

Bath & North East Somerset Council

MEETING/ DECISION MAKER:	Planning, Transport and Environment Policy Development & Scrutiny Panel	
MEETING/ DECISION DATE:	14 January 2014	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2616
TITLE:	Urban Gulls – a scrutiny inquiry	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Scrutiny Inquiry report Appendix one – draft recommendations response table		

1. THE ISSUE

1.1 Numbers of urban gulls in Bath have increased by almost five times since 1998. As a result of public opinion and political interest, a scrutiny review was initiated in July. The purpose of the review was engaging businesses, residents and visitors, and other public sector agencies, in taking responsibility for the issues and causes of high numbers of urban gulls, in particular through:

- educating on the causes, solutions and other relevant information about gulls
- finding short, medium and long-term solutions to tackle the issues of the gulls themselves and the features that attract them
- determining what national Government are doing and could do to assist councils to tackle the problem.

This report introduces the findings of the review, which are outlined in full in the attached report.

2 RECOMMENDATION

This report recommends that PTE PDS panel members:

- **review and discuss the findings of the review and the draft recommendations outlined in section 5.1 of the attached SID report and in Appendix one**
- **agree a final list of recommendations for submission to Cabinet members**
- **continue discussions with Cabinet at the next meeting of PTE PDS on 4 March.**

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

3.1 In preparing the draft recommendations, financial feasibility has been a main consideration alongside potential impact. However, this has not yet been considered in any detail so as not to limit creativity or opportunity in the resulting actions.

3.2 It is recognised that most if not all of the recommendations, if put forward and accepted, would require some level of resource allocation to make it successful. This could include any or a combination of the following:

1. no resource implications as a result being an existing piece of work or able to be delivered within existing staff time and service resources
2. minor changes to how existing staff roles are focused, either on a permanent or temporary basis
3. major changes to staff roles, or appointment of new staff to manage a recommendation or set of recommendations
4. major changes to finances, perhaps requiring additional funding on a one-off or longer-term basis.

3.3 It is envisaged that the majority of proposed actions would sit within the top two options in the list above. It is not envisaged that there are any resource implications in relation to property.

3.4 One of the key considerations for the Cabinet member response is whether the recommendation is financially feasible, now and/or in the future. Their thoughts on this will be provided in their final response to be discussed at the next PDS meeting on 4 March.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

4.1 There are three main pieces of legislation which have informed the approach to the review and the recommendations, including:

- Environmental Protection Act 1990 – which outlines the duty of care to manage waste responsibly and prevent statutory nuisance

- Clean Neighbourhoods and Environment Act 2005 - which makes it illegal for anyone to litter in a public place
- Wildlife and Countryside Act 1981 – which protects all species of bird from unlawful killing or disturbance.

4.2 All proposed recommendations fulfil the requirements of all legal and gull conservation duties.

5 THE REPORT

5.1 On 27 November, the PTE PDS hosted a scrutiny inquiry day focused on urban gulls in the city and across B&NES. The review was established for two main reasons:

- the on-going issue of gulls in the city and other areas across B&NES, particularly during the spring and summer months
- a statement by a member of the public to the PTE PDS panel in July 2013 requesting policy change and action in relation to tackling the gull population.

5.2 The aim of the review was to engage businesses, residents and visitors, and public sector agencies in taking responsibility for the issues and causes of high numbers of urban gulls, in particular through:

- educating on the causes, solutions and other relevant information about gulls
- finding short, medium and long-term solutions to tackle the issues of the gulls themselves and the features that attract them
- determining what national Government are doing and could do to assist councils to tackle the problem.

5.3 The ideas and evidence collated before and during the scrutiny inquiry day have been discussed and used to develop recommendations under six high-level themes, which are:

1. Limit gulls' access to food waste
2. Increase the use of effective intervention methods
3. Carry out effective enforcement against those who break the rules
4. Improve education and engagement with businesses, residents and visitors
5. Undertake further research and utilise shared learning
6. Lobby Government to take more action through the Severn Estuary Gull Action Group.

5.2 There are detailed recommendations under each of these headings which are outlined in section 5.1 of the attached report and appendix one. These recommendations, once agreed by PTE PDS, will be submitted to the cabinet members for their response.

6 RATIONALE

6.1 The recommendations outlined in section 5.1 of the attached report have been developed on the basis that the ideas have:

- a good evidence base and clear rationale
- the potential to make a noticeable impact
- limited financial implications, although this has not been considered in any great detail at this stage
- a good grounding to encourage joint responsibility and action
- short, medium or long-term benefits.

7 OTHER OPTIONS CONSIDERED

7.1 The recommendations put forward have been considered as potential opportunities for improvement and change. This has been an extremely comprehensive process and, as a result, only ideas that were deemed to be unrealistic, illegal or go against the council's existing policies on gulls have been excluded. This is a relatively small number in

comparison to the number of recommendations proposed. No other options have been considered.

8 CONSULTATION

8.1 The following organisations and individuals have been consulted during the scrutiny review and have inputted evidence and/or ideas that have been used to develop the draft recommendations.

- Local people and organisations, including:
 - the Business Improvement District and 91 businesses from across B&NES
 - 30 members of the public, including Kirsten Elliott, who initiated the review
 - the Federation of Bath Residents' Associations
 - the Bath Faith Forum
- B&NES staff and members, including:
 - B&NES environment, waste, recycling and enforcement officers
 - the Planning, Transport and Environment PDS panel
 - the Cabinet member for Neighbourhoods
 - other councillors with an interest in gulls and conservation
- National organisations, including:
 - The Department for Food and Rural Affairs (Defra)
 - the RPSB
- Experts, including:
 - Peter Rock, Ornithologist
 - Pest control organisations
- Other councils, including:
 - Gloucester City Council
 - North Dorset District Council
 - Sedgemoor District Council
 - South Somerset District Council
 - Cardiff Council
 - Tewkesbury Borough Council
 - West Dorset District Council
 - Weymouth and Portland Borough Council
 - Carlisle Council
 - Wiltshire Council
 - Bristol City Council
- Other organisations, including:
 - Avon Fire & Rescue Service
 - local and other universities and colleges, and their students

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the council's decision making risk management guidance.

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Background papers	<i>Scrutiny Inquiry Day agenda and papers – available on the 'council and democracy' pages of the website, or by clicking this link</i>
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