

EAST AYRSHIRE COUNCIL
KILMARNOCK CENTRAL LOCAL COMMITTEE

21 JANUARY 2003

CONTROL OF GULLS

Report by the Director of Community Services

1. PURPOSE

- 1.1** To advise the Local Committee of measures taken by other local authorities to deal with the problem of seagulls.

2. BACKGROUND

- 2.1** On 3rd September 1997, Community Services Committee considered a report from the Director of Community Services on concerns expressed by the public about gulls and measures which could be taken to control them.

The report explained that gulls were a protected species and it was illegal to shoot, trap or otherwise harm them; or to remove/destroy their nests or eggs.

- 2.2** The Committee agreed to continue the matter meantime with a request that the Director of Community Services monitor the number of reported gull attacks on members of the public.

- 2.3** Since that time, residents in certain areas of Kilmarnock have reported nuisance from gulls i.e. noise; droppings; and birds swooping on members of the public.

- 2.4** These incidents were particularly aggravated when chicks were fledging.

- 2.5** Using an informal network of environmental health contacts, it was established that Dumfries and Galloway Council have had similar problems in the town of Dumfries and information was obtained from officers of that Council. This information was set out in a briefing note which appears as an appendix to this report.

3. DISCUSSION

- 3.1** While the ideal situation would be for all householders to remove existing nests from their property and undertake work to prevent the birds rebuilding, there is no guarantee that this would solve the immediate problem.
- 3.2** The amount of food available to gulls (in the form of discarded take away meals, improperly presented food waste etc) means that if denied their traditional roosting and nesting sites, the birds will simply find alternatives.
- 3.3** Apart from that, the Council's powers are very limited when dealing with problems of this nature.
- 3.4** Some private companies have obtained licences and provide services for a fee for the proprietors of private property

4. FINANCIAL IMPLICATIONS

- 4.1** The cost of removing and proofing all existing nests (and sites) is well beyond the resources available to the Council. Even if such resources were made available, the problem would probably continue.

5. LEGAL IMPLICATIONS

- 5.1** The Council has no powers to kill, capture or otherwise destroy gulls, their eggs or their nests.

6. POLICY IMPLICATIONS

- 6.1** Nil.

7. CONCLUSIONS

- 7.1** The Local Committee was advised that Dumfries and Galloway Council had embarked on an initiative to deal with a nuisance problem arising from seagulls.
- 7.2** Officers of that Council were contacted during the Summer of 2002 and it was established that the exercise had not been as successful as anticipated.
- 7.3** East Ayrshire Council remains of the view that until food sources for seagulls is restricted, the problem will continue for the foreseeable future.

7.4 East Ayrshire Council will continue to advise the public on responsible disposal of litter and suggests that any householder whose property has traditionally been used by gulls for building nests, should consider having all existing nests removed and the property proofed against further nest building.

8. RECOMMENDATIONS

8.1 The Local Committee is invited to note the report.

William Stafford
Director of Community Services
6th November 2002
WS/JFC/CAM

LIST OF BACKGROUND PAPERS

Nil.

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EAST AYRSHIRE COUNCIL
COMMUNITY SERVICES DEPARTMENT

SEAGULLS

Briefing Note

The present problems experienced by citizens in Kilmarnock are similar to those experienced in Dumfries and in July 2000 Dumfries and Galloway Council set up a Seagull Focus Group. The Group comprised Elected Members and officers, and invited public submissions via an advert in the local press. The main complaints received were noise, droppings and swooping of gulls on individuals with the majority of the public expressing the view that they would like to see the Council do something to reduce these (in particular the aggressive behaviour of gulls when chicks had hatched). It was recognised that the elimination of gulls from Dumfries was both unrealistic and impossible to achieve.

The Group noted that the Council had no statutory duty to take action against the gulls (or to force others to do so). The Consultant in Public Health Medicine was of the view that there was no evidence that the health of the public in Dumfries was being adversely affected by the seagull population. Although in terms of public safety there was no evidence that the safety of the general public in the town centre area was being compromised, it could be argued that reports of elderly and very young members of the community being either struck or frightened by low swooping gulls compromise public safety. There was the view that only those gulls which threatened public safety could be killed; have their nests removed or have their eggs taken or destroyed in order to comply with Appendix 6 of the Wildlife and Countryside Act 1981.

The Focus Group's report concluded that the cost of removing seagull nests and debris from chimneys and installing appropriate proofing would be in excess of £200 per nest. The Group's final report recommended a number of proposals e.g.

- (a) provision of signs asking the public to refrain from feeding the gulls;
- (b) producing a leaflet setting out the Council's legal position and responsibilities, control measures available and contacts for not only proofing but other control measures;
- (c) investigating improvements in the waste streams in Dumfries town centre;

- (d) consideration of proofing Council owned property where gulls were nesting and roosting;
- (e) consideration of control measures at the local landfill.

It is also understood that 2 birds of prey (a Harris Hawk and a Falcon) were also tried for short periods. The Falcon simply scares gulls away from its flight path (presumably transferring the problem to other areas) but can only be used in the pre-nesting season (as it will attack gulls sitting on eggs). The Harris Hawk can behead seagulls in flight but the gulls tend to roost after the first kill, waiting until the Hawk has gone.

The main thrust of any further action from East Ayrshire Council might best be along the lines of continuing to exhort the public to deny the birds access to food (i.e. in line with the recent Press Release) and also to suggest to home owners having nests on their roof that these should be removed during the winter and appropriate measures taken to prevent new nests being built.

J F Crawford
Head of Protective Services

JFC/KH

23rd August 2002