BVA Response to Defra consultation: guidance to Natural England on licences to control the risk of bovine tuberculosis from badgers.

Introduction and background

1. The British Veterinary Association (BVA) is the national representative body for the veterinary profession in the United Kingdom and has over 15,000 members. Our primary aim is to represent, support and champion the interests of the veterinary profession in this country, and we therefore take a keen interest in all issues affecting the profession, including animal health and welfare, public health, regulatory issues and employment matters.

2. We are pleased to contribute to this consultation. It remains the BVA position that failure to tackle wildlife sources of infection has prolonged the presence of bovine tuberculosis (bTB) in all affected species, and that humane, targeted and managed badger culling by cage trapping and shooting only is an option to be used in carefully selected areas where badgers are regarded as a significant contributor to the persistent presence of bovine TB.

3. In 2013 we agreed with the Chief Veterinary Officer’s advice that an extension to the originally agreed six week period of culling in Gloucestershire and Somerset was necessary in order to remove a greater number of badgers and get closer to achieving the 70% target removal in line with the Randomised Badger Culling Trials (RBCTs) recommendations. The following April the Government published the Independent Expert Panel’s (IEP) report into the safety, humaneness and effectiveness of the two culls, showing that the pilots had failed to meet the criteria for effectiveness overall and that the method of controlled shooting had failed to meet the criteria for humaneness. In response, we supported the IEP’s recommendations for improving effectiveness and humaneness and urged Defra to implement them fully. Following confirmation from Defra of a number of changes to its plans we supported the second year of culling, but called for independent analysis to give confidence to the wider public.

4. The results of the second year of culling gave a mixed picture in terms of effectiveness and raised continuing concerns regarding humaneness, when measured against the defined criteria. Following due consideration from our committees and Council we concluded that the results from the first two years of culling had not demonstrated conclusively that controlled shooting could be carried out effectively and humanely based on the criteria that were set for the pilots. We called for the four-year culls to be completed using the tried and tested method of cage trapping and shooting only, which can deliver a safe, humane and effective cull as demonstrated by the RBCT. We also called for roll out using cage trapping and shooting to additional well defined areas where there is a significant wildlife reservoir of bTB and endemic disease in the cattle population.

5. We are disappointed that the Government has taken the decision to continue to use controlled shooting for the pilots. The rationale for this continued use is based on a comparison with the control of other wildlife species, but these are not the parameters that the Government set itself at the beginning of the pilots.
Question 1: Altering the duration of the culling period, and amending the guidance to Natural England

6. Although we understand that the proposal to extend the duration of the period of operations is intended to increase the likelihood of achieving a significant reduction of the badger population, we are not convinced that the evidence from the first two years of culling demonstrates that extending the period of operations leads to the desired level of effectiveness using the current methodology.

7. In the RBCT, of 51 proactive culls, 47 were carried out as an intensive single removal effort across 100 km$^2$, over 8-11 (mostly) consecutive nights with no follow-up culling during the same year. On the four occasions where proactive culling was conducted in a sequential manner, sector by sector, over a period of several months, rather than in a single operation, it was associated with a greater rise in TB prevalence in badgers. This data was considered by a joint group of members from Defra’s Science Advisory Council and TB Science Advisory Group who agreed that the four occasions when proactive culling was carried out sector by sector were not definitive evidence that non-simultaneous culling would not be effective under any circumstances. The Group advised that if culling was carried out in a period of up to six weeks (although preferably less), i.e. not “in a piecemeal manner over a period of several months”, that was likely to reduce the adverse effects of non-simultaneous culling; although it did emphasise that this advice was based on opinion and not on evidence. The longer taken to achieve a substantial reduction in the badger population (to the 70% target reduction), the weaker the grounds for confidence that the detrimental effects seen with non-simultaneous culling as carried out in the RBCT will be minimised.

8. As stated in the original Government policy on bTB and badger control in England (Dec 2011) “Six weeks has been chosen as an appropriate period that balances the evidence from the RBCT and the Group’s advice, with the need to develop a policy that is deliverable across areas of at least 150 km$^2$”

9. Furthermore, as concluded at the meeting of scientific experts held at Defra on 4th April 2011 “If culling is not conducted in a coordinated, sustained and simultaneous manner according to the minimum criteria, then this could result in a smaller benefit or even a detrimental effect on confirmed cattle bTB incidence”

10. As the original six week limit was proposed in order to achieve an intensive operation which would secure optimum disease control benefits, we would question whether the proposal to keep the duration of the culling period under review, without specifying in the licence an initial limit on its duration, is supported by robust evidence, and would urge Defra to ensure that any revised guidance is clear that a simultaneous and intensive operation remains the primary goal. We would like to see greater emphasis on the aim of culling ‘simultaneously’ across the cull area with a view to removing as many badgers as possible in as short a time as possible in order to minimise the risk of perturbation, and the culling operation needs to be designed accordingly.

Question 2: Reducing the minimum area size to 100km$^2$
11. The current minimum area of 150 km$^2$ is based on analysis of the RBCT results, which showed that to be 97.5% confident of culling having a net beneficial result it should be carried out over an area of at least 141 km$^2$. We understand that Defra now wishes to allow the minimum to be revised to 100 km$^2$ on the basis of subsequent statistical analysis of the RBCT, and we cautiously support this proposal. The statistical analysis referred to in the consultation document shows that the smallest circular area to be 95% confident is 102 km$^2$ assuming five years of annual proactive culls and an additional 6.5 years of time.

12. While the licensed areas in Somerset, Gloucestershire and Dorset are all significantly larger than this proposed minimum size we agree it is essential to be clear on the smallest area in which badger removal could take place whilst retaining high confidence in a net beneficial result should licensing applications be received for further areas in future. Factors such as area shape and the use of hard boundaries should also be taken into account before licensing decisions are made.

**Question 3: Removing the 70% land access requirement and retaining only a requirement that approximately 90% of land in the cull area should be accessible or within 200m of accessible land**

13. The current guidance states that applicants must satisfy NE that they have access to at least 70% of the total land area in the application. The guidance also requires that at least 90% of the land is either accessible or within 200m of accessible land. These requirements were based on the average land area accessible in the proactive cull areas in the RBCT. We understand that the RBCT also demonstrated that in order for 90% of land to be accessible or within 200m of accessible land is was likely that in practice 70% of the land would be accessible.

14. In light of three years’ experience of assessing operational plans, the removal of the ‘at least 70%’ requirement is proposed. We cautiously support this proposal on the understanding that a requirement for approximately 90% to be accessible or within 200m of accessible land is retained, and that the variance from 90% will be considered with advice from the CVO. We agree that there should be flexibility to take account of the presence of areas such as lakes, reservoirs and upland areas within the proposed control zone.

**Conclusion**

As part of the comprehensive strategy to tackle bovine TB we have called for the wider roll-out of targeted and humane badger culling using cage trapping and shooting only. We remain disappointed that controlled shooting is continuing in Gloucestershire and Somerset, and being rolled out to Dorset, and we are concerned by moves to relax the licence conditions when the pilots have not yet convincingly demonstrated that culling can be delivered effectively and humanely, nor do we yet have any data on what effect culling in the pilot areas has had on the incidence of TB in cattle.

We consider that Defra has a responsibility to ensure that culling is carried out as effectively and humanely as possible and that every effort should be made to learn from the experience of the past two years and make continual improvements to the policy.