

GUIDANCE TO NATURAL ENGLAND: LICENCES TO TAKE OR KILL BADGERS FOR THE PREVENTION OF BOVINE TB UNDER SECTION 10(2)(a) OF THE PROTECTION OF BADGERS ACT 1992

SCOPE

1. Under section 78 of the Natural Environment and Rural Communities Act 2006 (NERC) the Secretary of State may enter into agreements to authorise designated bodies such as Natural England to carry out Defra functions. An agreement under section 78 NERC was entered into on 29 September 2006 authorising Natural England to carry out various Defra functions including those relating to licensing under the Protection of Badgers Act 1992¹.
2. This guidance relates only to applications and licences under section Section 10(2)(a) of the Protection of Badgers Act to kill or take badgers for the purpose of preventing the spread of bovine TB. Guidance for all other badger licensing is given in a separate document².
3. This guidance should be viewed in conjunction with the 'Agreement on Natural England's discharge of Wildlife Management Functions'³. Bovine TB policy is devolved. This guidance is for England only.

THE POLICY

4. The Government's policy is that no licences will be issued for culling badgers for the purpose of preventing the spread of bovine tuberculosis (TB) in cattle.

EXCEPTIONS TO THE POLICY

Applications for licences to cull badgers to prevent disease

5. If Natural England considers that an application may be an exception, it will refer the application to Ministers for a decision.
6. An application to carry out a large scale co-ordinated cull, even with a commitment to sustained delivery and funding from farmers, would not be viewed as an exception because of the judgement underlying this policy that there is an unacceptable risk that such action would lead to an increase in disease in the area surrounding that in which the culling takes place, or could not in practice be sustained and could therefore make matters worse.

¹ Natural England is authorised to issue licences under the Protection of Badgers Act 1992 by a Part 8 Agreement issued under Section 78 of the Natural Environment and Rural Communities Act 2006: <http://www.defra.gov.uk/rural/pdfs/ruraldelivery/signedpart8agreement092006.pdf>.

² Policy Statement for all other badger licensing : <http://www.defra.gov.uk/wildlife-countryside/vertebrates/policy-statements/WCA16-badgers.pdf>

³ A separate agreement sets out how Natural England will discharge its wildlife management functions: <http://www.defra.gov.uk/wildlife-countryside/vertebrates/pdf/wma.pdf>.

Changes to the policy

7. Circumstances might arise in the future which require a re-evaluation of the policy. New scientific evidence which, for example, changed how a cull would need to be delivered to be effective might change the position.

Implications for all badger licensing

8. The 'no culling' position is consistent with the existing policy that badgers should not be moved outside their home range because of the significant bovine TB risk to other badgers and to cattle, and because of welfare considerations. This applies to badgers across the country and not only those in areas where there is evidence of TB.

Captive badgers

9. This policy does not preclude licensing the humane despatch of captive badgers which test positive for bovine TB.

WILDLIFE MANAGEMENT

10. This guidance is consistent with Defra's current wildlife management strategy. Government promotes the use of non-lethal methods of wildlife management where practicable.

BACKGROUND

Bovine TB

11. Bovine TB has been a long-standing problem in Great Britain. From the 1930s onwards successive governments have sought to bring the disease under control for a number of reasons, chiefly to protect public health, reduce the economic impact of the disease on the cattle industry and, more recently, to comply with our cattle trade obligations under European Union legislation. This was largely achieved in the mid 1970s and early 1980s, when the animal and herd incidence of TB in cattle reached an all time low. However, since the 1980s disease incidence has increased again – with a significant rise following the 2001 foot and mouth epidemic - and in 2007 nearly 3,200 new TB incidents were recorded and 18,543 reactor cattle slaughtered in England..
12. Government recognises that bovine TB is a serious problem for the farming industry and that for some farmers the effects can be devastating. However, bovine TB is a largely regional problem, concentrated in England in the South West and West Midlands. In England just over 90% of cattle herds are free of bovine TB restrictions at any time, and some significant cattle farming areas of the country are largely free of the disease. On our current estimates, the economic impact of the disease on the British cattle industry as a whole is small, equivalent to less than 1% of the value of GB milk and beef sales.

13. The *Government strategic framework for the sustainable control of bovine tuberculosis in Great Britain* laid the foundations for changes in cattle controls to slow down and prevent the geographic spread of bovine TB to areas currently free of the disease and achieve a sustained reduction in disease incidence in cattle in high incidence areas. Measures designed to identify disease and reduce transmission between cattle are essential to the control of bovine TB. Cattle controls have been strengthened, with a significant increase in the number of herds tested through the surveillance programme each year, extension of the use of the gamma interferon test in infected herds and the introduction of a requirement to pre-movement test stock moving out of high risk herds.

14. Further information can be found at <http://www.defra.gov.uk/animalh/tb/index.htm>. Advice is also available on husbandry best practice including ways to reduce the disease risk from badgers <http://www.defra.gov.uk/animalh/tb/abouttb/protect.htm>.

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