

Cheltenham Borough Council
Cabinet
4th December 2018
Scrutiny Task Group Review – Urban Gulls

Accountable Member	Councillor Klara Sudbury, Chair of Scrutiny Task Group
Accountable Officer	Mike Redman, Director -Environment
Executive Summary	<p>A review of Urban Gulls was initiated by the Overview and Scrutiny Committee in June 2018, following a high level of dissatisfaction about the Council's response to controlling the urban gull population in residential areas.</p> <p>Research suggests that the number of urban gull colonies has increased from 239 in 2000 to 473 in 2015, as a result of higher temperatures in towns allowing earlier breeding, street lighting allowing night time foraging, our refuse, on-street waste and landfill sites which provide an excellent food source and also buildings which provide safe nesting sites away from natural predators.</p> <p>The group considered the key problems caused by urban gulls including noise nuisance, potential health risk and damage to buildings from gull droppings, as well as the challenges in finding and treating their nests. The group considered a range of evidence and spoke to a number of key partners, including Ubico and the Cheltenham Business Improvement District (BID) as well as looking at best practice from Gloucester City and Bath & North East Somerset Councils. They also consulted with 64 local residents and business owners via an online survey and drop-in session to understand the extent of the problem. They concluded that key to addressing the issues was denying habitat, i.e. make successful nesting in Cheltenham less easy through treating more gulls eggs each year and encouraging businesses and residents to gull-proof their own properties, reducing access to food sources, including food waste, litter etc, and the need for Cheltenham Borough Council (CBC) to take a strategic lead, working alongside partners, residents and businesses to tackle the problem together.</p> <p>The findings and recommendations of the task group are set out in detail in the attached Scrutiny Task Group Report. These recommendations are to be approved by the Overview and Scrutiny Committee at their meeting on the 26 November 2018.</p>
Recommendations	<p>That the Cabinet endorse the task group recommendations as set out in the task group report (and also outlined below)</p> <ol style="list-style-type: none">1) Increasing the budget available to control the Urban Gull population in the 2019-20 budget by £10k;2) Creating a written Urban Gull Strategy, setting out CBC's approach to controlling the urban gull population;

- 3) **The Leader of CBC to write to the Government to ask them to reconsider funding national research on urban gulls;**
- 4) **Establishing what powers the council has to enforce property owners to gull proof their property or treat nests on their property and ask Alex Chalk MP to press for any legal loopholes in these powers to be addressed at a national level;**
- 5) **Using part of the proposed increase in the urban gull budget to develop a media plan that will raise awareness of the issues around gulls;**
- 6) **Considering a community project which engages local universities, businesses and communities in research, similar to Bath and North East Somerset Council, to record the extent of the gull population in Cheltenham.**
- 7) **Purchase a drone to survey for nests subject to necessary regulations, any unplanned costs associated with this to be met from the proposed increase in the overall gulls budget.**
- 8) **Explore whether it is possible to seek an informal arrangement with Gloucestershire County Council to get roads temporarily closed more easily, to allow a more nimble approach to treating nests.**
- 9) **Recognising that in the short timescale available it will not be possible to find and treat every nest, CBC should take a more proactive approach to treating nests on residential properties. Where CBC cannot safely access the property to treat the nest, give information to property owners about private contractors who may be able to undertake this work.**
- 10) **Conduct a review of existing litter bins in Cheltenham to determine how many of Cheltenham's existing bins can be retro-fitted with gull-proof flaps, or changes to the aperture (opening). When litter bins are due to be replaced, they should be replaced with gull-proof bins and the Cabinet should consider whether 'Belly Bins' might be a value for money longer term investment.**
- 11) **Replace the food waste storage bins at the Swindon Road depot and ensure the 'spotting compound' is cleared frequently. Review if moving the food waste bins into the shed area makes a difference during the nesting season 2019.**
- 12) **Place a condition on any new planning consent for takeaways (in new buildings or change of use applications) that they must provide a gull-proof bin outside of the premises.**
- 13) **Place a condition on licensing permissions for mobile catering units that they have a gull-proof bin whilst trading.**
- 14) **Through the planning process seek to 'design out' opportunity sites for gulls to nest on new buildings, either by the design of roofs, or conditions seeking gull-proofing.**

- 15) Produce a Supplementary Planning Document (as B&NES and Gloucester City Councils have) with advice on gull-proofing buildings.
- 16) Work alongside the Cheltenham BID and other business organisations to consider the possibility of sponsorship of gull-proof litter bins
- 17) Work with the BID and other business organisations to encourage traders to present their waste correctly.
- 18) Receive feedback from Cheltenham BID on how effective the red and white chequer boards were.
- 19) CBC should produce an educational leaflet aimed at town centre and commercial businesses, to be distributed via email by the BID, as well as other interested business organisations around January time.

Financial implications	<p>There is a request to increase the Urban Gull budget by £10k for 2019/20. This would need to be approved through this paper and then included as a growth item in the 2019/20 Budget setting papers, for approval by full council in February 2019. It is assumed that this additional £10k will fund all of the other 19 recommendations set out above.</p> <p>Contact officer: Andrew.knott@cheltenham.gov.uk ,Tel: 01242 264121</p>
Legal implications	<p>All species of gull are protected under the Wildlife and Countryside Act 1981.</p> <p>There are no provisions within current legislation to allow the control of birds for the purpose of relieving nuisance or damage to property. However, there is an established system of licensing to allow for the control of some wild birds.</p> <p>Further legal implications are highlighted in the Scrutiny Task Force Group Report.</p> <p>Contact officer: Vikki.fennell@tewkesbury.gov.uk Tel: 01684 272015</p>
HR implications (including learning and organisational development)	<p>The report highlights a number of options to reduce the impact of Gulls in Cheltenham. Capacity to implement will need to be monitored carefully and additional resources requested where necessary</p> <p>Contact officer: Julie McCarthy, HR Manager Publica Group limited working on behalf of Cheltenham BC. Tel 01242 264355 julie.mccarthy@publicagroup.uk</p>

Corporate and Community Plan implications	<p>Taking forward the recommendations will help improve the environment of Cheltenham and will improve residents' lives that are currently affected by urban gulls</p> <p>Contact officer: Richard.Gibson@cheltenham.gov.uk Tel: 01242 264280</p>
Environmental and climate change implications	<p>A number of the recommendations for controlling the urban gull population, particularly those around the provision of appropriate bins and managing trade waste will deliver a positive benefit for the local environment.</p> <p>Contact officer: gill.morris@cheltenham.gov.uk, 01242 264229</p>
Property/Asset Implications	<p>Urban Gull control is required to avoid damage and clean-up costs to property, notwithstanding the quiet enjoyment and healthy working environment of building occupiers and tenants alike.</p> <p>Contact officer: simon.hodges@cheltenham.gov.uk</p>

Report author	<p>Contact officer: Sophie.mcgough@cheltenham.gov.uk, Tel: 01242 264130</p>
Appendices	<ol style="list-style-type: none"> 1. Risk Assessment 2. Scrutiny Task Group Report and Appendices

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If nothing is done by Cheltenham Borough Council to control the urban gull population, it will grow exponentially.		13/11/2018	2	3	5	Reduce				
	Disturbance during the nesting season may negatively impact on local residents and visitor's experience of staying in our town.		13/11/2018	3	3	6	Reduce				
<p>Explanatory notes</p> <p>Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)</p> <p>Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)</p> <p>Control - Either: Reduce / Accept / Transfer to 3rd party / Close</p>											