

# ***Information/Discussion Paper***

## **Overview and Scrutiny Committee - 19 August 2018**

### **Urban Gulls**

This note contains the information to keep Members informed of matters relating to the work of the Committee, but where no decisions from Members are needed

#### **1. Why has this come to scrutiny?**

- 1.1 This paper has come to scrutiny to update on implemented measures and plans for the coming year regarding the work officers are undertaking in respect of controlling urban gulls.

#### **2. Summary of the Issue**

- 2.1 A review of urban gulls was initiated by the Overview and Scrutiny Committee in June 2018 following dissatisfaction about the Council's response to controlling the urban gull population in residential areas. The Task Group set up reported in November 2018 with various recommendations to control the urban gull population in Cheltenham.
- 2.2 This discussion paper updates Overview and Scrutiny on the work carried out to date and where possible, work planned towards meeting the recommendations set out in the report. Subject to identified costs and resources available, this will in turn inform the emerging Urban Gull Strategy.
- 2.3 The context of urban gull control is highlighted by the key challenges faced as a result of urban gulls, as set out by the Chartered Institution of Environmental Health:
- i. **Scavenging and Waste Spillage** – Gulls are attracted by food waste spillages.
  - ii. **Contaminated Objectionable Environment** – Gull droppings contaminate roads, pavements, street furniture, buildings and gardens.
  - iii. **Potential Health Risk** – Birds are known to carry salmonella, campylobacter and E coli spp.
  - iv. **Building Damage and Additional Maintenance and Cleaning** – Buildings can be damaged by droppings and nest material sometimes block gutters and drains causing further problems.
  - v. **Food Safety and Health** – Ariel droppings can contaminate food in different scenarios including when food is unloaded at manufacturing sites, also bacteria can be introduced in the food production process through contaminated internal drainage. Bacteria can be brought into the home by such things as footwear, buggies and bicycle tyres.
  - vi. **Noise Nuisance** – Early morning first light awakenings (usually around 4:00am) can disrupt the sleep of residents and visitors staying in hotels. The Task Group were told about gull noise causing sleep disturbance by local

residents, but found little academic research specifically about this. However in the “Summary of Adverse Effects of Noise Pollution” by Louis Hagler, MD, based on World Health Organisation Guidelines for Community Noise, it is stated that noise pollution is a major cause of sleep disturbance. Noise pollution during sleep causes increased blood pressure, increased heart rate, increased pulse amplitude, vasoconstriction, cardiac arrhythmias and increased body movement. Secondary effects are fatigue, depressed mood and well being, and decreased performance.

- vii. **Gull Attacks** – Attacks by aggressive and competing birds can take place, particularly when they are defending young and around food. The RSPB advises people to avoid areas where birds have chicks or eggs, but if this is not possible to have a hat or umbrella as birds swoop to the highest part of you!
- viii. **Reputational damage** – Because of the noise and other issues associated with large numbers of gulls, the reputation of towns and cities as nice places to live and visit can suffer. Also, the reputation of local councils can be harmed if people believe they are not doing enough to tackle the issue.

### **3. Summary of evidence/information**

**3.1** The following recommendations are from the November 2018 Scrutiny Task Group Report with updates on action taken to date.

- 1. Recommendation – 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 has made a difference during the nesting season 2019**

Update: Food waste bins have been relocated into the shed area and the spotting compound is cleared more regularly. The gull population, however, has not decreased in this area and the problem of gull attacks has been reported as being worse this year. The Council no longer has a Pest Control Contract for the Depot and lack of egg oiling this year has meant an increase in surviving chicks on the buildings at the depot.

- 2. Recommendation – Place a condition on planning consent for takeaways (in new buildings or change of use applications) that they must provide a gull proof bin outside of the premises**

Update: The Planning team advised that new food establishments tend to come about through the change of use of existing buildings, where the options to ‘design in’ gull proofing measures are limited. Secure waste and recycling storage facilities are always sought on these types of applications which should limit gull-activity. Buildings with large expanses of flat roof can attract nesting gulls they advised that they had attached conditions to schemes of that nature requiring gull-proofing measures. However, the planning department acknowledged that they would need to be careful that such conditions comply with the tests set out in the legislation so it would very much need to be dealt with on a case by case basis.

- 3. Recommendation – Conduct a review of the existing 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 are replaced with gull proof bins and the Cabinet consider whether ‘Belly Bins’ might be a value for money longer term investment**

Update: Currently various bins are being trialled. A gull proof bin is being trialled in Warden Hill play space (£684 per bin) and a different type is about to be trialled on the Street by the shopping area in Warden Hill, where sides are slanted off to prevent gull access (£550 per bin). Other bins that are being looked at have a door opening slot to drop litter or recycling into. These are £4,500 or £600 depending on type. Two each of these bins are being ordered to trial in the High Street and parks. Results of the trials will inform the Council's bin replacement programme.

4. **Recommendation – Work with the BID and other business organisations to encourage traders to present their waste correctly**
5. **Recommendation – CBC 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**
6. **Recommendation – Work alongside the Cheltenham BID and other businesses organisations to consider the possibility of sponsorship of gull proof litter bins**
7. **Recommendation – Support Cheltenham BID to find a location for businesses in Montpellier or the town centre to trial the use of hessian sacks to store bin bags for presenting at kerbside**

Update: An educational leaflet has been drafted to include advice and important information for traders in the town centre area including the negative impacts of the gull population (see 2.3 above). This will be distributed prior to the next gull, working in partnership with the BID.

The newly formed Town Centre team will work with Waste Management and the BID to explore the scope and feasibility of bin sponsorship and the trialling of the use of hessian sacks.

8. **Recommendation – Place a condition on licensing permissions for mobile catering units that they have a gull proof bin whilst trading**
9. **Recommendation – Through the planning process seek to ‘design out’ opportunity sites for gulls to nest on new buildings, either by design of roofs or conditions seeking gull proofing**
10. **Recommendation – Produce a Supplementary Planning Document (as B&NES and Gloucester City Councils have) with advice on gull proofing buildings**

Relevant Council Departments have been consulted and a further update will be requested.

11. **Recommendation – Use part of the increase in urban gull budget to develop a media plan that will raise awareness of the issues around gulls**

Update: A media plan has been costed by the Communications team and they have assumed a budget of around £2K to include:

**Promotional work:**

<b>Comms channels</b>	<b>Approx cost</b>	<b>Notes</b>
Posters	£84	A4 posters x 500 This is for print-only costs, and doesn't include design work

Flyers	£64	A5 flyers x 500 This is for print-only costs, and doesn't include design work
Social media boosting	£100	£50 for Facebook and £50 for Twitter for a month-long campaign. This can be targeted depending on what we want to do. To reach approx. 460-1,600 people per day.
Social media promotion	Nil	Managed in-house
Videos	Nil	Managed in-house
Media releases	Nil	Managed in-house
Broadcast interviews	Nil	Managed in-house
Foyer display	Nil	Managed in-house

Depending on budget, the following could also be considered:

- Bin stickers
- Banners
- Advertorials

The preparation for this media plan will commence in the autumn to be fully prepared for the 2020 gull season.

In addition to this media plan, the Council's website has been updated and information leaflets have been prepared for general distribution to the public, although it was not possible to do this in last year's council tax run due to logistical issues (bills are produced and enveloped in Nottingham)

**12. Recommendation – Purchase a drone to survey for nests subject to necessary regulations, any unplanned for costs associated with this to be met by the increase in overall gull budget**

Update: The purchase and use of a drone by the Council has been ruled out due to the restrictions of use imposed within 5km of any UK airport runways and the complications of use associated with privacy impact.

**13. Recommendation – Explore whether or not it is possible to seek an informal arrangement with Gloucestershire County Council to get roads closed more easily to allow a more nimble approach to treating nests**

Update: Road closure is subject to set procedures and timescales and officers have been informed that informal arrangements with Gloucestershire County Council are not possible.

**14. Recommendation - Recognising that in the short time scale available it will not be possible to find and treat every nest, CBC to 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 the work**

Update: In 2017/18, to introduce some sustainability into the year-on-year egg replacement programme, it was decided to introduce a small fee for egg replacement and subsidise bird proofing, if residents decided to take this up. The result was that there was a drop-off in commercial premises that were willing to participate in the egg replacement programme and no residential owners took up the option of subsidised bird proofing. Residents demonstrated an unwillingness to undertake bird-proofing at their own expense, even at a subsidised rate and

believed that these works should be funded by the Council.

Before the commencement of last year's gull nesting season, officers explained to the Urban Gulls Forum that, to get best use out of the available resources, commercial premises were to be targeted, which statistically had the greatest population of nesting gulls in Cheltenham. The charges, that reduced participation the previous year, were to be dropped in order that a full programme of commercial premises egg replacement could be carried-out, thereby maximising the impact on the gull population within the resources available. The anticipated reduction in gull population achieved by this approach would benefit residents, businesses and visitors alike.

This approach proved very successful and 408 eggs were treated in 137 nests on commercial premises. The Council was also fortunate to be able to use the resources of the fire authority, which helped with access to roofs to tackle the gull problem in the Tivoli area. The area was surveyed and 4 nests were identified, although only 2 nests were accessible containing 5 eggs, which were subsequently treated.

Last year's arrangements, whereby council resource was invested mainly in business areas such as Kingsditch and the town centre were effective in reducing the overall gull population in the town, but are considered ineffective in dealing with problems in often densely populated residential areas.

Within available resources, egg oiling remains the most effective method of controlling the urban gull population and in 2018/19 the Council was once again able to use this method, having been required to use egg replacement methods in 2017/2018. There are however, a number of operational issues which create barriers to effectively treat large numbers of urban gull eggs, particularly in residential areas. These include:

- During the nesting season there is only a short period of time (2-3 weeks) to identify the nests and deal with the eggs;
- The cherry pickers used for access to find nests and treat the eggs require time to set up and in some cases are unsuitable for particular streets;
- Nests can often be well hidden and it is therefore difficult to locate them;
- The fact that road closures are often needed to set the vehicle up;
- Phone, power lines and trees can hinder the ability to reach nests;
- Adverse weather conditions make egg oiling difficult;
- Nests are sometimes inaccessible to the operator of the cherry picker.

This year (2019/2020) a decision was made to concentrate the egg oiling programme on residential hot spot areas to help tackle the associated noise nuisance issues encountered by some residents..

Although last years' programme (2018/2019) was successful in the number of eggs treated, it was considered that this year's approach could allow officers to compare how successful the oiling programme was in the prevention of eggs hatching by investigation of a sample of the commercial buildings that were treated in the 2018/2019 season. It was, however, decided that the commercial premises in the High Street would be surveyed and form part of the egg oiling programme due to the sensitivity of the location in respect of shoppers and

visitors to Cheltenham. Residential hot spot areas were surveyed using a cherry picker to establish nest locations rather than relying on reports from the public, which had proved unreliable in previous years.

The results of this years' oiling programme are shown below:

	No. of Nests	No. of Eggs	
Eldorado Road	0	0	
Grafton Road	2	4	
London Road	0	0	
Pittville Lawn	0	0	
St Stephens Road	3	5	
St Philip and St James Primary School	0	0	
Painswick Road	1	3	
12 Park Place	3	3	
52 Tivoli Road	1	1	
Overton Park Road	2	3	
Flat 3 Spa Court Overton Park Court	0	0	
Burton Street	0	0	No Access
Park Street	0	0	No Access
Montpellier Villas	0	0	
Montpellier Grove	4	8	
<b>High Street</b>			
Milletts	1	3	
Old Sports Direct	2	0	
Paddy Power	2	2	
Yorkshire Bank	1	3	
EE Phone Shop Rodney Rd Jcn	1	3	
Oasis	8	12	
H Samuels	2	5	
<b>Promenade</b>			
Goldsmiths	1	2	
Hobbs	1	3	
Karen Milen	1	2	
Beards	1	3	
Assa Abloy	15	45	
Douro Road	1	2	
Malvern Place		0	No Access
02 Shop	2	2	
Thomas Cook	1	2	
Sydenham Road South	1	2	
Lypiatt Street	0	0	
Imperial Square	0	0	
Andover Road	0	0	

Ashford Road	1	3	
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Total Nests Treated – 58  
Total Eggs Oiled – 121

Assa Abloy had a pest control contract with the Council and therefore was included in the egg oiling programme – Of the 45 eggs treated, only 3 hatched.

For comparison the results of last years' egg oiling programme which was mainly directed at commercial premises:

Total Nests Treated – 137  
Total Eggs Oiled – 468

A sample survey of commercial properties which formed part of the egg oiling programme last year was undertaken to give an indication of how effective the egg oiling programme is. Results of last year and this years (when no oiling was undertaken) are shown below:

**Sample survey of Commercial Premises**

	Last Year	This Year
Depot last year 6 Nests no chicks seen	0	
Depot this year 6 Nests 4 chicks seen		4
Bookers Kingsditch Lane		
12 Nests last year 1 chick seen	1	
This year 12 Nests 11 chicks seen		11
The Range Tewkesbury Road		
Last year 7 Nests 0 chicks seen	0	
Mira Showers Kingsville Road		8
Last year 6 Nests 0 chicks Seen	1	
This year 6 Nests 12 chicks seen		12
Total	2	35

- \*Note: The sample check was made at a stage where chicks were likely to survive. More chicks may have been spotted at an earlier point in the season.

Before the gull breeding season commenced the owners of all commercial premises, which had been part of previous year's treatment programmes, were written too to explain that the Council would not be treating nests on their premises this year. Advice was given and all commercial premises owners were informed and given plenty of notice to engage the services of private pest control contractors to monitor activity and carry out egg oiling if required.

Officers do not believe that any egg oiling treatments were carried out on any of the commercial premises where owners were informed by this communication.

**Officer Conclusion – Egg Oiling Programme**

The Council's approach to encourage self-help by commercial and residential premise owners to control the gull population is unlikely to work and although this is a discretionary service, without council intervention little is likely to be done to tackle the gull population in Cheltenham. Although this year the number of noise nuisance reports from residents were similar to previous years, the number of complaints regarding gull attacks increased and there was a big increase in the numbers of surviving chicks which are likely to return to Cheltenham to breed.

Budget		
Base Budget	£ 9,100	
Increased Budget (2019/2020 only)	£10,000	
	£19,100	Available 2019/2020

Cost 2019/20 Egg Oiling Programme and planned actions

(8 days) Cherry Picker Hire	£ 6,287	
Staff Costs (lost income)	£ 2,520	
	£ 8,807	

Cost Media Plan	£ 2,000	
Cost leaflet print	£ 400	
Total	£11,207	

Estimated cost of a comprehensive egg oiling programme for 2020 / 2021 (for commercial and residential hot spot areas)

13 days Cherry Picker Hire	£14,155	
Staff Costs (lost income)	£ 4,416	
Total	£18,571	

**4. Next Steps - possible next steps for the committee to consider eg potential witnesses, further report, site visit etc.**

- 4.1** The monitored approach to controlling gull population and associated nuisance this year, with the combined knowledge of previous year's outcomes, has highlighted the importance of the egg oiling programme and budgetary implications for forming the content of the proposed Urban Gull Strategy. Further discussions with the Cabinet member are required to determine the content of the emerging Strategy, including the priority actions, which will be determined by budget availability.

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**Background Papers**

Urban Gulls, Scrutiny Task Group Report  
November 2018

Urban Gulls Strategy- Cabinet Report 5<sup>th</sup> March  
2019

**Contact Officer**

**Mark Nelson, Enforcement Manager**

**Accountability**

Cabinet Member Development and Safety,  
Councillor Andrew McKinlay