



Department  
for Environment  
Food & Rural Affairs

The Rt Hon Michael Gove MP  
From the Secretary of State for Environment, Food  
and Rural Affairs

Seacole Building  
2 Marsham Street  
London SW1P 4DF

T 03459 335577  
defra.helpline@defra.gsi.gov.uk  
[www.gov.uk/defra](http://www.gov.uk/defra)

Sir Geoffrey Clifton-Brown MP  
House of Commons  
London  
SW1A 0AA

2 May 2019

Dear Sir Geoffrey,

Thank you for sharing with me your concerns about the judicial review of badger culling and the concerns expressed by those undertaking this important work.

The legal challenge is based on a claim that the badger cull is resulting in an increase in the fox population and that this, in turn, leads to a greater threat to ground nesting birds. Those bringing the challenge have argued that Natural England (NE) must undertake an assessment of the effects of a reduction in badger numbers on protected birds. The claimant, Mr Thomas Langton, has argued that undertaking licensed badger control may, in some circumstances, lead to an increase in fox numbers. The claimant argued that any increase in fox abundance would disproportionately impact certain prey species even though there are fewer badgers present.

NE argued that culling would lead to an overall reduction in the number of predators, both badgers and foxes, and therefore that there would not be a significant increase in predation on ground nesting birds. In fact, NE consider it plausible that there will be a positive effect on these birds. NE was able to win this argument in court and therefore protect the cull programme by committing to the court that they would undertake a further review of available evidence and that if, contrary to expectations, evidence were to emerge of a legally relevant adverse effect on bird populations, they would introduce measures to reduce fox numbers within 2km of protected Sites of Special Scientific Interest (SSSIs).

To gather that evidence, NE sent a request to the relevant licensed cull companies requesting information on current fox control practices within these specific areas. NE Area Representatives have also contacted all companies to deal with any queries or concerns and this contact is ongoing. To be clear, NE are not seeking to obtain specific information on dates, times or personnel regarding fox control practices. They are seeking information on whether fox control is currently taking place in specific areas, the frequency of control and, where this is already known, numbers of foxes taken for the past two years.

I agree that unnecessary bureaucracy should not be imposed on companies carrying out culls, and understand their frustration in having to adapt to new information as legal processes continue. I am aware that a Supplementary Badger Cull company in Gloucestershire, an important area in the culling programme, has raised significant concerns and have been assured by NE that discussions are ongoing between that company and NE to find a satisfactory solution. NE are also continuing to liaise with the NFU and other relevant companies to communicate updates and identify better solutions for culling companies.

I greatly appreciate your work with us and your work as Chairman of the All Party Parliamentary Group on Shooting and Conservation and I hope that you found yesterday's briefing session helpful. It was certainly extremely helpful for me to better understand the precise details of concerns being raised. General updates from my department and NE on general licencing and wider concerns will follow and I recognise that the current situation regarding general licences is deeply unsatisfactory for many of those affected. I want to assure you that Defra and NE are working as quickly as possible to resolve this issue, and to do so in a way that avoids any further confusion or disruption for landowners and other stakeholders.

I trust this further information provides some reassurance on this matter. Please do let me know if my officials or I may be of further assistance. I hope to continue to work closely with you on this vitally important issue.

With every good wish,

A handwritten signature in black ink that reads "Michael Gove". The signature is written in a cursive, flowing style.

**Michael Gove**