

Response ID ANON-622Z-CZSZ-X

Submitted to Bovine TB: Consultation on proposals to evolve badger control policy and introduce additional cattle measures
Submitted on 2024-04-23 16:07:50

Introduction

1 Would you like your response to be confidential?

No

If you answered Yes to this question, please give your reason.:

2 What is your name?

Name:
Dr Tim Hill

3 What is your email address?

Email:
consultations@naturalengland.org.uk

4 What is your organisation?

Organisation:
Natural England

Proposal 1: To introduce a targeted badger intervention policy

5 To what extent do you agree or disagree with the stated objective of a targeted badger intervention policy?

Neutral

6 Do you agree with the requirement that badger culling under the proposed targeted badger intervention policy be allowed in clusters of cattle infection with high herd incidence, after removing cattle movement related breakdowns?

I don't know/I don't have enough information

7 Should there be an annual cap on the number of clusters that can be licensed to undertake badger culling?

No

8 What other factors should be taken into consideration in defining a cluster under the targeted badger intervention policy? (optional)

What other factors should be taken into consideration in defining a cluster under the targeted badger intervention policy? (optional) :

We recommend that the following additional factors should be considered:

Badger density and distribution and TB status (prevalence and strain). This is discussed further in our response to question 9.

TB status of other wildlife. The badger is not the only potential source of TB in wildlife that may infect cattle (for example, see Justus et al 2024: <https://onlinelibrary.wiley.com/doi/full/10.1111/mam.12347>). Wild (and park deer) are a potential source of infection for cattle as well as badgers. Given high (and increasing) densities of deer in many areas, their use of farmland and their ability to move freely between landholdings, we recommend consideration is given to the role that deer may play in disease spread when evaluating and defining potential clusters. At present, the policy appears to assume that badgers are the only source of infection risk to cattle from wildlife. We are concerned that if the role of deer is neglected then it could undermine efforts to manage TB and / or lead to unnecessary or ineffective measures to control the disease in badgers.

Buffers and physical barriers (eg roads, rivers etc) should be used wherever possible to form a boundary for cluster areas to minimise the risk that culling increases TB spread to cattle by perturbing the badger population. This risk will be lower in areas where culling has recently taken place under the Badger Control Policy.

9 Please give reasons for your answers to this section (optional).

Please give reasons for your answers to this section (optional).:

Reasons for response to Qu.5:

We welcome the change in direction to a more targeted approach to managing the TB risk posed to cattle by wildlife. It is important that the culling of any

wildlife that aims to reduce populations significantly is only undertaken where the evidence is clear that it is necessary and only to the extent required to achieve the desired outcome. This is especially important in the context of our commitment to halt the decline in biodiversity in the Environmental Improvement Plan (<https://www.gov.uk/government/publications/environmental-improvement-plan>).

While we welcome the inclusion of vaccination as a mandatory element of the exit strategy for any badger culling, we recommend that scope to effectively address any risk to cattle posed by TB in badgers by using vaccination and / or biosecurity measures is assessed before resorting to culling. The present plan, as described in paragraph 5.8, implies that the policy objective (to secure disease control benefits by reducing the potential for infectious contacts between badgers and cattle in cluster areas) will be achieved solely by culling. It is our advice that vaccination and / or biosecurity measures should be considered as alternatives to culling when the Chief Veterinary Officer provides advice on disease control options for newly identified clusters.

Vaccination is most likely to be effective where badger populations have already been suppressed by culling (a point made at paragraphs 5.5 and 5.13). Where a cluster is identified in an area subject to recent culling (within 2-3 years), we recommend that vaccination (and biosecurity measures) form the default option to reduce infectious contacts. Culling badgers should only be approved in such areas if there is evidence that further suppression of the population is necessary and is likely to be effective in further reducing the risk of disease transmission from badgers to cattle.

As was noted in the review of TB evidence by Charles Godfrey and colleagues (pages 19-20: <https://assets.publishing.service.gov.uk/media/5beed433e5274a2af111f622/tb-review-final-report-corrected.pdf>) the 'basic reproduction number', R0 for TB is 'greater than 1 but not substantially so', which they concluded suggested that a combination of interventions, possibly each of relatively small effect, may in combination drive R0 below 1. Vaccination and biosecurity in combination, especially following recent culling under the Badger Control Policy, may therefore be sufficient to reduce the contribution to TB infection made by badgers without further culling. Combined with the additional contribution made by cattle measures, it should be possible to drive R0 below 1.

We anticipate that where culling is approved, the effective application of reasonable biosecurity measures will be a requirement to further reduce the risk of infectious contacts, as well as vigorous application of cattle measures.

Reasons for response to Qu.6:

We support plans that aim to accurately identify clusters where badgers contribute to disease spread. We believe that this process could be further refined and improved by collecting information on the density and distribution of badgers and their TB status (prevalence and TB strain) prior to any decision on culling commencing under this policy. While we recognise the difficulties of obtaining this information (particularly establishing TB status) and the delays that it might cause, it will aid decision-making and advice and allow more meaningful evaluation of the effects of the policy.

Reasons for response to Qu.7:

We disagree with setting an annual cap because this decision should be evidence-led and based on epidemiological and other relevant evidence satisfying appropriate decision criteria. A cap could either create an expectation that culling licences will be issued routinely or it could prevent action where the evidence indicates it is justified and potentially essential for effective disease control.

Proposal 2: Licence and associated conditions for badger culling under a targeted badger intervention policy

10 To what extent do you agree or disagree there should be a separation of Natural England's statutory conservation advice from licensing decisions?

Neutral

11 Do you agree that the Secretary of State should assume the role of licensing authority for culling under a targeted badger intervention policy?

I don't know/I don't have enough information

12 Please give reasons for your answers to this section (optional).

Please give reasons for your answers to this section (optional):

Reasons for response to Qu.10:

We agree that it is important to maintain a clear separation between its different statutory roles for licence decision-making and the provision of conservation advice. Natural England achieves this through governance and organisational structuring, which provides clear and effective separation between these distinct activities. The arrangements are well-established and tested, and have proven robust, including in the face of legal challenge. We use similar arrangements to ensure appropriate separation between our roles as a regulator for species and protected sites and our roles funding and delivering conservation projects that require licences or protected site assent or consents.

Species licensing in Natural England benefits from ease of access to inhouse expertise on species and protected sites. It also streamlines decision-making by removing any delays imposed by the statutory timelines that apply where Natural England provides conservation advice relating to Sites of Special Scientific Interest (SSSI) to other bodies, including the Secretary of State (Natural England has up to 28 days to provide advice after a notification of an operation that might harm a SSSI, while the 21-day period that an authority must wait before authorising an operation against the advice of Natural England is fixed in law and cannot be reduced even with the agreement of Natural England: <https://www.legislation.gov.uk/ukpga/1981/69/section/281>).

Natural England is not aware of any concerns raised by stakeholders or the wider public about our ability to deliver each of these roles with objectivity.

Reasons for response to Qu.11:

It is unnecessary for the Secretary of State to assume the role of licensing authority to ensure decisions are objective because there is already clear and effective separation between licence decision-making and provision of conservation advice in Natural England.

It is, however, a matter for the Secretary of State to decide whether they wish to exercise their powers to grant licences under section 10(2)(a) of the Protection of Badgers Act 1992 and section 16(3)(g) and (h) of the Wildlife and Countryside Act 1981. The Secretary of State may decide that because the targeted badger intervention policy is (i) part of a veterinary-led integrated response to TB and (ii) the principal sources of advice for decision-making will come from Defra and APHA scientists and veterinary advisors, it is more efficient for disease control purposes if the licensing of badger control is determined alongside decisions on, and implementation of, other disease control measures.

There are, however, potential disadvantages to the Secretary of State taking on the role of licensing authority. Based on extensive practical experience of both badger and other species licensing regimes, it is our view that whosoever grants licences needs both access to the relevant expert advice to support decision-making and the necessary expertise and capacity to deliver all aspects of licensing, including undertaking Habitats Regulations Assessments, conducting annual operational readiness assessments, and field visits for compliance monitoring and enforcement. This is a matter of both efficiency (ie having all the resources readily at hand) and robustness of decision-making. For example, ensuring compliance monitoring and enforcement is fair, proportionate and effective requires an intimate understanding of decision-making in individual cases, the purpose of conditions attached to licences by the decision-maker and the operation of the licensing regime. The integration needed to deliver all facets of licensing robustly is most easily achieved where a single body undertakes all aspects of the role.

13 Do you have any comments on the Information for Applicants at Annex B for carrying out the culling part of a targeted badger intervention policy? (optional)

Do you have any comments on the Information for Applicants at Annex B for carrying out the culling part of a targeted badger intervention policy? (optional):

The 'Information for Applicants' guidance document largely follows the existing policy guidance for Low Risk Areas (LRAs) in the 'Guidance to Natural England' (version May 2021: <https://assets.publishing.service.gov.uk/media/60ae5764e90e071b5f4d55ff/tb-licensing-guidance-ne.pdf>) on licensing badger culling and vaccination under the current Badger Control Policy. The purpose of the two documents is, however, quite different. The Guidance to Natural England sets out the policy framework within which the licensing authority, Natural England, is expected to operate, whereas the 'Information for Applicants' is addressed to people or organisations planning to apply for a licence. In our view, and based on previous experience, that potential applicants will require further practical information to enable them to develop a successful application proposal.

For example:

How will applicants know whether land is within a cluster defined by APHA and deemed by the CVO to warrant culling?

What is the process by which applicants are informed of the level and duration of culling required in a specific cluster and the duration of post-cull vaccination? The guidance states that these will be set by Defra but given their practical implications for planning and resourcing a programme of badger control, provision of this information will be useful to applicants at an early stage and ideally prior to their applying for a licence.

There are several topics that are not addressed in the 'Information to Applicants' but which may be relevant to applicants, including:

Badger surveying. Will applicants be expected to survey badger populations before and during badger control activities?

No-cull zones for vaccination sites. Will vaccination sites that are wholly or partly located within a cluster benefit from a no-cull zone as they currently do in the Edge Area?

Management agreements. It is unclear if licensees or participating landowners will be required to enter into agreements with Defra regarding culling and / or vaccination operations. If there are no agreements, what measures will be taken to ensure licensees carry out culling and post-cull vaccination to the level and for the period required by Defra (which the main consultation document, but not the Information to Applicants, states vaccination is likely to be four years)?

Mapping. Will land parcels be mapped and digitised to ensure that effort and coverage of culling and vaccination can be recorded accurately to ascertain the spatial effectiveness of both control techniques?

If it would be helpful, Natural England would welcome the opportunity to provide more detailed advice on the guidance and on other aspects of licensing to assist Defra in designing the new targeted badger intervention licensing regime. This includes, but is not limited to, the topics raised above and our comments to Qu.14, below.

14 Do you have any other comments on the proposals for a targeted badger intervention policy? (optional)

Do you have any other comments on the proposals for a targeted badger intervention policy? (optional):

As advised in our response to Qu.13, we would welcome the opportunity to further discuss the detail of licensing proposals with Defra, including in relation to the following comments:

Wildlife control measures in non-cluster areas: We welcome the proposals and commitment to support farmers outside cluster areas to tackle the TB infection risk posed by wildlife through biosecurity measures and badger vaccination. This is an important facet of the new policy which is expected to

reduce the risk that new clusters of infection linked to wildlife develop in future.

Low Risk Area licensing. It is stated (at paragraph 5.21) that LRA licensing will continue under the current 'Guidance to Natural England' suggesting that Natural England will continue to grant badger control licences for these areas alongside the licences granted by the Secretary of State under the new targeted intervention policy. It would be helpful to clarify whether this interpretation is correct and, if so, how it is anticipated that the two licensing regimes will operate together.

Ecological impacts: The consultation document makes no reference to if or how the ecological impacts of badger removal will be evaluated under the new targeted intervention policy. It is our recommendation that consideration is given to putting in place research and / or monitoring provisions to determine how badger removal affects populations of badgers and other relevant species.

Proposal 3: Support cattle purchasers by publishing bTB risk information on ibTB

15 Should animal level bTB risk information be published on ibTB?

Yes

16 Please give reasons for your answer (optional).

Please give reasons for your answer (optional):

This is a sensible measure that will help farmers protect their herds from TB infection by facilitating more informed choices when sourcing new livestock.

Proposal 4: Support responsible cattle movements by publishing bTB risk information on 'supplier' herds on the ibTB mapping application

17 To what extent do you agree or disagree it would be helpful to share information on where herd owners source their stock from?

Strongly agree

18 Please give reasons for your answer (optional).

Please give reasons for your answer (optional):

This is a sensible measure that will help farmers protect their herds from TB infection by facilitating more informed choices when sourcing new livestock. It will also alert farmers to TB outbreaks on neighbouring farms and allow them to take steps (such as biosecurity or timing of use of fields) to reduce the risks of infection where herds could graze in immediately adjacent fields.

Additional comments

19 Do you have any other comments? (optional)

Do you have any other comments? (optional):

It is our understanding that pre- and post-movement testing of cattle is more rigorous in Scotland than in England (and Wales). We recommend that options to increase the rigour of testing in England are examined.

Consultee Feedback on the Online Survey

20 Overall, how satisfied are you with our online consultation tool? Please give us any comments you have on the tool, including suggestions on how we could improve it.

Satisfied

Please give us any comments you have on the tool, including suggestions on how we could improve it. :

It would be useful to be able to review the response as a PDF document before it is submitted.