large flat roofs and a smaller population of Herring Gulls which generally prefer nesting on chimney stacks or roof ledges.
- 2.3 All wild birds, their young, eggs and nest are protected under the Wildlife and Countryside Act 1981. There are some provisions which allow landowners to engage authorised personal to act contrary to the Act (known as a Section 4 defence). This requires the application to Natural England for a licence for permission to undertake lethal control of gulls which would otherwise be illegal acts. The provisions of the Act are specific in determining when a licence application for lethal control (including egg and nest removal) is valid.
- 2.4 A programme of gull control activities to be undertaken by the Council during 2020 was approved at Environment Committee on 29th October 2019. This report provides an update on that programme of work and proposes actions for next year's breeding season considering our experiences and evidence.

Gull Control 2020 - Annual Report

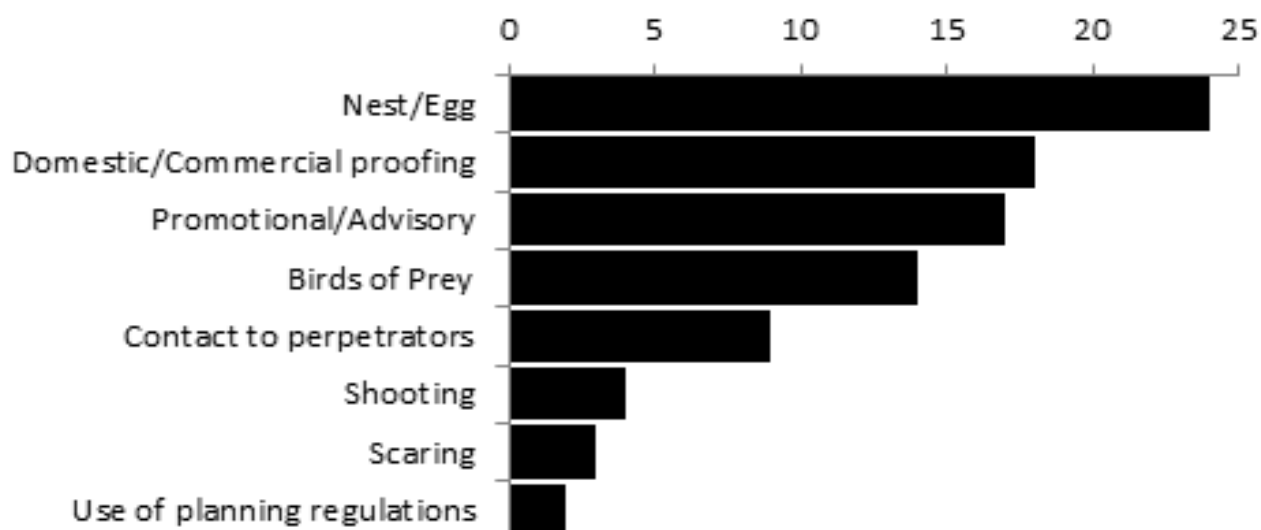
2.5 The measures proposed for 2020 were intended to either identify best practice or deliver that best practice in gull control or management with the aim of reducing any negative impact on residents, businesses, and visitors to the city.

2.6 Benchmarking

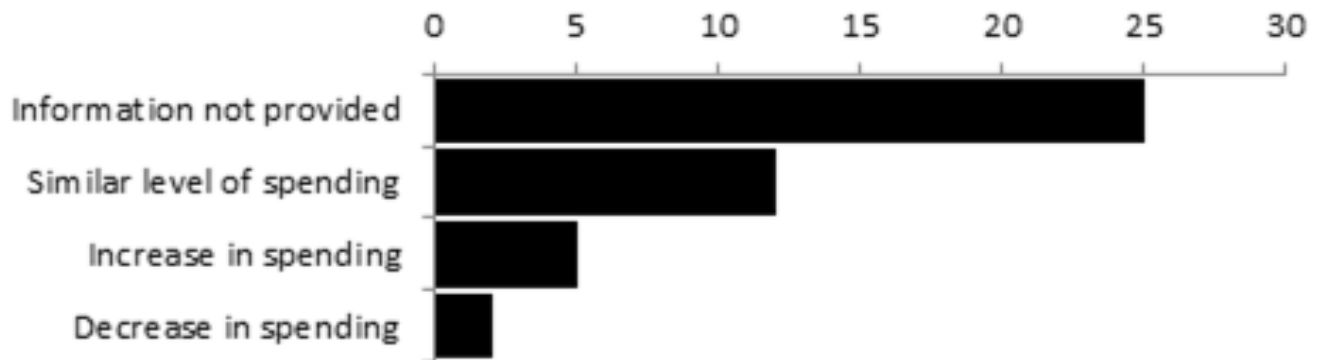
A request was made to all UK local authorities during late 2019 for information on gull control activities undertaken in the last five years, the success and cost of those and whether control was proposed this or subsequent years. The following provide a summary of the responses received:

2.6.1 Forty-four (19%) of the 224 Local Authorities that responded suggested that gull control activity had been undertaken in the past five years. This includes any activity at all, such as those proactively undertaking gull control and equally those where they have run a promotion campaign not to feed the gulls or provide advice only.

2.6.2 The graph below illustrates where respondents suggested activity had been undertaken, the most common activity (24) related to nests/eggs (egg replacement, egg removal, egg oiling or nest removal). The second most common activity (18) related to proofing of properties using spikes or nets (this was often specific sensitive or Council owned buildings) and/or the proofing of food sources by using gull-proof refuse sacks. It is worth noting that some authorities have implemented more than one measure. Other measures include Promotional activity (17), using Birds of Prey (14), contacting perpetrators (9), shooting (4), using scarers (3) and use of planning regulations (2).



2.6.3 Most respondents did not provide any spending information making it difficult to directly compare spending. Similarly, where a figure was provided there was inconsistency on whether 'officer resource' was included. For example, the Worcester City spend of £35,500 includes the costs of an Officer to lead on gull control work. The respondents generally suggested spending levels would remain the same with a spending level ranging from £1,000 to £35,000. The graph below shows 25 authorities did not provide any spending information, 12 envisaged a similar level of spending, 5 were planning to increase and 2 decrease spending.



- 2.6.4 The majority of respondents (58) could not identify whether the measures they employed were successful. The activities considered to have the most success were egg replacement, nest and egg removal and the use of birds of prey (half of the respondents used both egg treatments and birds of prey). It should be noted however that, whilst a larger proportion of respondents deemed these measures to be successful, others found them to be unsuccessful.
- 2.6.5 25 respondents suggested activity was planned for the coming year (2020 breeding season), with 23 respondents suggesting existing measures would likely to continue, 15 indicated they would not continue what they are doing and 2 respondents suggesting the level of activity would increase (Cheltenham in relation to egg oiling and replacement at more sites, and North Devon with additional 'Don't feed the gull' signs).
- 2.6.6 The benchmarking exercise was useful in establishing that a similar range of measures/actions are undertaken by other local authorities that are active with gull control as is undertaken by Worcester City Council. The exercise did not reveal any hitherto unknown gull management approaches. In relation to those councils which disclosed costs, the council are among the highest spending in relation to gull management. The measures that appear to be most successful have been a mix of several methods in a coordinated, long term approach (e.g. egg and nest removal alongside hawking and proofing). The towns and cities of the Severn Estuary are hotspots for gull control which suggests that a coordinated approach may be appropriate.
- 2.6.7 Dumfries and Galloway Council (DGC) consider their gull control to have been successful by moving a significant proportion of their gulls from nesting in the sensitive town centre and diffused them including dispersal to outlying areas where the effects were more tolerable. Recognising that the best that can reasonably be achieved within the current regulatory framework is to manage down the impact of gulls to a more acceptable and sustainable level. Scottish Natural Heritage engaged with the council to assist with their work by providing advice and helped facilitate the scheme by granting 'area' licences to ease the administrative burden (rather than the current site-specific approach currently used by NE).
- 2.6.8 Some councils have scaled back or withdrawn their gull control programmes after cost-benefit investigations revealed limited gains for the financial investment with Birmingham, Bristol, and Gloucester as prominent examples. Many councils with known or likely gull issues in their areas take little or no action.

2.6.9 Limited lethal control has been possible and used for specific problems where compelling evidence can be presented.

Between 2017 and 2019 North Norfolk District Council, as a commercial contractor under licence was able to kill a number of birds nesting on an industrial property where the damage caused by the birds posed a significant health and safety risk by compromising the integrity of manufactured aviation products. No council has been granted a licence for any extensive lethal control.

2.7 Population survey

A population survey was undertaken over three consecutive days from 29th April 2020 and the findings of that were reported to Environment Committee on 21st July.

2.7.1 The report provided the following:

- A reliable baseline figure of 1,072 breeding pairs for the current population against which subsequent population surveys can be compared;
- 'Sector' breakdowns of breeding pairs to allow quantifiable measurement of the impact of wider gull control measures where they take place in defined locations;
- An opportunity to compare reports of negative impacts of gulls against observed gull population distribution patterns and target appropriate proactive work to reduce that impact;
- Evidence to confirm that female birds hatched in nearby colonies move out to new colonies including Worcester with the likelihood that they will continue to do so in the future, and
- Evidence required in completion of any licence applications made to Natural England to manage gulls, specifically to support assertions that gull numbers are high and growing in the city

2.7.2 The population survey was considered useful as it provided information that supported the application for sixteen licences made to Natural England by the Council in 2020 and in supporting an additional six licences made by other local organisations and individuals to do the same. Knowledge of the local population figure enables our licence applications for discreet locations or individual nests to be put into context and demonstrates the lack of significant impact on the overall regional population of gulls. The population survey also provided anecdotal evidence of the ineffectiveness of some non-lethal methods of gull control (plastic owls, inappropriately installed wires etc.).

2.8 Behaviour Study

Much of the advice of Natural England and others on gull control focuses on eliminating the opportunities for gulls to feed in the city. However, it is believed that gulls will routinely fly 100km to feed from their nesting location and a scientific study in Dumfries indicated that lesser black-backed gulls nesting there obtained only 5 per cent of their food from within the town's boundaries. It is not known what proportion of the city's gulls primarily feed in the city or the proportion that fly elsewhere to feed. Understanding these factors will help to target ongoing control work.

2.8.1 On 29th June and 7th July, a total of 48 chicks were fitted with identification rings. The chicks were from nests in the city centre where egg replacement had not been possible due to Natural England's refusal to grant a licence to the Council's contractor. Ring identification marks are listed as **Appendix 1**.

2.8.2 By necessity, the ringing had to take place at the end of the breeding season which means local feeding reports would be minimal as the birds are largely migratory. However, we have already received information on the location of four chicks outside the city.

- A female herring gull fitted with a ring on House of Fraser, 29th June was sighted on the lifeboat slipway at the Mumbles near Swansea on 13th August. This is considered a considerable distance from the date of ringing for a herring gull.
- A female lesser black-backed gull fledged from Debenhams was the first to be found abroad near Santiago de Compostela, western Spain on 28th August.
- Possible sibling lesser black-backed gulls that fledged from Reindeer Court have been spotted. The female at Pembrokeshire on 1st September and the male at Lower Compton near Marlborough, Wiltshire on 4th September.

2.8.3 Reports of this nature will help to develop our understanding of where the birds go and what the key factors for such behaviour are. If we can improve our understanding of the driving forces, it is hoped this can be used to discourage gulls from using sensitive locations. It is recognised that this is a long-term measure.

2.8.4 A number of rehabilitated birds (collected mainly by the RSPCA from urban locations around the Severn Estuary) that released into the wild by a charity were fitted with rings to assist with identifying where rehabilitated birds would choose to return to next spring and ultimately choose as a nesting site. The birds were collected as juveniles unable to fly and reared to the point where it was hoped they would survive and then released at a rural location in Wales. Data on the movements of the birds from observations will be considered as part of future control work.

2.9 Assessment of Hawk flying

Professional advice provided on this control method had historically been contradictory and prone to commercial bias. However, a number of local businesses that used hawk flying to control gulls around their buildings anecdotally reported improvements in gull activity, including reductions in noise and mess. Working in conjunction with Britannia Square Residents' Association who match-funded a trial, an assessment of the effectiveness of this method was made.

2.9.1 Britannia Square was considered a suitable location for a trial because it already had regular breeding by birds well established in the location (one pair breeding for the last 10 years at least) and an increasing number of new nesting pairs entering into the area and surrounding streets as the birds move out of the city centre. The high roofs and chimneys of the area provide viable nesting sites but consequently are difficult to be accessed limiting gull control methods. Also, the gulls at four nests in the area, had been very aggressive in 2019 and had effectively denied residents at seven properties access to their gardens for much of the summer.

2.9.2 A contractor commenced raptor flying using primarily Harris Hawks but also Peregrine Falcons from 30th March and continued over the summer with intensity of flying frequency varied during the different breeding stages. At the time when

established pairs are returning and new prospectors are scouting for a nest location the raptor flying was more intense (every working day for four weeks) to create an unsafe and stressful nesting environment.

- 2.9.3 Other gull control measures were used to support the hawking with the five existing nests subject to egg replacement (using a cherry picker) or nest removal under licence from Natural England. A local resident volunteered to use a special megaphone to broadcast gull distress calls, designed to multiply the effects of the hawk whilst that was flown but also at night to unnerve the gulls at a time when it is harder to identify a specific threat. One group of residents in a terrace of three houses on the street mounted a co-ordinated roof top vigil using their skylights during much of March and April in what turned out to be a successful attempt at deterring nesting gulls.
- 2.9.4 We believe no chicks hatched in the Britannia Square area during 2020. Three of the regular nesting pairs had their eggs replaced with no viable eggs re-laid. One of these pairs lost a further clutch due to the nest being blown from the roof during unseasonably strong winds in late May; the nest was not re-built, and no new eggs were laid. The long-term and previously fertile gull residents at another property failed to lay any eggs at all and the pair nesting at the property where nest and egg removal was carried out departed for the season after this action was taken on the second occasion. One newly incoming pair of gulls made determined attempts over a four-week period to establish a nest. It is believed that the combination of hawking, egg removal visits to properties nearby, the regular deployment of the gull distress call megaphone and the actions of the householder and their neighbour in establishing a regular human presence acted to move the gulls elsewhere. Other prospective nesters did not settle. Residents reported that gull noise and general activity in the area was much reduced over 2019 and no reports were received of residents being excluded from their gardens by swooping attacks from gulls.
- 2.9.5 Anecdotal evidence from staff at RGS observed a perceived reduction in gull numbers overflying RGS Springfield and the main site, as well as a reduction in nesting. Residents of K2 reported a difference in behaviour too.
- 2.9.6 It is possible that one pair of Lesser Black-backed gulls nested on a property of the south terrace of Britannia Square. We are not able to confirm whether they were nesting there or whether they were birds from neighbouring properties subject to egg replacement.
- 2.9.7 In summary the combination of hawking every working day during the nest-building phase in April in combination with the other gull deterrent measures appears to have seriously disrupted the breeding activities of gulls in the area. Except for the pair of gulls which frequent the roof of the south terrace, the approach also appears to have deterred incomers from nesting in the Britannia Square area. The hawking also appears to have unsettled gulls in the wider area, including The Tything and the streets immediately to the south of Britannia Square. This is possibly because these are the gulls which responded to the distress calls of their fellow colonists in Britannia Square.

2.10 Gull Forum

2.10.1 In line with the terms of reference of the group, two meetings were proposed this year. The first took place on 27 February 2020 but attendance was affected by the bridge restrictions due to flooding. Nonetheless the members shared their work programme for the coming year.

2.10.2 Unfortunately, most businesses or organisations were unable to deliver this due to the COVID-19 restrictions. Traditionally a mixture of egg and nest removal and hawking is undertaken by some of the larger landowners in the city but due to either restricted access or issues with the NE licences, none was undertaken. The bunting usually erected by Worcester BID similarly was not used this year.

2.10.3 A full report on the activities of members will be available following the November (virtual) meeting when it is hoped the Council will be able to assist businesses with the lessons learnt from our experiences this year in particular relating to licence applications but also from the hawking trial, the integrated use of cherry pickers and extendable poles with tools and camera attachments for egg replacement, nest and egg removal and nest inspections.

2.10.4 The work proposals from all members will also be discussed to assist with coordination of activity for maximum reward.

2.11 Encouragement to engage with gull control measures

2.11.1 Assistance was provided to Platform Housing in facilitating the removal of two chicks from the inaccessible roof of residential properties in St Paul's Court, Worcester. A licence application was made on Platform Housing's behalf and the chicks were removed and taken to a rehabilitation centre. WRS has also recently assisted Platform Housing in dealing with the deliberate feeding of gulls and pigeons in Dent Close, Worcester.

2.11.2 WRS worked with residents, the landlord and colleagues in the City Council to prevent the dumping of refuse in Copenhagen Street by tenants and others. This refuse, which included food waste, had been routinely placed outside the property in flimsy plastic sacks, sometimes days before the Council's weekly collection. Animals (possibly gulls, cats, foxes) tore open the bags and scattered food waste and other litter across the street. A temporary solution was found in which two lockable 1100-litre black and green wheelie bins were placed outside the property. Residents were provided with a communal key and urged to use the facility properly. In the longer term, City Council colleagues are discussing the installation of a permanent outside bin store with the landlord.

2.11.3 In relation to removing feeding opportunities for gulls, Councillors will be aware of the planned installation of solar compaction litter bins and recycling on the go units in the city centre. The bins have now been received and will be installed in early November. In addition, some of the small post mounted bins have been removed from some of the arterial routes leading into the city centre and have been replaced with enclosed bins. This will assist with the reduction in feeding opportunities by enclosing litter and preventing the gulls from scattering the contents.

2.12 Egg Replacement & Hard to Access Nest

The work programme for this year set out the intention of undertaking egg replacement in all nests laid on roofs traditionally accessed in the city centre and to

include additional roofs outside of this area where access could be arranged. This was intended to include roofs with easy access from an internal staircase on to a flat roof, but also roofs that could only be accessed by mobile elevated platforms or cherry pickers.

- 2.12.1 In preparation for the breeding season several licence applications were made for egg replacement on the basis of the successful licence applications last year. Unfortunately the initial licence application for the city centre egg replacement work, made on our behalf by our contractor Red Kite Pest Control, was refused because it covered too large an area for the approval criteria this year, including being inconsistent with Natural England's gull conservation aims. It also transpired that the licence application lacked direct and specific evidence of threats to public safety and public health. NE advised us that this year they would not approve any licence for a wide geographical extent larger than a couple of properties.
- 2.12.2 Consequently, a substantially reduced area city centre licence application was made directly by WRS with specific and detailed supporting evidence. This was for egg replacement at properties where access could be arranged during lockdown restrictions and included the Guildhall, House of Fraser in Chapel Walk and the main thoroughfares of High and Broad Streets. This application was not granted because Natural England still regarded the area as too large to be included under one licence. Separate licence applications were subsequently submitted for three nest clusters at the Guildhall, and several retail establishments on High Street and for the north-east section of Broad Street. By the time Natural England had issued Section 4 Notifications by which interim action could be taken pending a licence decision if the applicant believed he or she was acting legally and in the interests of public health or safety, our contractor reported that chicks had hatched in all known nests at the Guildhall, and the retail establishments on the High Street. No further action could then be taken at these premises.
- 2.12.3 Of those city centre licence applications, including the Cathedral site where action took place under the terms of a pending licence, fifteen key buildings (in terms of significance of the usual number of nests there) were accessed and treated where required, with 32 eggs removed and replacement eggs left. This action took place on both accessible roofs and where the use of a cherry picker was required. All eggs were of Lesser Black-backed gulls.
- 2.12.4 Outside of the city centre 13 licence applications were made or assistance was given in application, by the Council. These were largely locations where the Council was facilitating access by cherry picker or similar, or by enabling organisations to undertake their own egg replacement or egg or nest removal.
- 2.12.5 Licence applications for The Tything & Anbrian House, Fish Street and St Helen's Church, Worcester Cathedral (in their name), St Oswald's Hospital and St George's School were refused by NE without any satisfactory reason given. The St George's school licence application supporting evidence was near identical to that for RGS where a licence was approved. A subsequent application for St. Oswald's Hospital with additional supporting evidence of harm was granted.
- 2.12.6 Following granting of licences or where operating under conditions of a pending licence, egg replacement was undertaken at Britannia Square (in support of the hawking trial), Crown Green Court, RGS, St Oswald's Hospital, the K2

development, three properties on The Tything, St George's School and Anbrian House.

2.12.7 A licence was also granted for nest and egg removal at a specific location on Britannia Square.

2.12.8 The changes to NE Licence application criteria significantly disrupted the ability for us to undertake egg replacement in the city centre in as timely a manner as we would have wished leading to some eggs hatching. Some of these chicks were able to be used as part of the behaviour study. Elsewhere the application process put in place a significant challenge to provide sufficient evidence of harm to public health and safety in a short time frame prior to eggs hatching. We learnt quickly from our initial applications how much detail and corroborating statements were required. However, the decision process by NE was not always consistent or timely. Decisions by NE to refuse or grant ranged from one day (in refusing the initial city centre wide egg replacement application) to 130 days (between applying for and receiving the refusal notice for the application to do egg replacement on the Cathedral). Even now, the licence portal with NE is showing that a decision has not yet been reached on our first licence application (Britannia Square and K2) submitted on 13 March 2020.

2.12.9 Serious delays in processing licence applications by NE, even when marked 'Urgent – public safety issue', meant that by the time the licence had been received, it was no longer possible to act. This occurred on four occasions, the most noteworthy of which meant that no effective action could be taken in relation to a resident of Lansdowne Street who had suffered an injured arm and psychological trauma during a gull attack in her back garden.

2.12.10 WRS has worked closely with our cherry picker and nest treatment contractor, to develop a highly effective and time-efficient method of treating nests and capturing non-flying chicks in places where access is difficult. This has allowed more sites to be covered than originally planned; for example, the time efficiencies from the Britannia Square operation permitted the nest treatments at RGS. This system involves the use of extension poles fitted with cameras and tools deployed both from the ground and from the platform of the cherry pickers. For example, the camera pole can be used from the ground to inspect nests without the need to move and set up the cherry picker if the nest contains no eggs or if the dummy eggs placed on a previous occasion remain with no new live eggs laid.

2.13 Planning Advice

2.13.1 Specific wording was included in the preferred options consultation of the South Worcestershire Development Plan (SWDP) to encourage developers to consider design measures that reduce the gull population and their impact on the building and general environment. However, it is recognised that the policy only carries limited weight when determining planning applications as it is not yet adopted.

2.13.2 In the meantime, work has commenced to update the previous guidance note to form some that fit with the proposed policy and encourage measures be incorporated into new designs now. This is being informed by evidence and knowledge gained from the activities undertaken this year and drafting will

continue during the quieter (in terms of gull control work) autumn and winter months.

2.14 Enforcement Action

2.14.1 Councillors will be aware of the Council's consultation this summer on the wording of a City Centre Public Space Protection Order (PSPO) in relation to (amongst other things) the 'intentional feeding of gulls'.

Analysis from this consultation has informed an equality impact assessment, implementation plan and report to Chair and Vice Chair of the Communities Committee for consideration in October 2020.

2.15 Communication Strategy

Early in the season a press release was issued to promote responsible behaviour. A number of media events were arranged to promote some of the work being undertaken despite COVID restrictions to include the gull survey and hawking/disturbance trial, aimed at raising awareness and encouraging other communities and businesses to get involved and reduce the opportunities for the birds to breed in the city.

2.16 Additional Action taken

2.16.1 Several reports of gull attacks (four) were reported around High Street. Three of which caused injury from contact by the bird and the fourth from falling over as a result. Three of those attacked were accompanied by their dog which may be a contributing factor to how much the gull perceives them to be a risk to their chick. All four attacks were believed to be from a pair of Lesser Black-backed gulls who had nested on the canopy over doorways into a large department store. The low height of this location may also have contributed to the vulnerability that the birds felt leading to increased aggression.

2.16.2 The swooping flights that lead to the attacks are initially as a deterrent flying at the person face on for full visual effect but where that fails to ward off the 'intruder' or the bird is particularly aggressive or agitated (where multiple people are about) occasionally the swoops will be intended to make contact. Where contact is made or not, they can be particularly distressing to the individual concerned and for those observing the attacks.

2.16.3 Once we received reports of the attacks and sufficient evidence had been collated for a licence application to be made to destroy the two chicks concerned arrangements were made. By the time the licence was approved we were able to remove the chicks almost immediately. We are liaising with the landowners with a view to altering the canopy so that it can not be used for nesting in the future.

2.16.4 With the exception of the above, where egg replacement was unsuccessful, and chicks hatched a number of city centre 'sweeps' were undertaken to collect chicks that had left the nest but were not able to fly. Mobile flightless chicks are particularly vulnerable, and the adult birds will vigorously defend them, often swooping at passers-by as was the case at the department store referred to above. The survival rate of the flightless chick in an urban setting once on the ground is low mainly due to the risk from vehicles and domestic pets. Consequently, in the interest of the animal's welfare (Animal Welfare Act 2006) removal of the chick is permitted in an urban setting. A chick was collected

during the gull population survey from The Shambles and the Guildhall car park. Both chicks were also taken for rehabilitation, ringed and then released when they could fly.

2.16.5 A requirement of the licence applications made (whether the licence application was successful or remains pending) is that returns are provided to Natural England on action taken. All actions and the impact of the same have been recorded in preparation for the return submission.

It is hoped that this will continue to demonstrate the effectiveness of our targeted approach and provide confidence in our ability to act in accordance with any licence conditions and the law, so that future applications result in issue of a licence swiftly. All actions taken to date by WRS that require a licence have already been formally disclosed to Natural England under the Section 4 Notification requirement. The licence return for the property in Britannia Square where nest and egg removal has been made. The other six licence returns will be made before the due date of 31 December 2020.

2.17 Summary

2.17.1 Despite restrictions due to COVID-19 a significant number of activities were completed and negative impacts of gulls in specific locations averted. This has not been the trend across the city for other landowners, or across the country for other local authorities who had proposed but abandoned gull control measures this year.

2.17.2 In working within the current legal framework, it is not possible to eradicate gulls from the city but it is believed that the work undertaken this year has been productive and effective where it was possible to deliver. A significant amount of information has been obtained that will enable any gull control undertaken during 2021 to be more successful in targeting locations specifically affected by the negative impacts of gulls. Focusing on these areas and actively leaving other areas where the negative impacts are minimal will assist with successful NE licence applications.

2.17.3 The population survey gave knowledge of the nesting locations of the gulls in our city. A review of the gull complaints and requests for assistance during 2020 has been undertaken and compared with the numbers of gulls in different areas of the city. There are large areas of the city where the gulls do not nest and there do not generally give rise to complaints. The vast majority of the population is nesting in our industrial estates around Blackpole, however they contribute to a comparatively small number of complaints (see table below).

Sector	What it covers	% of nesting gulls	Areas of greatest negative impact
Blackpole 1	Blackpole Industrial Estate and environs	36%	2%
Blackpole 2	Shire Business Park	21%	0%
Barbourne	inc Britannia Sq and Blanquettes estate.	3%	13%

Shrub Hill	inc former Metalbox	5%	5%
Centre	inc Pheasant St. & The Tything	25%	22%
West Side	St Johns	10%	9%
Battenhall		0%	1%
Diglis		0%	1%

2.17.4 The work during 2020 focused on increasing our knowledge, researching different methods of controlling gulls and targeting specific nests where there was a negative impact from the birds, working with residents and businesses to share learning, costs and benefits. Despite this there are many unknowns around the behaviour of Worcester's urban gulls and the effectiveness of control measures more extensively in the city.

2.17.5 All evidence of harm to public safety and health from gulls during 2020 is being collated and used for licence applications and in preparation for any future use.

3. Proposed gull control strategy and work programme for 2021 breeding season

3.1 **Primary focus on reducing the success of breeding.** The availability of suitable nesting locations that is the key factor for the presence of gulls in our urban environment and to a much lesser extent the availability of local food sources. During the coming years, it is hoped that additional information from ringed birds will help clarify the feeding sites of urban birds and therefore the significance of urban sources. As a result, the following proposed work programme focuses on reducing the suitability of the city as a nesting location, followed by improving our knowledge and understanding of the problem and how effective our control measures are.

3.2 We are aware that when applying for a licence to NE for gull control, there is a requirement to demonstrate that the viability of the overall gull population is not adversely impacted and that it is targeted to address harm to public health and safety. This is key in ensuring a licence to control gulls is successful. By recognising the larger populations exist in the Blackpole trading estates that are largely not controlled, we are able to successfully tackle problematic gulls in more sensitive areas as identified in the table above as the City Centre, Barbourne and St John's. The following work programme takes this into account.

- 3.3 **Proofing:** We know the location of our most problematic birds and will continue to work with landowners and tenants to reduce the ability of the gulls to nest on their properties. It is recognised that there are both physical and financial constraints to the success of this, but advice and encouragement will be given where appropriate. This work will be undertaken proactively as well as responding to requests for assistance from residents, businesses, and organisations.
- 3.4 **Planning Guidance:** With the planning policy now set out in the draft SWDP, work can continue to complete the practical guidance to support that. This will include experience and evidence of how design influences the gull behaviour observed through the 2020 and this coming year's work programme.
- 3.5 **Disturbance:** Again focusing on sensitive locations, residents and tenants will be encouraged to increase their presence in nesting locations prior to nest construction with the aim of disturbing the birds so they do not see the site as a suitable nesting location. This approach was successful in Britannia Square, but a coordinated approach will need to be taken to ensure that birds are not displaced to adjacent roofs. This work will be undertaken proactively.

- 3.6 **Nest and Egg removal:** Historically, we have undertaken egg replacement only. There is anecdotal evidence to suggest that whilst birds are quieter and less aggressive sat on a nest of dummy eggs, removal of the nest as well as the eggs after a couple of occasions will represent a more stressful situation and the birds are more likely to abandon nesting attempts in that location.
- 3.7 As a result, this year we will trial nest and egg removal in the city centre locations where there is ready access to roofs or a cherry picker can be used. This will also be extended to include roofs in Barbourne, along the Tything and St. Johns to mirror those locations where the highest number of incidents were reported. This will be subject to NE licences being granted.
- 3.8 To minimise delay and prevent harm to public health and safety we will proactively engage with NE to set out the evidence base collected for the areas of the city centre, Barbourne and St Johns. It is hoped this will enable a more proactive targeted approach with one licence covering a wider area. If this is not possible individual licence applications will be made for specific groups of buildings.
- 3.9 **Complementary Hawking in high sensitivity areas:** Following the success and experiences gained from the hawking trial in Britannia Square it is intended to complement the nest and egg removal where possible with hawking, subject to resident/business contributions and available budget.
- 3.10 **Chick removal:** Where harm to public health and safety has been established and a licence is granted chicks will be removed from nests. Previously, these birds were destroyed but to aid knowledge about urban gull behaviour this will be rehabilitated and released away from the city. This course of action may also help to placate those who object to lethal control
- 3.11 Similarly, where flightless chicks are at street level in urban areas for their welfare and to reduce the likelihood of defensive attacks, the chicks will be collected. This latter action is not subject to a licence being required and, indeed, is an obligation under the Animal Welfare Act 2006.
- 3.12 **Removal of feeding opportunities:** Whilst the significance of local feeding opportunities is not considered a primary reason for the birds being in the city, reducing these can only encourage foraging elsewhere and thus reduce the impact of their presence in the city. Colleagues are progressing with a proposed PSPO for intentional feeding of gulls and roll out of more appropriate waste bins where appropriate. Both measures will be reported separately.
- 3.13 Reports of excess rubbish, premature putting out of waste, inappropriate storage will be addressed as they are raised.
- 3.14 **The Gull Forum** will continue to be facilitated so that ideas and experiences may be shared, and actions coordinated. The next meeting is proposed for November 2020.
- 3.15 **Research:** There are several ideas that have come out of the 2020 work programme and research. It is intended to investigate the following further:
- 3.15.1 How design discourages nesting. Following initial discussions with the University of Worcester, the possibility a research project looking at how materials and shape may discourage gull nesting will be explored.

- 3.15.2 Review the success and effectiveness of Scarborough's recently launched match-funding scheme for property owners to install gull exclusion measures in the town centres of Filey, Whitby and Scarborough, using approved contractors.
- 3.15.3 Evidence of the success of egg oiling will be investigated: as new evidence has emerged of success using biodegradable corn oil dispensed from drones.
- 3.15.4 Analysis of gull movements: Members of the public and visitors will be asked to report observations of ringed birds around the city and elsewhere so that a picture of their movements and feeding habits can be established and fed into the work programme. As discussed above, a number of birds had rings fitted in the city this year and an additional four were fitted with rings following rehabilitation. It will be three or four years until these birds breed but their movements will help monitor the birds and the impact of controls on them. WRS is currently working with the British Trust for Ornithology in this regard and is hoping to include the Ecology Department of the University of Worcester in this endeavour.
- 3.15.5 As reported above a number of organisations take abandoned chicks to rehabilitation centres. It is not known whether the rehabilitated birds survive or if they do, whether they return to a rural or urban colony. It is proposed to ring any chicks removed from the streets or nests in the city prior to release (at locations on the South Wales coast and Severn estuary) so that further observations can be made and for a small number to be tracked with transmitters.
- 3.16 The above work programme can be delivered within the existing budget of WRS and £30,000 gull control funding.

4. Alternative Options Considered

- 4.1 Proactive gull control in Blackpole. There is an intention to assist with any specific gull issue in all areas of the city, with proactive work will focusing on areas of highest sensitivity and gull numbers. Whilst Blackpole has the highest number of nesting birds, there are few incidents or requests reported. The approach proposed in 3 above will support evidence submitted towards NE licence applications for other parts of the city.
- 4.2 Widespread cull. In line with the Counsel advice provided to the council last year, NE were clear a widespread cull would be unlawful, and any licence application would be unsuccessful. This approach has been tightened with the refusal to approve area wide applications unlike previous years and instead only grant licences with a detailed evidence base for a specific location. Concerns with the approach taken by NE in relation to the issuing of licences have been raised with them already.
- 4.3 A widespread cull would be highly unlikely to work because of the behaviour of gulls. At the time of a bird's first breeding year, if it were a male it would normally return to the natal colony. If it were a female bird it would choose a different colony in the vicinity, which is backed up by observations of Bristol and Gloucester hatched birds breeding in Worcester. Any Worcester cull would have to be repeated in every colony in the entire region for many years to be successful in removing the birds from Worcester. Under the existing legislative framework, this action would be illegal.

- 4.4 Do nothing. There is no legal obligation for the Council to undertake any gull control work however the city is negatively impacted by gulls.

Residents, businesses and visitors have come to expect and appreciate the work the Council undertakes alongside contribution by others to reduce the impact.

5. Implications

5.1 Financial and Budgetary Implications

The cost of implementing the proposed 2021 work plan can be met within existing budgets.

Proposed cost elements for 2021	Estimated cost (£000's)
Officer costs	16
Nest Removal, Egg replacement and Hawking (including £5.5 as WRS budget)	10.5
Movement tracking	8
Chick removal & rehabilitation	1
Total	35.5

5.2 Legal and Governance Implications

The work plan proposed in section 3 above is within the current regulatory framework and is not considered at risk of challenge from NE or any other interest group.

5.3 Risk Implications

As set out above the proposed work plan has been developed to achieve maximum impact whilst complying with existing legislative frameworks. Any decision to seek to step outside the programme would require an evidence base and both specialist and legal advice to minimise the risk of legal challenge.

5.4 Corporate/Policy Implications.

The proposals are in support of the City Plan's themes of a 'Healthy and Active City' (3) by reducing the negative health impacts of gulls for residents and businesses and 'Sustaining and improving assets' (5) by supporting landowners to take proactive measures to reduce the negative impacts of gulls on the structure of the buildings and image of the city.

5.5 Equality Implications

No equality implications have been identified in the development of the 2021 work programme.

5.6 Human Resources Implications

None. Existing staff will deliver a significant proportion of the work programme.

5.7 Health and Safety Implications

No health & safety implications have been identified in respect of this report

5.8 Social, Environmental and Economic Implications

The work programme as set out balances the wider environmental concerns of two bird species with conservation concern against specific evidenced harm to public health and safety.

Ward(s): All
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Background Papers: None

Appendix 1 – Ringing List

Species	Ring	Code	Ringing location	Date	Sex
Lesser Black-backed Gull	YELLOW5	DX	Reindeer Court	29/06/2020	F
Lesser Black-backed Gull	YELLOW5	DY	Reindeer Court	29/06/2020	M
Lesser Black-backed Gull	YELLOW5	DZ	Reindeer Court	29/06/2020	F
Lesser Black-backed Gull	YELLOW5	FA	Reindeer Court	29/06/2020	M
Lesser Black-backed Gull	YELLOW5	FB	Reindeer Court	29/06/2020	M
Lesser Black-backed Gull	YELLOW5	FC	Reindeer Court	29/06/2020	F
Lesser Black-backed Gull	YELLOW5	FD	Reindeer Court	29/06/2020	F
Lesser Black-backed Gull	YELLOW5	FF	Reindeer Court	29/06/2020	F
Lesser Black-backed Gull	YELLOW5	FG	Reindeer Court	29/06/2020	F
Lesser Black-backed Gull	YELLOW5	FH	Reindeer Court	29/06/2020	F
Lesser Black-backed Gull	YELLOW5	FJ	Reindeer Court	29/06/2020	F
Lesser Black-backed Gull	YELLOW5	FK	Reindeer Court	29/06/2020	F
Lesser Black-backed Gull	YELLOW5	FL	Boots Worcester	29/06/2020	M
Lesser Black-backed Gull	YELLOW5	FM	Boots Worcester	29/06/2020	M
Lesser Black-backed Gull	YELLOW5	FN	Debenhams Worcester	29/06/2020	F
Lesser Black-backed Gull	YELLOW5	FR	House of Fraser Worcester	29/06/2020	F
Lesser Black-backed Gull	YELLOW5	FS	House of Fraser Worcester	29/06/2020	F
Lesser Black-backed Gull	YELLOW5	FT	House of Fraser Worcester	29/06/2020	M
Lesser Black-backed Gull	YELLOW5	FU	House of Fraser Worcester	29/06/2020	M
Lesser Black-backed Gull	YELLOW5	FV	House of Fraser Worcester	29/06/2020	F
Lesser Black-backed Gull	YELLOW5	FW	House of Fraser Worcester	29/06/2020	F
Lesser Black-backed Gull	YELLOW5	FX	House of Fraser Worcester	29/06/2020	M
Lesser Black-backed Gull	YELLOW5	FY	House of Fraser Worcester	29/06/2020	F
Lesser Black-backed Gull	YELLOW5	FZ	House of Fraser Worcester	29/06/2020	F
Herring Gull	YELLOW5	GA	House of Fraser Worcester	29/06/2020	M
Herring Gull	YELLOW5	GB	House of Fraser Worcester	29/06/2020	F
Herring Gull	YELLOW5	GD	House of Fraser Worcester	29/06/2020	M
Lesser Black-backed Gull	YELLOW5	GF	House of Fraser Worcester	29/06/2020	F
Lesser Black-backed Gull	YELLOW5	GG	Crowngate	29/06/2020	F
Lesser Black-backed Gull	YELLOW5	GH	Crowngate	29/06/2020	F
Lesser Black-backed Gull	YELLOW5	GJ	Crowngate	29/06/2020	F
Lesser Black-backed Gull	YELLOW5	GK	TKMaxx	29/06/2020	F
Lesser Black-backed Gull	YELLOW5	GL	TKMaxx	29/06/2020	M
Lesser Black-backed Gull	YELLOW5	GM	TKMaxx	29/06/2020	F
Lesser Black-backed Gull	YELLOW5	MT	Reindeer Court	07/07/2020	?
Lesser Black-backed Gull	YELLOW5	MU	Reindeer Court	07/07/2020	M
Lesser Black-backed Gull	YELLOW5	MV	Reindeer Court	07/07/2020	F
Lesser Black-backed Gull	YELLOW5	MW	Marks & Spencer	07/07/2020	M
Lesser Black-backed Gull	YELLOW5	MX	Marks & Spencer	07/07/2020	F
Lesser Black-backed Gull	YELLOW5	MY	Marks & Spencer	07/07/2020	M
Lesser Black-backed Gull	YELLOW5	MZ	Photo Expert	07/07/2020	F
Herring Gull	YELLOW5	RA	Carpet Place	07/07/2020	F
Lesser Black-backed Gull	YELLOW5	RB	Carpet Place	07/07/2020	F
Lesser Black-backed Gull	YELLOW5	RC	Carpet Place	07/07/2020	F
Lesser Black-backed Gull	YELLOW5	RD	Carpet Place	07/07/2020	F

Lesser Black-backed Gull	YELLOW5	RF	Carpet Place	07/07/2020	F
Lesser Black-backed Gull	YELLOW5	RG	Carpet Place	07/07/2020	M
Lesser Black-backed Gull	YELLOW5	RH	Carpet Place	07/07/2020	M