

	<b>REPORT TO CABINET TO BE HELD ON 14 FEBRUARY 2017</b>	
	<b>Key Decision</b>	<b>YES</b>
<p><b>Corporate Priority</b></p> <p><i>People - to have a safe, happy, healthy population with people who feel valued and included</i></p> <p><i>Place – to protect and improve our environment, now and for the future</i></p> <p><i>Prosperity – to develop a prosperous and innovative Borough, with a highly skilled and aspirational workforce</i></p> <p><i>Council – to be an efficient and effective council which is financially sustainable for the future</i></p>	<b>Cabinet Portfolio Holder</b>	<b>Cllr Bill Chatt Cabinet Member for Public Health and Housing</b>
<b>Forward Plan Ref No</b>		

## REPORT OF DIRECTOR (TW) – 17/40

### WARDS AFFECTED: WHITBY AND SCARBOROUGH WARDS

### SUBJECT: PROPOSED DISRUPTION AND DISPERSAL PROGRAMME FOR HERRING GULLS

#### RECOMMENDATION (S):

That Cabinet approves

- i) the appointment of NBC Environment to undertake a disruption and dispersal programme in 2017 for the local herring gull population in specific locations around Whitby harbour and Scarborough's south bay.

#### REASON FOR RECOMMENDATION (S):

To seek an exemption from tendering for a disruption and dispersal programme for herring gulls in specific locations around Whitby harbour and Scarborough's south bay in 2017.

## **HIGHLIGHTED RISKS:**

The highlighted risks are detailed in the risk matrix

### **1. INTRODUCTION**

- 1.1 This report seeks an exemption from tendering for a disruption and dispersal programme for herring gulls in specific locations around Whitby harbour and Scarborough's south bay in 2017.
- 1.2 Approval is sought to enter into a one year contract with NBC Environment to implement this programme, commencing in March 2017.
- 1.3 NBC Environment has a proven track record in delivering similar programmes for other local authorities, such as Plymouth City Council, Bath and North East Somerset Council. Feedback received from these Councils, in relation to the quality of NBC Environment's work and outcome of these programmes has been generally positive.
- 1.4 The programme would require NBC Environment obtaining a general licence from Natural England, to provide blanket coverage across all properties in the areas specified. It would involve the systematic removal of herring gull eggs and nests from buildings and use birds of prey (Harris Hawks and Falcons) to deter/scare away gulls from the areas. The birds of prey are specifically trained not to kill our local gulls, but solely to deter them. NBC Environment provided a quote for this one year programme at £36,500.

### **2. CORPORATE AIMS/PRIORITIES AND THE COMMUNITY PLAN**

- 2.1 Minimising the impact of public nuisance caused by the local gull populations contributes to "People" and "Place" priorities within the Council's Corporate Plan.

### **3. BACKGROUND AND ISSUES**

- 3.1 A proposed Action plan for 2017 to address the ongoing public nuisance issues caused by the local gulls' population was considered by the Council's Overview and Scrutiny Board (O & S) on 11 January 2017. One of key proposals was to consider employing the services of a specialist company to implement a disruption and dispersal programme in specific coastal areas in Whitby and Scarborough in relation to herring gulls.
- 3.2 O & S approved the Action plan and recommended that the proposal to implement a herring gulls disruption and dispersal programme in Whitby and Scarborough be considered for approval by Cabinet. This is necessary because of the financial implications for the Council should this initiative go ahead.
- 3.3 The proposed disruption and dispersal programme would target the local herring gull population, not kittiwakes, because of the most direct adverse

impact herring gulls can have on people. Herring gulls are present all year round in our towns and will feed on human food and, on occasions attempt to steal food or attack people. In contrast, Kittiwakes are only present between March to August, have no interest in human food and cause more of a problem to the appearance of buildings from their droppings. The most effective method of controlling kittiwakes is for building owners and occupiers to adequately proof buildings to prevent kittiwakes nesting there.

- 3.4 The main reason for implementing a programme in specific locations in Whitby and Scarborough only is due to the fact that the vast majority of complaints about gulls (including reports of “gull muggings”) come from these locations.
- 3.5 It is important to note that nest and egg removal must be undertaken before herring gull eggs hatch, which occurs each year in May, because it is illegal to kill newly hatched chicks. Ideally such a programme should start in March to be effective. If a tendering process took place then it is unlikely that such a programme would be able to take place in 2017.

## **4. CONSULTATION**

- 4.1 See paragraphs 3.1 and 3.2 of this report.

## **5. ASSESSMENT**

- 5.1 See paragraphs 1.3, 1.4, 3.3, 3.4 and 3.5 of this report.

## **6. IMPLICATIONS**

### **Policy**

- 6.1 There are no policy implications resulting from this report.

### **Legal**

- 6.2 There are no legal implications resulting from this report

### **Financial**

- 6.3 The cost of employing the services of NBC Environment to undertake the proposed programme for 2017 will be £36,500.

### **Others**

- 6.4 Equalities and diversity, staffing, planning, crime and disorder, health and safety, and environmental implications have been considered but do not materially affect this report.

## 7. ACTION PLAN

- To appoint NBC Environment to undertake a disruption and dispersal programme for herring gulls in specific locations around Whitby harbour and Scarborough's south bay in 2017.
- This contract will be subject to review at the end of 2017 and the Council will consider if such a programme should be continued in future years.



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Background Papers:  
None

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT JONATHAN BRAMLEY ON 01723 232506 OR e-mail [jonathan.bramley@scarborough.gov.uk](mailto:jonathan.bramley@scarborough.gov.uk)

## Risk Matrix

<b>Risk Ref</b>	<b>Date</b>	<b>Risk</b>	<b>Consequences</b>	<b>Mitigation</b>	<b>Current Risk Score</b>	<b>Target Score</b>	<b>Service Unit Manager/ Responsible Officer</b>	<b>Action Plan</b>
1	27 January 2017	Risk to the Council's reputation by not effectively addressing the ongoing public nuisance issues caused by the local gulls population.	Poor media coverage and increased demands on service.	As part of a wider Action plan for addressing public nuisance caused by the local gull populations, approve a one year disruption and dispersal programme, as outlined in the report	C3	B2	Jonathan Bramley	SUM to negotiate directly with the chosen contractor.
2	27 January 2017	Financial risk, if funding is approved by the Council, of the proposed dispersal and disruption programme not contributing to the long term goal of minimising the public nuisance issues caused by the local gull population.	As above.	Ensure there are clear performance targets agreed with the chosen contractor. Furthermore, to ensure these are regularly monitored and reviewed throughout the length of the contract.	C3	B2	Jonathan Bramley	SUM to negotiate directly with the chosen contractor.

## Glossary of Terms

Risk	An event which may prevent the Council achieving its objectives
Consequences	The outcome if the risk materialised
Mitigation	The processes and procedures that are in place to reduce the risk
Current Risk Score	The likelihood and impact score with the current mitigation measures in place
Corporate Objectives	An assessment of the Corporate Objectives that are affected by the risk identified.
Target Risk Score	The likelihood and impact score that the Council is aiming to achieve
Service Unit Manager	The Service Unit or Officer responsible for managing the risk
Action Plan	The proposed actions to be implemented in order to reduce the risk to the target score

## Risk Scoring

Impact	5					
	4					
	3					
	2					
	1					
		A	B	C	D	E
	Likelihood					

### Likelihood:

A = Very Low  
 B = Not Likely  
 C = Likely  
 D = Very Likely  
 E = Almost Certain

### Impact

1 = Low  
 2 = Minor  
 3 = Medium  
 4 = Major  
 5 = Disaster