

ROTHERHAM BOROUGH COUNCIL - REPORT TO MEMBERS

1.	Meeting:	Cabinet Member and Advisers for Business Growth and Regeneration
2.	Date:	Monday 3rd November 2014
3.	Title:	Response to Badger petition
4.	Directorate:	Environment and Development Services

5. Summary

RMBC is within a defined low risk area for Bovine tuberculosis (bTB) and there are no recorded incidences of badgers in Rotherham with bTB. A formal position has been requested from RMBC in respect of the prohibition of the culling of badgers on RMBC land and in respect of investment in local badger vaccination programmes.

6. Recommendations

It is recommended that:

- 1. The culling of badgers on land in RMBC control be prohibited**
- 2. The Council does not invest in a local badger vaccination programme at this time**
- 3. The lead petitioner be informed of these decisions**

7. Proposals and details

Background

The following e-petition was received by the Council on 22nd May 2014:

We, the undersigned, call on Rotherham Borough Council to prohibit the culling of badgers on council-owned land and invest in vaccination programmes locally. We ask this because we believe culling to be inhumane, inefficient and unscientific.

This is a national issue which will be of direct concern to the people of Rotherham Borough Council when DEFRA "rolls out" its culling policy in 2014.

The object of the petition is to ensure that Rotherham Borough Council's badger Population is as safe as possible from slaughter and that the already available injectable badger vaccine against bTB [Bovine Tuberculosis] is used in as many cases as possible.

We ask this because we believe the culling policy is inhumane (DEFRA's measurement of "humaneness" is to time the screams of wounded badgers), inefficient (previous culls showed an increase in bTB because of badger movement) and unscientific (the majority of scientific opinion hold that a cull will have "no meaningful result").

The petition is connected to recent government-sponsored badger culling trials in Gloucestershire and Somerset which aim to reduce the incidence of Bovine Tuberculosis (bTB) in these high-risk areas. It is understood that approximately 150 similar petitions have been submitted to local authorities in England and Wales.

Available research on the matter and information about the risk of bTB in Rotherham has been investigated; the South Yorkshire Badger Group (SYBG) and both local Wildlife Trusts (Yorkshire and Sheffield & Rotherham) have been consulted.

Bovine TB is mainly a disease of cattle but can affect other farmed species, domestic animals and some wildlife, including badgers. The disease can be transmitted to humans, usually by infected milk and cattle testing positive for bTB must be slaughtered. The disease is transmitted between cattle, between badgers, and between the two species.

There is no single method that will sufficiently reduce the wildlife reservoir of bTB and prevent the spread of bTB between badgers and with cattle. The badger culling trials are aimed at reducing badger populations to reduce transmission between badgers and cattle. The ability to vaccinate both cattle and badgers would significantly help; an injectable badger vaccine was approved for use in 2010 but no approved cattle vaccine exists yet. Farm bio-security, cattle testing and good movement practices are also important.

There are concerns that the first year of the culling trial has been ineffective and that the methods are inhumane. There are currently no plans to extend the trial cull areas, although the initial trial area programmes will continue in 2014.

The DEFRA Bovine TB Information Note 04/13 confirms that South Yorkshire is currently a low risk area for bTB and the SYBG has stated that there is no recorded incidence of bTB in badgers within Rotherham.

DEFRA has mapped areas of high risk and low risk and has also identified 'edge' areas where enhanced cattle controls will be put in place to contain and reverse the spread of bTB. A number of Wildlife Trusts operating in edge areas in England are considering badger vaccination programmes. The closest edge area to Rotherham is the Derbyshire / Staffordshire border and, in addition to the enhanced cattle controls, the Derbyshire Wildlife Trust is funding and delivering a 5 year programme of badger vaccination.

RMBC, SYBG and the Wildlife Trusts consulted are not aware of any concerns on this issue being raised by local farmers or landowners. SYBG works with local farmers and landowners, providing advice on request.

Both local Wildlife Trusts are supportive of a ban on badger culling and, if culling was proposed for the local area, would be supportive of badger vaccination as a measure to prevent the need for culling. Sheffield CC has formally opposed the culling of badgers and prohibited culling on land in its ownership (a copy of the Council meeting notes are attached as Appendix One). Doncaster MBC and Barnsley MBC have both received the same e-petition as RMBC but have yet to respond.

Consultation with RMBC Legal & Democratic Services has confirmed that irrespective of the scientific, technical or moral arguments relating to culling, it is clear that, at present at least, culling badgers or disturbing their setts is an illegal act. This is pursuant both to the general provisions protecting wild animals set out in the Wildlife and Countryside Act 1981 (as amended) and the specific provisions relating to badgers in the Protection of Badgers Act 1992. The majority of Council leases and tenancy agreements expressly prohibit the tenant from carrying out any illegal act or act which is contrary to statute. There is, therefore, effectively a prohibition in place against culling on Council land already. However, although it does not materially change the status quo, it may be considered welcome to reinforce the statutory position against culling by following the recommendations of this report.

In view of the information presented above, it is recommended that the request to prohibit culling on Council-owned land be supported, but that the Council does not invest in or otherwise support a badger vaccination programme. SYBG have been invited to submit further evidence of the possible need for a vaccination programme should bTB spread to Rotherham in the future.

8. Finance

There are no implications for staff workload or finances from the recommended response to the petition.

9 Risks and Uncertainties

The proposed response is based on the information currently available from Government agencies and from local conservation groups. RMBC Green Spaces will continue to monitor changes to Government policy and the local situation as part of ongoing work. Any significant changes will be reported.

10 Policy and Performance Agenda Implications

The Natural Environment and Rural Communities Act (2006) places a duty on all public authorities, in the exercising of its functions, to have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. Conserving biodiversity includes restoring and enhancing species

populations and habitats, as well as providing appropriate protection. It is considered that the prevention of harm to badgers, as a protected species, falls within this duty.

11 Background Papers and Consultation

RMBC service areas with land controlling and animal welfare responsibilities have been consulted. Copies of responses can be provided on request.

12 Contact

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Appendix One

Sheffield City Council – Meeting of Council, Wednesday 6 February 2013 2.00 pm (Item 17) Notice of Motion given by Councillor John Robson¹:

That this Council:

- (a) opposes the Government's decision to cull badgers in England;
- (b) is aware of strong objections to badger culling in the UK which resulted in a petition of over 150,000 people;
- (c) notes that Parliament voted against the cull in October 2012 with a huge majority of 147 votes to 28;
- (d) regrets the u-turn taken by Government to cull between 70-95% of the country's badgers with over 7,500 condemned in pilot studies in West Gloucestershire and West Somerset set to go ahead this summer;
- (e) acknowledges that despite contradicting statements there is strong scientific evidence that culling badgers will not make a difference to the numbers of bovine TB;
- (f) notes that leading scientists in this field agree that a cull will make little or no difference and that free shooting has not been scientifically tested anywhere and could even spread bovine TB in the short term as badgers move around more;
- (g) reminds the Government that badgers are a legally protected species and to kill them without knowing the full facts is a disgrace;
- (h) will not voluntarily allow badger culling on land in its ownership if the cull is extended after the pilot scheme; and
- (i) urges the Government to reconsider the decision as there is no scientific, economic or moral basis for culling.

Minutes:

RESOLVED: On the Motion of Councillor John Robson, seconded by Councillor Harry Harpham, that this Council:-

- (a) opposes the Government's decision to cull badgers in England;
- (b) is aware of strong objections to badger culling in the UK which resulted in a petition of over 150,000 people;
- (c) notes that Parliament voted against the cull in October 2012 with a huge majority of 147 votes to 28;
- (d) regrets the u-turn taken by Government to cull between 70-95% of the country's badgers with over 7,500 condemned in pilot studies in West Gloucestershire and West Somerset set to go ahead this summer;
- (e) acknowledges that despite contradicting statements there is strong scientific evidence that culling badgers will not make a difference to the numbers of bovine TB;
- (f) notes that leading scientists in this field agree that a cull will make little or no difference and that free shooting has not been scientifically tested anywhere and could even spread bovine TB in the short term as badgers move around more;
- (g) reminds the Government that badgers are a legally protected species and to kill them without knowing the full facts is a disgrace;
- (h) will not voluntarily allow badger culling on land in its ownership if the cull is extended after the pilot scheme; and
- (i) urges the Government to reconsider the decision as there is no scientific, economic or moral basis for culling.

¹ (<http://sheffielddemocracy.moderngov.co.uk/mgAi.aspx?ID=4963> – 13 June 2014)