

North Lanarkshire Council Report

ENVIRONMENT & TRANSPORTATION COMMITTEE

approval noting

Ref AM/PB

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URBAN GULLS – CONTROL OPTIONS

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Executive Summary

The report provides Committee with details on the problems associated with urban gulls and the actions that can be taken to mitigate the nuisance that they bring.

Recommendations

It is recommended that the Environment and Transportation Committee:

1. Note the contents of this report;
2. Note the legal restrictions in place concerning the lethal control of seagulls;
3. Note that the costs involved in the Council undertaking works in an attempt to reduce gull populations are prohibitive; and
4. Endorse the actions and recommendations to mitigate the problems of urban gulls including the relaunch of public information on the control of gull populations.

The Plan for North Lanarkshire

Priority Improve the health and wellbeing of our communities

Ambition statement (17) Ensure we keep our environment clean, safe, and attractive

1. Background

- 1.1 Following a meeting of the full Council on 4 April 2019, a report was requested to be returned to the Environment and Transportation Committee outlining potential options to address the problems caused by gulls. The report was asked to detail the actions that the Council can take to encourage business owners to work in partnership to address the issue on their land/buildings, update information on the Council website on the Council's direction on tackling the issue and educating members of the communities affected about feeding seagulls and therefore exacerbating the issue.

2. Report

- 2.1 As more and more seagulls move into towns and cities the capacity for them to cause a nuisance increases. The main reason that seagulls gravitate towards built-up areas is because there is a ready supply of litter and household refuse that they can take advantage of which enables them to feed and rear their young. The types of problems that seagulls can cause include:
- Droppings – along with the more obvious problems seagull guano can cause damage to buildings and vehicles because of its acidic content.
 - Noise – seagulls can be noisy, particularly in the nesting season which takes place from March to September.
 - Nesting – seagull nests can block guttering and downpipes as well as attracting parasites and problem insects
 - Aggression – a common complaint relevant to gulls is that they can be aggressive towards members of the public. This generally occurs when the young chicks of the gulls have left the nest and are on the ground surrounding the nest. The gulls are simply protecting their young and advice received from the SSPCA is that the young birds should be left alone so as to encourage them to fly.
- 2.2 In 2018-2019, North Lanarkshire Council has recorded 56 service requests relating to concerns over gulls. This figure is similar to those received over previous years and this information would suggest that there does not appear to be a significant increase in the problems associated with urban gulls.
- 2.3 It should also be noted that the Council has no statutory duty to undertake action against urban gulls and only the owner or occupier of a building can take action where gulls are nesting on their property, or they can give someone else permission to act on their behalf.
- 2.4 All species of gull are protected under the Wildlife and Countryside Act 1981 and it is illegal to injure or kill any gull or damage or destroy an active nest or its contents, unless a specific licence is granted for that purpose by Scottish Natural Heritage. In certain circumstances, control measures may be deemed necessary to control urban gull populations however, simple nuisance or minor damage to property are not legally sanctioned reasons to kill gulls. A licence can be obtained, permitting nests to be destroyed or even birds to be killed, if there is no non-lethal solution and if it is done to prevent serious damage to agriculture, the spread of disease, to preserve public health and safety and air safety, or to conserve other wild birds. At present there is no clear reason or argument that would substantiate the killing of gulls within

the North Lanarkshire area and consequently the only option available would be to pursue non-lethal forms of control.

- 2.5 One of the most common control measures is licensed nest and egg removal or oiling of eggs. This approach is very expensive, and there is very little evidence to suggest that this method is effective in reducing the overall gull population in an area. Between April and August 2012, the Council piloted a nest and egg removal scheme on a single block of flats in the Carbrain area of Cumbernauld at a cost of £4,000, with little or no impact on the gull activity experienced by residents. Whilst gulls were no longer nesting on that particular roof, they were simply displaced to nearby sites, and survey returns indicated that the pattern of dive bombing and aggressive behaviour of gulls was undiminished. The overall conclusion therefore was that it would be cost prohibitive and ultimately ineffective to extend the pilot to other properties within the locality and then repeat the exercise over a number of years with no or only marginal improvements predicted.
- 2.6 Similarly, between 2000 and 2017, Dumfries & Galloway Council undertook significant steps to seek to control gull populations. The outcome from this only demonstrated that intensive de-nesting in urban areas simply displaced the problem and caused the gulls to relocate to nesting sites on industrial units in outlying areas of towns. After the best part of 10 years of mitigation and intervention actions, at high cost to the Council, the total number of gull pairs in Dumfries was reported to have increased by 113%.
- 2.7 There will be specific circumstances however where the Council will assist in trying to address gull problems. One such instance related to a waste management site in Cumbernauld. The Council engaged with the business owners and the Scottish Environment Protection Agency (SEPA), which has enforcement responsibility for the site, and a number of successful efforts were made to reduce the presence of gulls on site. This included restricting access to open food sources, the destruction of nests, employing birds of prey and the use of “sounders” – noise equipment which periodically emits a sudden noise to scare off any birds. Again, however, although this action has prevented the gulls from nesting on this site, it has not reduced the overall level of complaints within this area.
- 2.8 As part of this overall review, the Environmental Health Service contacted Community organisations within the Carbrain and associated areas of Cumbernauld who seem to be most affected by gull nuisance. Two responses were received and both indicated that the problems associated with the gulls is being made worse from residents feeding the birds or indeed getting a food source from litter and incorrect waste storage.
- 2.9 Whilst there is no legislation to prohibit the feeding of gulls, it is recommended that residents should refrain from doing so, and to ensure there are no food sources e.g. open bins or discarded foods made available to them. When incidents of feeding are brought to the attention of the Environmental Health service, officers will attempt to educate residents and request that they desist from feeding gulls.
- 2.10 The other issue raised related to gulls being attracted to certain areas through food items being discarded as litter, fly tipping and the incorrect storage of waste by businesses. All of these areas are controlled by legislation and the Council's Environmental Protection team will continue to react to such complaints and undertake enforcement action where necessary. This may include the issue of Fixed Penalty Notices to individuals or businesses and action to ensure the proper storage of waste on business premises.

- 2.11 Further to the above, and as part of the overall planning process, where there are known gull problems within certain areas of the Council, the Protective Services division will make recommendations concerning the design and proofing of new build structures so that measures are introduced at an early stage to prevent the establishment of a gull population.
- 2.12 The Council has produced an information leaflet for residents and businesses, providing information in respect of the presence of urban gulls and what can be done to lessen their prevalence across the local area. A copy is available on the Council website <https://www.northlanarkshire.gov.uk/CHttpHandler.ashx?id=22895&p=0> and a copy is attached as Appendix 1 to this report. The Environmental Health service will now review and update this information to reflect best current advice and guidance, and relaunch the information with publicity co-ordinated by Corporate Communications across the website and all other social media channels.

3. Equality and Diversity

3.1 Fairer Scotland

There are no unfair aspects contained within this report.

3.2 Equality Impact Assessment

There is no adverse impact on equality or diversity contained within this report.

4. Implications

4.1 Financial Impact

There are no financial implications contained within this report.

4.2 HR/Policy/Legislative Impact

There are no HR/Policy/Legislative impacts.

4.3 Environmental Impact

There are no adverse environmental implications contained within this report.

4.4 Risk Impact

No significant risks are identified within this report.

5. Measures of success

- 5.1 Monitoring the levels of complaints in respect of urban gulls, to assess whether the measures contained within this report are reflected in a downward trend in numbers.

6. Supporting documents

- 6.1 Appendix 1 – Information Leaflet – Advice on Seagulls.



Andrew McPherson

Head of Regulatory Services & Waste Solutions

Seagulls

The presence of gulls in urban areas has increased in recent years for a number of reasons such as the availability of good nest sites & discarded food. Most of the gulls that live near us cause no problems to residents, however, a small number are causing annoyance with noise, droppings and aggressive behaviour during the nesting season.



In North Lanarkshire two species of gulls can be found nesting on buildings. These are the herring gull, and the lesser black-backed gull. These birds can cause considerable problems including noise, mess from droppings, fouling roofs, walls, windows, gardens, people and domestic washing. Gulls can also cause damage to property by picking at roofing materials and by blocking gutters and down pipes with nesting materials. Blockage of gas flues from similar materials can also cause serious problems. Gulls are also known to dive and swoop on people and pets, causing distress and alarm among the public.

Know your Gulls

Herring gulls are large birds. Mature birds are on average about 55cm (22") from bill to tail with a wingspan of about 85cm (34"). They have silver / grey wings and pink legs.



Lesser black backed gulls are usually slightly smaller. Adult birds have slate grey back and yellow legs instead of pink legs.

Both species begin mating in April and commence nest building from early May onwards. In towns, the nest is constructed from straw and grass, twigs, paper and any other material the gull can conveniently use. The nest can be quite large and, if made of material accumulated over several years, very heavy.

Eggs are laid from early May onwards with two or three being the usual number. The eggs take about three weeks to hatch so the first chicks are generally seen about the beginning of June.

The chicks grow quickly but generally do not leave the nest for 5-6 weeks and are quite active. They often fall from the nest and in towns this will almost certainly mean they cannot return to the nest.



Small chicks will die but larger chicks will be protected and fed by their parents on the ground. Parent birds protecting fallen chicks are often the ones which dive and swoop on people and animals who often do not realise a chick is down on the ground.

Chicks generally begin to fly in late July, early August and then take normally four years to reach maturity and breed.

Lesser black backed and herring gulls tend to nest in colonies and once roof nesting birds gain footholds other gulls nest on adjacent buildings. If left unchecked, a colony can start to develop.



Gulls and the Law

This is a BRIEF GUIDE only and not meant to be an authoritative source of information

The principal legislation dealing with the control of birds is the Wildlife and Countryside Act 1981. Generally, it is illegal to capture, injure or destroy any wild bird or interfere with its nest or eggs. The penalties for disregarding the law can be severe. However, General Licences issued by the Scottish Government allow measures to be taken against certain common species of birds on grounds which include the preservation of public health or public safety. Any action taken must be humane and the use of an inhumane method which could cause suffering would be illegal. The use of poisons or drugs to take or kill any bird is specifically prohibited except under very special circumstances and with a specific licence issued by the Scottish Government. The list of birds against which humane methods may be used includes Lesser Black-backed and Herring Gulls. However, only the owner of a building or the occupier can take action against the Gulls on it, or they can give someone else permission to act on their behalf. Any work carried out must be reported annually to the Scottish Government.

In practice there are very few humane methods to kill gulls and skill and experience is needed to deploy them.

Shooting of roof nesting Gulls is considered neither humane nor safe.

Experts believe that a large-scale cull of gulls would not be effective. Indeed some believe that the gull population in the towns is different from that of local landfill sites and there is documented

evidence to indicate that this is the case. Culling all the gulls at landfill sites would not result in a reduction in the number of gulls in the town and vice versa. In addition, the practical aspect of carrying out a cull in an urban area is extremely difficult.

What Can be Done?

Education

There is no legislation which specifically prevents people from feeding gulls; however, it is very undesirable to do this. Attracting gulls encourages them to foul the immediate area, causes disturbance from noise and encourages gulls to nest in areas they would otherwise not colonise. Gulls mainly forage in agricultural areas but will take discarded food in urban areas too. Please dispose of unwanted food responsibly in a wheelie bin or bin with a lid.

Nest Removal

Nests could be removed, however, this would have to be repeated a number of times during the season as the gulls will rebuild their nest very quickly if it has been removed or destroyed.

Egg Removal

Eggs could be removed from nests, however, this would have to be repeated a number of times during the breeding season as they will be replaced once they are found not to be viable by the parent birds.

Egg oiling

The treatment of gull's eggs, with liquid paraffin offers a cheap and efficient way of preventing hatching. If done correctly and at the right time of year, this technique is 100% effective in preventing the hatching of eggs but does not reduce the adult population.

NOTE

Culling, and egg and nest removal are all measures which come within the scope of the general licences issued by the Scottish Government and such action must therefore be justified.



Disturbance of Birds

There are a variety of methods of disturbing or discouraging birds from particular locations including birds of prey, bird scarers etc. For areas within towns none of these methods have yet proved successful in the long term.

Deny them Nesting Places

Controlling gulls is extremely difficult. The best method is to deny them nesting places on buildings. All owners/ occupiers of buildings, which have, or may attract roof - nesting gulls are strongly urged to provide the building with deterrent measures suitable to the individual building.

The principal methods of deterrence are: -

Short Spikes

There are several spiking systems commercially available which incorporate a stainless steel spike fitted in a plastic base. The spikes and base come as an assembled unit in convenient lengths, which can be cut to size. These spike systems may be useful for protecting small dormer roofs and other similar locations. The usual fixing method is to use screws or, where these would damage the structure, proprietary adhesives.

Long Spikes

Long spikes can be used to prevent gulls nesting on top of chimney - stacks between the pots and in the valley behind a chimney - stack where it meets the roof.

Gulls sometimes nest behind chimney - stacks where the chimney meets a sloping roof. The valley formed is often warm and sheltered from the wind and makes an ideal nest site. It is important to fix sufficient numbers of spikes to ensure that the nesting area is well covered

Wiring and Netting

Horizontal nets mounted sufficiently far above the surfaces to be protected and stretched tightly enough to keep them well out of contact with the roof even under the weight of several gulls landing on them may prove effective.

This method of proofing is however difficult and expensive as it has to withstand surprisingly strong and persistent efforts from the gulls to get through them.

If you have a problem with birds nesting on large flat roofs you may wish to contact a specialist company for advice or a quotation.

Because of the problems of fixing any type of proofing the Council considers these methods should always be done by a competent specialist.

Further Advice and Assistance

The following professional organisations can be contacted for advice on specialist contractors.

British Pest Control Association

1 Ground Floor
Gleneagles House
Vernon gate
South Street
DERBY
DE1 1UP
Tel: 01332 294288
Fax: 01332 295904
Email: enquiry@bpca.org/uk
Web: www.bpca.org.uk

National Pest Technicians Association

NPTA House
Hall Lane
Kinoulton
Nottingham
NG12 3EF
Tel: 01949 81133
Fax: 01949 823905
Email: officenpta@aol.com

It is our aim to deliver an excellent level of service. For further information or to request any aspect of our service:

- contact Northline Customer Contact Centre on 01698 403110 (Mon to Fri 8am to 6pm and Sat 9am to 12 noon)
- visit our website at www.northlanarkshire.gov.uk
- e-mail: kildonanPS@northlan.gov.uk

