Bath & North East Somerset Council

Urban Gulls: A scrutiny inquiry
27 November 2013

Report and recommendations

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Introduction

Anyone who spends any time in Bath and the surrounding area cannot help but notice the increasingly high numbers of urban gulls, particularly during the spring and summer months. For most people, gulls are a nuisance. They are the reason some residents cannot sleep past 4am or fully enjoy their gardens, why some businesses have to guard their waste when it is put out for collection, and why some visitors don't want to eat al fresco or park on the top floor of a car park for fear of being attacked.

This issue has been high on the agenda for the council for some time, and we are already taking action to mitigate it. But, we know more can be done and it cannot simply be the council's responsibility. Every local person, building or business owner, visitor and public agency, not to mention our neighbouring councils and central government, have to take action. There is plenty of evidence to show that working together is the only way to resolve the problem in the long term.

This review was initiated in July 2013 following a statement to the Planning, Transport and Environment Policy Development and Scrutiny (PTE PDS) panel by a local Bath resident, Kirsten Elliott. Like us, Kirsten wanted to see real action taken. Undertaking this as a scrutiny inquiry has been a good opportunity for PDS to focus on the gulls as a single topic and bring in a wider range of people. The aim has been to develop a broader understanding through the use of a wide range of expert and non-expert evidence, and come up with ideas for positive ways in which to move forward.

The fundamental principle of our chosen approach going forward is the development of a cohesive plan with short, medium and long term actions, and an evaluation strategy. More details on this are outlined in recommendation 5.1. The plan will recognise the role of the council in leading by example and educating everyone, but also enforce responsibility on every resident, business, landowner and visitor.

The basis for this plan will be the PDS panel's final recommendations, outlined at section 5 of this report. The PTE PDS panel will discuss and the final list will then be submitted to the Cabinet members with the relevant portfolios to respond. We are encouraged by the close involvement of the Cabinet member for Neighbourhoods, Cllr David Dixon, in the review already.

There are existing examples of good practice out there that we want to learn from, but we also recognise that some things don't work. As a proactive authority, we do not just want to repeat what has been done before. That is why some of our recommendations are new, never-been-tested suggestions.

I am very much looking forward to seeing where each of the proposals takes us.

Cllr Marie Longstaff
Chair
Planning, Transport and Environment
PDS panel

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1. Executive Summary

1.1 The review

In 2012, there were an estimated 1,100 breeding pairs of gulls nesting in Bath. Since 1998, the total gull population in the city has increased by 489% from 225 pairs. Based on current trends of an annual increase of 5.8%, it is estimated that the total number of breeding pairs in Bath will reach 1,750 by 2020.

The Urban Gulls scrutiny 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.

1.2 Purpose of this report

Planning, Transport and Environment PDS panel members are asked to:

- **review and discuss the findings of the review and the draft recommendations outlined in section 5.1 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.**

A full timetable of next steps is provided at section 5.3.

1.3 Findings

The inquiry and this report have been informed by a range of sources, including:

- action B&NES council is already taking to control the gull population and its impact, by officers and members of the council
- experiences of other councils, provided by seven councils from the Severn Estuary (Gloucester City Council, North Dorset District Council, Sedgemoor District Council, South Somerset District Council, Tewkesbury Borough Council, West Dorset District Council and Weymouth and Portland Borough Council) and Carlisle Council
- the impact of gulls on local businesses' approaches to waste and recycling, through a survey responded to by 91 businesses from across the district
- information on gulls, conservation law and known related issues, by the RSPB
- the government's current position, by Defra's chief scientific advisor
- experiences of local people, including statements by 11 members of the public.

Full details on the report findings are outlined in section four.

1.4 Recommendations

The ideas and evidence collated beforehand and on the day have been discussed and used to develop recommendations (outlined in detail in section 5.1), under six high-level themes:

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. Work with the Severn Estuary Gull Action Group to lobby government to take more action.

2. What is Policy Development and Scrutiny?

There are two main statutory functions involving elected members within every district, county or unitary council in England – the Executive (Cabinet) and Overview and Scrutiny. Different councils structure this in different ways, but there is a clear division between the roles and responsibilities of these two functions.

The main decision making powers rest on the **Cabinet**. The Cabinet is intended to create clear leadership and clear accountability for service delivery. Here in Bath & North East Somerset Council, these decision-making powers lie with nine councillors, each with a distinctive portfolio of work.

2.1 Overview and Scrutiny

Overview and scrutiny is the name given in legislation to the system of checks and balances implemented by all other councillors as they monitor the activity of the Cabinet and assist them in developing and reviewing policy. In Bath & North East Somerset Council, this is known as Policy Development and Scrutiny. Policy Development and Scrutiny is intended to review the work of the Cabinet and to enhance the performance of services. It is also designed to provide a forum through which policy review and policy development can be extensively examined before consideration and decision by the Cabinet and/or Full Council.

There are six **Policy Development and Scrutiny** Panels which meeting approximately six to seven times a year and oversee a specific area of work, generally matching the Cabinet portfolios. These panels are:

- Early Years, Children and Youth
- Economic and Community Development
- Housing and Major Projects
- Planning, Transport and Environment
- Resources
- Wellbeing

All Policy Development and Scrutiny Panels are led by councillors and have a Chair and Vice Chair. Membership consists of non-executive councillors of all parties, and may also include co-optees from voluntary organisations, and other outside agencies.

In addition to their regular meetings, Policy Development and Scrutiny Panels in Bath & North East Somerset carry out reviews. These involve undertaking a mixture of overview, scrutiny and policy development on a selected subject, which may be a review of a policy, service or an investigation of an issue of local concern.

Policy Development & Scrutiny Panels achieve their impact and initiate change through making recommendations to the Cabinet, Full Council or partners. The formal meetings are open to the public, and always include space on the agenda for public statements. Their agendas and minutes are available to the public via the council's website.

3. Background

3.1 The review

3.1.1 Purpose

The Urban Gulls scrutiny review was established for two main reasons:

- the ongoing 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 support for a conference on gulls that will lead to policy change and action.

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 central Government are doing and could do to assist councils to tackle the problem.

3.1.2 Approach

The review has been delivered in three parts, which are:

- Part one – information collection and analysis (officers)
- Part two – scrutiny inquiry day (public, with input from officers, councillors and specialists)
- Part three – discussion and agreement of recommendations (councillors)

A summary of each of these stages is outlined below.

1) Information collection and analysis

Officers collated a range of information from various sources in preparation for the scrutiny inquiry day, including:

- action B&NES council is already taking to control the gull population and its impact, by officers and members of the council
- experiences of other councils, provided by seven councils from the Severn Estuary (Gloucester City Council, North Dorset District Council, Sedgemoor District Council, South Somerset District Council, Tewkesbury Borough Council, West Dorset District Council and Weymouth and Portland Borough Council) and Carlisle Council
- the impact of gulls on local businesses' approaches to waste and recycling, through a survey responded to by 91 businesses from across the district
- information on gulls, conservation law and known related issues, by the RSPB
- the government's current position, by DefRA's chief scientific advisor
- experiences of local people, by 11 members of the public.

This information was provided to councillors, the public and press in advance of and/or on the day of the inquiry. These papers are already publically available as background.

All information has been used alongside the outcomes of the workshop discussions on the day to inform the recommendations put forward alongside this report.

2) Scrutiny inquiry day

A scrutiny inquiry day (SID) is a mechanism for a **short single-topic scrutiny**, used where a formal panel meeting may not be as effective or appropriate. SIDs are more informal, inclusive of individuals with relevant experience or knowledge, and are often open to the public.

There are two main aims of SID which are to:

- enhance understanding of an issue amongst a wide range of organisations and groups
- develop recommendations to Cabinet, another council committee or external body.

The SID was selected as the most appropriate approach for the urban gulls review as it enabled the discussions to be opened to a wider range of people. This inclusiveness was evident in the run up to the SID through the public's engagement via press forums, telephone calls and written statements, and on the day in the discussions and question and answer opportunities. Engagement also continued in the weeks following the SID. See section 4.8 for further information.

The agenda for the day included:

- public statements
- presentations on the current situation from the point of view of:
    - the council, presented by the Cabinet member for Neighbourhoods and the Neighbourhood Environment Manager
    - the gulls, presented by a local Ornithologist
    - the public, presented by a non-executive councillor
    - businesses, presented by the Business Improvement District manager
- experiences of other authorities, presented by Cllr Lisa Brett who shared information provided by Carlisle Council, and Julie Wight from Gloucester City Council who presented on behalf of the Severn Estuary Gull Action Group
- a facilitated workshop that captured ideas for action and improved engagement.

3) Discussion and agreement of recommendations

This report marks the start of the final stage (stage three) of the review. It brings together all the information collated in part one and the ideas put forward in part two, and outlines the proposed recommendations to Cabinet

Planning, Transport and Environment PDS panel members are asked to review and discuss the draft recommendations outlined in section 5.1, and agree a final list for submission to the Cabinet members.

The Cabinet member response will be discussed at the PTE PDS panel on 4 March. This is a shorter time frame than usual. This has been agreed with the Cabinet member to ensure initial action as a result of the day can begin alongside existing plans for the 2014 gull season.

3.2 Context – current action in B&NES

B&NES already has a programme of actions for the mitigation of the impact of gulls. A summary of these actions which have been completed by a range of council teams in 2013 is below.

3.2.1 Communications

The gull webpage had received 409 hits by November 2013. This is a significant increase from the number of hits received to the same page in 2012. A number of actions have been taken to

better inform our customers about what the council is able to do about mitigating the impacts of gulls, including:

- publicity in the local media, including interviews and debates on Radio Bristol and articles in the local print media
- updating the council's webpage with revised FAQs
- the production of a new leaflet to provide advice to the public about proofing buildings against gulls.

3.2.2 Egg replacement service

This is a chargeable service provided by the council's Pest Control team. Real eggs are replaced with plastic 'dummy' eggs which dupe the gull into believing that the eggs are going to hatch. When it is apparent that this is not going to happen, it is too late for the pair to have a second breeding attempt in that season. This is an intervention method that other local authorities have also adopted.

In order for the egg replacement service to have a significant impact on the gull population, a high percentage of all eggs need to be replaced. By replacing a small percentage of eggs, the survival rate of young gulls that do hatch is improved and, therefore, little impact on the gull population is achieved.

The service is advertised on the council's website, but received a poor response during the 2013 breeding season.

3.2.3 Fire gel

Fire gel is a new product being trialled by a number of local authorities including on the roof of the Roman Baths Kitchen by B&NES.

The gel is placed at intervals along parapets of buildings. It has ultra-violet light effects which makes it appear to gulls that it is 'on fire' and so they are deterred from landing on the gel and therefore the building. The Bath trial during the summer appeared successful in reducing the complaints from customers about gulls. However, research undertaken by other local authorities indicates that fire gel has little impact on the gull population over all.

Council teams are considering using this again in the 2014 breeding season and carefully monitoring the impact.

3.2.4 Commercial Waste Enforcement

Enforcement officers have worked within the business community through early morning and late night patrols on initiatives to raise awareness about the need to present waste at the correct collection times to reduce the likelihood of scavenging by animals. During the schemes, known as 'Operation Sunrise and Sunset', the team issued over 100 letters to businesses. This approach and the improvements which have been achieved have received positive feedback

However, food waste is not thought to have a significant impact on the gull population. Gulls are attracted to B&NES, and Bath in particular, due to the volume of safe nesting sites. They will gladly travel further afield for food, for example to the landfill site in Gloucestershire. Nevertheless, the control of food waste is significant in reducing the public nuisance caused by gulls.

3.2.5 Domestic waste enforcement

Enforcement officers have worked proactively with the Waste Campaigns team to identify specific areas where domestic waste is put out too far in advance of collection. Action so far has been through education and encouragement, but there are some areas that are being escalated to include enforcement actions. Results have been very encouraging with the vast majority of residents changing their behaviour as a result of these notices.

3.2.6 Gull-proof, re-usable rubbish sacks

This trial provides householders with a robust sack which prevents scavenging of waste by gulls and other wildlife. The sacks were originally trialled on 1,000 homes in September 2012 and proved popular, with 86% of residents wanting to continue to use them at the end of the trial. The scheme has since been extended to cover almost 2,500 homes in the city.

A pilot has been in operation since September in New King Street where officers from the campaigns and enforcement teams have been working together to engage with the residents and make the use of these bags compulsory. A dramatic improvement has been witnessed in the cleanliness of the street and in the reduction of waste not contained in gull-proof bags through this work.

3.2.7 Solar Compacting Bins in Bath city centre

There are now 55 of these bins in the city centre which are effective in containing waste so that the gulls are prevented from accessing food waste. This helps to prevent scavenging and creating litter. The bins also have the potential to carry promotional messages about not feeding birds and this is being considered for the future.

3.2.8 Other enforcement action

The council is challenging members of the public who are known to be feeding gulls and requesting that they refrain from this practice. The use of statutory nuisance powers is also being considered against premises to oblige the owner or occupier to take preventative action in cases where their premises are clearly and demonstrably contributing to ‘gull-related’ nuisance to local residents.

4. Review findings

4.1 History of gulls

Gulls are a natural part of our country's wildlife and have always been a feature of coastal towns and villages. Since the 1940s, some species have favoured roofs as predator-free nest sites within warmer towns and cities that have an abundance of accessible edible rubbish and litter.

Of the gull species in the UK, several may be encountered in suburban and urban situations. The two main ones are:

- the Herring Gull - usually nests on house roofs
- the Lesser Black-Backed Gull - usually found breeding in colonies on larger roofs such as warehouses

Populations of both species have increased in urban areas over the past 70 years, in contrast to an overall national decline.

4.2 Gulls and people

The presence of gulls in urban areas sometimes results in some conflicts with people, for example:

- `dive-bombing' people or pets when they feel their young are threatened
- breaking open plastic rubbish bags in a search for food
- nesting on roof spaces and other building areas
- loud noise, especially early in the morning.

In most cases, the gulls do not come into physical contact with people. Problems of gulls dive-bombing people or pets are restricted to the nesting season which lasts from early May to end of July, and usually occur when unfledged chicks have fallen from their nest to the ground, most common in July.

4.3 Conservation status

Gull numbers are most comprehensively monitored during national seabird surveys. The most recent was Seabird 2000 (1998-2002) which included counts of some inland breeding gulls. The two main species of gull are of national conservation concern, having declined by more than 50% over 25 years.

Herring Gulls are red listed as a species of high conservation concern because of recorded severe declines in their UK breeding and non-breeding populations over the past 25 years.

Lesser black-backed gulls are amber listed as a species of medium conservation concern because breeding birds are localised in the UK and the UK's numbers of this species are of international importance.

The next seabird survey is due to be carried out in 2015-17 when greater coverage of inland breeding gulls is proposed. The RSPB is currently carrying out research to establish the reasons for the national declines in Herring Gulls and regional declines in Lesser Black-Backed Gulls.

4.4 Gulls and the law

All wild birds are protected by law under the Wildlife and Countryside Act 1981.

There are no provisions within current legislation to allow the control of birds for the purpose of relieving nuisance or damage to property. However, there is an established system of licensing to allow for the control of some wild birds.

Natural England has issued a general licence which allows property owners, occupiers or those permitted by them to:

- kill Lesser Black-Backed Gulls
- take or destroy the eggs or nest of the Lesser Black-Backed Gull or Herring Gull.

Property owners, occupiers or those permitted by them do not have to apply for a licence to engage in this form of culling as long as they operate within the terms of the general licence.

In all cases, the license applies only when the action is for the purposes of preserving public health and safety.

4.5 Government position

In the summer of 2013, an evidence statement was drawn together by Defra's chief scientific adviser. This statement is included in the background papers.

This statement highlights a number of practical steps that could be taken to improve what we know about urban gulls and their management, including:

- local authorities collecting data and sharing best practice on the relative effectiveness of different types of deterrent
- encouraging the pest-control commercial sector to undertake the studies appropriate to assessing the effectiveness of the deterrents
- ensuring that the planning system is informed about the structural designs of buildings that are less likely to provide appropriate habitats for gulls
- maintaining current trends towards containerisation of waste within urban environments
- providing information as public notices, both proactively provided (e.g. the council notices in regions where there are particular problems or information to planners and architects) and reactively provided as recommendations for action once problems have been detected
- discussing the impact of urban gulls on insurance premiums and investigating the extent to which incentives can be provided for building owners to use appropriate deterrents
- seeking advice from Natural England if concerned about the effects of gulls.

A government representative was invited to attend the SID to share government views in person. There was no one available to attend, however they submitted a statement in advance which outlines:

"effective long term management requires the elimination or reduction of readily accessible food and roosting/nesting sites. Gulls should not be fed either intentionally or unintentionally and local authorities are able to take steps to prevent this though the introduction of bylaws if they wish".

4.6 Gulls in Bath

In 2012, there were an estimated 100,000+ breeding pairs of gulls across the UK and Ireland, with 19,000, in a minimum of 78 colonies, in the Severn Estuary region. Cardiff, Gloucester and Bristol have the highest numbers of pairs in the region with 3,300, 2,900 and 2,500 respectively.

At last count, 1,100 pairs were nesting in Bath. Of these:

- 790 were the Lesser Black-Backed Gull

- 310 were the Herring Gull.

Since 1998, the total gull population in the city has increased by 489% from 225 pairs. Although gulls can be found across the city, and in other areas of the district, the main areas of concern are the city centre around the Abbey, Kingsmead and Widcombe areas.

Based on current trends of an annual increase of 5.8%, it is estimated that the total number of breeding pairs in Bath will reach 1,750 by 2020.

4.7 Tackling the gulls

There are a multitude of known gull deterrents, with varying degrees of success. In some cases, a deterrent which is successful in one location is extremely unsuccessful in another. The reasons for this are unknown, but could be because of variations such as:

- what sort of building or street they are being tested on
- for how long they are being tested
- the competence or experience of the person using the deterrent
- how many gulls there are to be deterred.

4.7.1 Action against the gulls

Lethal deterrents

As outlined in section 4.4, gulls are protected in law and are only permitted to be controlled using lethal methods under license.

A) Lethal control can only be used where:
   - there is a proven risk to public health and safety.
   - it will not adversely affect the conservation status of the species.

The RSPB believes that destruction of eggs and nests is unlikely to be effective unless measures are used immediately to prevent the adults re-nesting.

B) Non-lethal deterrents

The RSPB believe that gull problems in an urban environment are best tackled by reducing the availability of food and nest sites because, if the features that attract gulls remain, any `vacancies' created by controlling existing gulls will simply be filled by other gulls moving in. They recommend action by local authorities and individuals to reduce the volume of food available to gulls in urban areas, including:

- limiting the availability of nesting sites
- reducing the amount of food waste sent to landfill
- not putting rubbish out until the day of collection
- putting food waste out in gull-proof containers
- reducing the amount of `edible litter' on streets, particularly arising from fast food outlets
- providing `gull-proof' public litter bins
- enacting bylaws if necessary to prevent people from deliberately feeding gulls in public spaces such as parks and harbours.

4.7.2 Case Studies

We received input from eight authorities on their own experiences in support of the SID. The councils provided this information via:

- a bespoke survey of the Severn Estuary Gull Action Group, responded to by Gloucester, North Dorset, Sedgemoor, South Somerset, Tewkesbury, West Dorset and Weymouth and Portland councils
- a detailed briefing note provided by Carlisle City Council
- a presentation at the SID the role of the Severn Estuary Gull Action Group, by Gloucester City Council.

Case study one - experiences of three Severn Estuary region authorities

Gloucester City Council uses a bi-annual breeding survey to monitor numbers and identify nesting hot spots. They have used different interventions at a cost of approx. £20,000 per year, including reducing food waste through new recycling schemes. The council has also tried egg replacement, oiling and removal. Areas with significant nesting are showing reductions. Whilst there is no reported reduction in the breeding population, the rate of increase has slowed and feedback from local businesses has been positive.

Sedgemoor District Council manually collects data on the number of nests and eggs taken over the mating season and compares to that collected over the last three years to monitor increase or decline. Complaints from local people are also recorded. The council has tried a variety of interventions including egg replacement, food waste education and pamphlets to retailers, stickers encouraging people not to feed gulls and some work around clean-up times. The egg replacement programme across a very small section of the town centre, has been the most successful. Egg oiling has had limited success and has been heavy on resources such as man power and money.

Tewkesbury Borough Council monitors complaints and an environmental health technician makes site visits to carry out visual inspections. They do not use any intervention methods, nor have they done in recent years.

Case study two: experiences of Carlisle City Council

Carlisle has experienced an increase in the number of complaints about gulls over a four year period. In 2010/11, there was only two complaints. In 2012/13 this has increased to 44. For the 2013/14 period to date, 55 complaints have been received. It is believed that 90% of gulls in Carlisle are Lesser Black Backed Gulls.

Action taken since 2012 has included:

- encouraging businesses and property owners to cull Lesser Black-Back gulls and Herring Gulls under general licence
- regular press communications and a leaflet aimed at the public
- visits to properties identified as having gull issues
- serving of abatement notices for premises with significant nesting issues and who have failed to put in adequate controls
- toughened waste bin bags for those without wheelie bins
- fire gel trial, which showed the gel to not be an effective long-term solution
- enforcement blitzes of town centre littering, including bird feeding
- encouragement of fitting spikes on council street lights and buildings.

Having reviewed the success of the actions, the council has renewed its policy on gulls which now states the council's priorities for this area of work include:

- dissuading the public from feeding birds in the town centre
- encouraging land owners and occupiers to take action to proof their buildings against nesting gulls, including the council's own buildings and streetlights

- encouraging and advising land owners and occupiers to employ competent persons to control gull populations on their land
- using advice and legal powers to ensure the satisfactory storage of food waste
- maintaining a high quality street cleaning service
- continuing to observe complaints received regarding gulls.

The experiences of Carlisle have highlighted a number of issues and points to note, including:

- there are significant costs and legal implications regarding employing contractors to control gull populations - around £40 per two people for 30 minutes
- there are some circumstances (e.g. fragile roofs) where egg replacement or pricking is difficult or dangerous
- gull control is the responsibility of the landowner, not the council
- culling can be emotive and the council therefore prefers to use the phrase 'gull control'
- complaints about gulls are likely to increase as the public become more aware of the council's actions
- the council's legal team have agreed use of Statutory Nuisance and/or Section 81 of the Environmental Protection Act 1990 powers can be used in circumstances where landowners make no effort to reduce numbers of gulls nesting on their land.

4.8 Public engagement

Public engagement has been one of the main aims of the review in order to encourage joint responsibility for the resulting actions. This has been achieved in several ways, including:

- ensuring the SID was accessible by the public and promoted through various means, including in the local press, on social media and through various networks
- seeking the opinion of local business owners on the impact of gulls on their businesses
- engaging with other councils on how public opinion has changed in their areas
- promoting when the recommendations will be discussed publically
- reviewing opinion and comment on the press web forums, telephone calls to the office and other means.

The SID included various opportunities for councillors and the public to have their say on ideas for tackling the gull problem, including:

- advanced submission of public statements
- verbal public statements on the day
- question and answer sessions after each presentation
- a workshop to discuss ideas for action and improved engagement.

Other councils were asked whether the authority had received any negative attention during the last 12 months regarding urban gull population from residents, business owners, visitors, other public services and / or the press. The responses showed that 43% have received negative attention as frequently as in previous years; 29% have received negative attention, but less frequently than previous years; 14% have not received any negative attention; and no councils reported an increase in negative attention received.

Businesses were asked for their initial comments about the management of urban gulls in Bath. The most common responses included:

- gulls put people off coming into Bath and thus affect business trade, mostly as a result of:
    - aggressive behaviour, which scares children and adults alike
    - noise, which can be deafening especially first thing in the morning
- the council needs to take responsibility for reducing gulls' opportunities to nest
- people dropping food waste on the ground are as much to blame as businesses, and those that do should be penalised more often.

In the two weeks leading up to and following the SID, the level of engagement by the public with the council or through local social media forums on the subject of gulls increased rapidly. Whilst this has since reduced again, the interest shown was likely as a result of the press coverage. Therefore, this is recognised as a useful means for sharing information in the future to promote joint responsibility and ownership.

4.9 Partnership working

Another main aim of the review has been improving partnership working to solve the problem. We had good engagement from other authorities in the lead up to the SID and want to continue to build on this

In preparation for the day, we asked councils to indicate how well local public services and other organisations take joint responsibility and work together to tackle the problem of gulls in their area. 29% indicated stakeholders are taking joint ownership for reducing the gull population through preventative action.

Councils were also asked to name the three stakeholders they believe should be doing more to help prevent an increase in the local gull population. The four most popular are:

- owners of food establishments
- local residents, tourists and business owners of non-food establishments
- commercial developers
- environmental organisations such as the RSPB and Natural England.

These results fit well with feedback received from local people in B&NES. Partnership working is a challenge in a subject such as this, which is so often seen as solely the responsibility of the council. A number of the recommendations reflect this challenge and the need to overcome it for long-term success.

5. Recommendations

5.1 Draft recommendations

The recommendations 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

The ideas put forward have been discussed alongside the information provided. These have been collated in six high-level recommendations, with proposed actions outlined under each one:

1. Limit gulls' access to food waste
2. Increase the use of effective gull 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. Work with the Severn Estuary Gull Action Group to lobby Government to take more action

Note: The recommendations included below are updated from the original published report following the discussion at PTE PDS on 14 January

1. Limit gulls' access to food waste

1.1 Require all businesses to take responsibility for adequately containing food waste through the use of gull-proof sacks and cooperating with waste collection times

1.2 Educate residents on waste and recycling procedures and obligations and assert the use of food caddies or galvanised bins in all cases

1.3 Introduce night-time refuse collections to limit the length of time food waste is left on the streets

1.4 Pilot red plastic refuse sacks to ascertain whether this discourages gulls from attempting to get waste and, if successful, roll out to all appropriate city residents

1.5 Work with owners of guest houses and self-catering holiday apartments to advocate more accessible and better information for visitors about correct disposal of food waste

1.6 Work in partnership with the Business Improvement District (BID) to campaign:

a) commercial waste collectors to supply gull-proof sacks to all businesses
b) businesses to commission responsible commercial waste collectors.

2. Increase the use of effective gull intervention methods

2.1 Urge building owners and/or occupiers to undertake their own egg replacement by providing free replacement eggs and promoting relevant information and advice

2.2 Campaign for gull-proofing of new buildings through the B&NES planning application process and planning guidance

2.3 Lead by example by treating the council's own buildings with appropriate intervention methods, and share experiences and good practice

2.4 Further explore the 'Australia' model of developing nesting areas outside of the city centre, with a view to developing a pilot site if viable. These sites include nesting platforms to encourage nesting in locations where it is easier to oil/prick eggs.

3. Carry out effective enforcement against those who break the rules

3.1 Enforce stronger penalties for littering in identified 'hot spots' such as parks, car parks and around outdoor seating area

3.2 Broaden use of online and other communications tools by the enforcement team to include recognition of responsible businesses and actively share performance information on penalties and convictions to broadcast a strong message to the public on enforcement against persistent offenders. This will also enable the service to better monitor trends.

4. Improve education and engagement with businesses, residents and visitors

4.1 Plan and deliver a strengthened and consistent communications campaign to educate the public and enforce a more coordinated approach

4.2 Provide clear and consistent guidance on individuals' and businesses' rights and responsibilities to tackle urban gulls, through:

a) a 'one-for-all' leaflet with top 10 tips for how to lessen individual and business impact on gull numbers
b) specific guidance to target residents, businesses and visitors using the notion of 'respect our city'
c) ensuring business and property owners, and residents are made aware of their legal rights and responsibilities under the general licence issued by Natural England

4.3 Train food safety officers on options for businesses and building owners to tackle gulls to share whilst on routine inspections

4.4 Recognise excellence through new gull champions – those who are passionate about the need to work together to tackle the gull problem and lead by example.

5. Undertake further research and utilise shared learning

5.1 Promote and lead a joined up approach to tackling the gull population through development of a cohesive gull strategy that includes:

- the true extent of the gull problem and how people suffer as a result
- defined rights and responsibilities for the council, the public and businesses
- the short, medium and long term vision
- an overview of what is already being done
- themed objectives and actions for improvement
- defined benchmarks for success
- timetable for evaluation and review
- approval of Natural England

5.2 Build on the existing link to the Severn Estuary Gull Action Group to improve shared learning on best practice and work across boundaries for a more joined up approach

5.3 Discuss the impact of landfill with other local councils and options to limit gulls' access to food at these sites.

6. Work with the Severn Estuary Gull Action Group to lobby Government to take more action

6.1 Lobby Government, via the LGA, to tackle urban gull issues at national level by providing advice and support to councils, informed by a national study of good practice

6.2 Lobby for clearer definitions in law on littering, in particular in relation to food waste, and better defined rules on offender enforcement within the Anti-Social Behaviour Bill

6.3 Campaign for a further reduction of food waste to landfill, with the specific aim of covering or closing exposed landfill sites and reducing the food source for gulls.

5.2 Recommendation to PTE PDS

Planning, Transport and Environment PDS panel members are asked to:

- **review and discuss the findings of the review and the draft recommendations outlined in section 5.1 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.**

Full information for consideration by the panel is outlined in the recommendations table at Appendix two.

5.3 Timetable of next steps

The timetable below outlines work completed to date and the next steps in the review process.

2013

16 July	Initial proposal for gulls conference	
27 November	Scrutiny Inquiry Day	

2014

7 January	Draft recommendations published	
14 January	Agree final recommendations	PTE PDS
17 January	Cabinet receive recommendations	
14 February	Deadline for Cabinet response	
4 March	Discuss Cabinet response	PTE PDS