

Daniel O'Brien

From: [REDACTED]
Sent: Friday 19 February 2021 09:34
To: WildBirdDeclarations
Cc: chiefexecutive@dublincity.ie; lordmayor@dublincity.ie; MINISTER@housing.gov.ie; malcolm.noonan@oireachtas.ie; [REDACTED]
Subject: Fwd: Public Consultation National Parks and Wildlife Service 19 February 2021
Follow Up Flag: Follow up
Flag Status: Flagged

To: WildBirdDeclarations@chg.gov.ie
CC: chiefexecutive@dublincity.ie; lordmayor@dublincity.ie; MINISTER@housing.gov.ie; malcolm.noonan@oireachtas.ie;

19th February 2021
Public Consultation on Wild Birds Derogation Declarations

Dear National Parks and Wildlife Services.

As part of your Public Consultation about the Wild Birds Derogation Declarations can you please read the email conversation below from last August between my mother and myself, and Mr Owen Keegan the CEO of Dublin City Council (DCC) about the menace being caused in Dublin City by seagulls.

We did also write to your Office and your two Ministers and the Lord Mayor of Dublin at the time but we did not receive any reply. Some of our Councillors and TDs were courteous enough to reply to us and to ask questions about this matter. No action was forthcoming.

Mr Keegan was the only person to give us a meaningful reply – although not in any way helpful towards a solution. You will see that Mr Keegan acknowledged that “**seagulls are a menace in the city**”. When you think of what that means it is really startling given he is the head of DCC which has a responsibility for public health and safety in the City including sickness and disease prevention and the safety of citizens. Has he to accept that a large, vicious wild bird species – “a menace in the city” – can roam free and breed wherever it likes and have no role in doing anything about it – no role to deal with the menace and to protect the people for the city from it? You will also see that Mr Keegan attributes responsibility for this matter to you in the National Parks and Wildlife Services.

Seeing as you are in charge of this Public Consultation and of Wildlife, it seems that Mr Keegan must be correct – in which case, can you now reply to our letter even though it was six months ago when we wrote to you? And in your reply can you explain why seagulls are clearly more important than people and children as far as the State is concerned and can you explain what law makes this be the case – because it is complete nonsense to any person with a shred of common sense? As a young mother I am responsible for the health and safety and welfare of my baby. If I and everyone else have to contend with vicious wild birds in our own back gardens will you please publish an explanation for this state of affairs and warn everyone? Or is it not in fact the case that people are more important than seagulls and that our children are entitled to be protected by the State from danger and harm, and that you are not in fact doing your job? It has to be one or the other – so can you please reply and let us know which one it is?

Yours sincerely

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: Chief Executive <chiefexecutive@dublincity.ie>
Date: Wed 19 Aug 2020 at 09:45
Subject: RE: Seagull menace - a public scandal at this stage, who is responsible for addressing it?
To: [REDACTED]

Dear [REDACTED],

I read your email and attachments with considerable interest. Personally, I have considerable sympathy with you in relation to the 'seagull menace', especially given the incident you witnessed in your own garden.

Unfortunately gulls are a protected species under the Wildlife Acts (1976 to 2018), which is enforced by the National Parks and Wildlife Service. The City Council has no role in the matter.

It is obvious that seagulls have become a very visual component of Dublin City's biodiversity. I understand they are under pressure generally due to declining fish stocks and marine pollution, and many of their traditional nesting sites have also declined. Seagulls are omnivorous in their diet and will forage for food especially in areas where refuse and dumping are problematic. Unfortunately, they have learnt that the city can provide good sources of food throughout the year, as well as nesting sites in the summer months. This is a major problem for the City Council as they attack refuse bags left out for collection in order to access the contents and contribute to littering the city.

I understand the numbers of certain species (e.g. the Herring gull and Black-Headed gull) have dropped dramatically nationally, and they are both now red-listed species in Ireland. This probably explains the protected status. However, the common seagull seems to be thriving at least in Dublin and is definitely a menace.

We do not have any evidence that gulls are having a negative impact on other bird species in the city. However, I have ask our Parks Section to look at conducting research into the matter further.

Regards

Owen P Keegan
Chief Executive

From: [REDACTED]
Sent: Sunday 16 August 2020 17:26

To: MINISTER@housing.gov.ie; malcolm.noonan@oireachtas.ie; denise.mitchell@oireachtas.ie;
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Cc: [REDACTED]

Subject: Seagull menace - a public scandal at this stage, who is responsible for addressing it?

To:
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Secretary General Dept. Housing, Local government and Heritage, Graham Doyle, secretary-general@housing.gov.ie
Chief Executive of Dublin City Council – Owen Keegan chiefexecutive@dublincity.ie
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Councillor Damian O'Farrell - damianofarrell@gmail.com
Councillor Catherine Stocker - catherine.stocker@dublincity.ie

Dear Ministers, TDs, MEPS & Secretary General Dept. Housing, Chief Executive Officer Dublin City Council, Lord Mayor, Deputy Lord Mayor, and Councillors,

We writing to you as [REDACTED], recent first-time mother of baby [REDACTED], and [REDACTED], [REDACTED]'s mother and grandmother of baby [REDACTED] and [REDACTED]. We looked up the Government web-sites to try to identify correctly who are our local representatives – if we have made and mistakes in this regard, we apologise and ask that you notify us of any corrections please.

In writing to you all on the subject of 'seagull menace', we realise that you may feel that this is a trivial matter when compared to the pandemic public health crisis, the housing crisis and Brexit to list just a few of the huge issues facing the country, indeed all countries. We request that you bear with us until you have read our email.

A couple of weeks ago we were enjoying a lovely sunny day in our enclosed back garden at [REDACTED]. Eight-month old [REDACTED] was strapped into her high chair and we were on our deck chairs enjoying the sun. [REDACTED] went to answer the front door, and [REDACTED] ran almost at the same time to the kitchen to answer the phone. On picking up the phone, [REDACTED] turned to watch Alexandra and saw a large seagull landing in the garden and immediately running to attack our little dog – a rescue 'dog' that is nervous at the best of times; seagulls coming into our garden to attack our dog to steal her food became such a common occurrence in recent years that she is terrified of them and runs away from them and we now feed her in the kitchen. [REDACTED] dropped the phone and ran out to shoo the seagull away but it ignored her and tried to jump/fly up and land on the table-tray of [REDACTED]'s high chair – there were some pieces of toast on the tray. [REDACTED] screamed with fright and charged at the seagull; it dropped back to the ground but reared up at her screeching so loud and spread its wings, sticking its head and neck out aggressively. [REDACTED] moved sideways to stand in a way to shield [REDACTED] (who was now crying and screaming in fear in her baby seat) from the seagull. [REDACTED] came running from the house and grabbed a garden rake and waved it at the seagull and it flew up onto the wall fence still sticking out its head at us and screeching and flapping like a demon. It got its legs a bit caught on the top of the fence for a few seconds and was flapping and screeching furiously then extricated itself and flew off. It obviously sent a distress call for help as it was screeching like crazy and in seconds there was at least ten gulls circling overhead that came to help the gull that was in distress.

We were shaking in absolute terror at the fright at what could have happened in another few seconds. [REDACTED] had some toast in each of her hands and we have no doubt that the seagull would have attacked her to get it from her. The whole incident couldn't have taken more than 20-30 seconds and we are still not the better of it two weeks later. We have lots of problems with seagulls in our local schools, coming in to try to raid bins and following any kids who are eating food as they walk along the footpaths outside the schools. Some of the children get scared and throw their food on the ground and run away.

This is not the first time I ([REDACTED]) have written to public representatives asking what is going to be done about the situation with seagulls – which are clearly a serious public health and safety menace. We are wakened from 4am every morning by their screeching – constant noise and sleep deprivation becomes a mental health issue – in fact a public health and safety issue. Their faeces is disgusting and is spread all over the place around our homes, gardens, cars and shops – we had to dump two large garden water butts we used to collect rainwater for our garden because of the horrible faecal mess washing off our roof into the down-pipe – once again - disgusting. Dublin City Centre and suburbs are increasingly plagued with them swooping on people to steal food. You see loads of young chicks walking around the streets like never before – often getting squashed by cars. Perhaps it will take a serious accident to get action on this issue from the public service people who should be addressing it? I ([REDACTED]) attend an art class in Clontarf and last week the topic of conversation amongst all of us pupils was the terrifying gull crisis in our beautiful city.

Seagulls have wiped out most of the other water birds in Stephen's Green in recent years – is everybody just blind to this fact? Is everybody in public office afraid to acknowledge and speak up about this problem? The flower sellers in Grafton Street will tell you how often people are attacked by seagulls to knock food from their hands and even from their mouths and it is the same in Grafton Street, Henry Street, Moore Street and Talbot Street. If you watch the 6pm news every evening, you will hear seagulls screeching on all of the live reports, including from Leinster House – you could see seagull chicks on the

screen on the news the other night walking around the car park behind the reporter. It's the same problem in Howth. We have very good friends living in Howth and we, as a family, used to picnic in Howth, but not anymore, those days are long gone unfortunately. You only have to walk along the pier in Howth at anytime of any day to see tourists crouching and ducking to avoid the swooping gulls. Our friends in Howth say the place is destroyed with them and they told us that their local TDs (Mr Bruton and Mr Haughey and the former Minister McGrath) asked several Parliamentary Questions of the Minister a couple of years ago and were told the same replies that we got i.e. "that seagulls are a protected species under European Law and the Department was reviewing the problem". It seems clear to ordinary people that we have had enough "reviews" and the problems are just getting worse and worse. Early in the mornings Fairview Park, is full of seagulls, likewise, the parks in Edenmore, Kilmore, Northside, Springdale Road sports pitches, and St. Anne's Raheny. Anyone who claims this is an endangered species is clearly 'for the birds' – they are everywhere, except perhaps where they belong. [REDACTED] was doing a piece on seagulls in Tallaght a couple of weeks ago, we missed it.

We know that the people in Balbriggan got so angry and upset about this problem years ago that they took action and all of their local TDs and Councillors supported them until they were allowed to stop seagulls from nesting on peoples' homes and on their schools and shops – without doing any harm to any of the birds. This is obviously the right thing to do because these seagulls have no fear of people whatsoever and this can only be because they are not being resisted in any way at all by people and are being allowed to go and breed wherever and do whatever they like. We can think of no other animal or bird that is allowed or would be allowed to proliferate as a horrible pest species that is doing so much harm to people and property. I ([REDACTED]) used to enjoy walking with my pram and sitting on the new benches in both the top and bottom parks in Marino. However, I will no longer do this as there are parent gulls and their chicks walking and stalking the parks and I fear for my baby's safety.

I ([REDACTED]) watched a video of a special debate in Dublin City Council on this topic in June 2017 when I first raised this matter (I tried to look at it again but it is archived now) and there was a vote passed by a casting vote of the Lord Mayor saying the Council would NOT act on this problem – despite the obvious evidence of problems even then from so many Councillors. I couldn't believe this. We have looked up old minutes from the Council meetings and the Council seems to be saying this is not their problem it is the Department of Culture and Heritage's problem. No doubt the Department is saying it is not their problem either. I wrote to the Irish Times about it, and I asked councillors and TDs about it over recent years. Back in 2017 I was told that the Department was doing a big Review that happens every five years and that this problem would be dealt with in that process. Last year I read a big article in the Irish Examiner and the Department then said that it had done its big Review and was now setting up a special committee to look into the seagull problem. I kept the article – here it is: <https://www.irishexaminer.com/lifestyle/arid-30913017.html>.

Maybe this "special committee" will recommend that the matter should be addressed by the next big Review in 2022? Somebody somewhere in our system is obviously refusing to do their job.

Can any of you please explain to us why people appear to come last in all of this issue? Why thousands of seagulls who are freely colonising human living spaces are apparently entitled to more protection than people, families, our children? Are you politicians afraid of a backlash from animal rights groups if you act to protect people? Are you people in public service in the Council who debated this problem three years ago and decided to ignore it – are you going to blame the politicians for the situation? Presumably you do realise the kind of backlash that you will get after ignoring this problem for years if some poor child – god forbid - is disfigured or maimed by a seagull? We have no doubt that our child came very close to being injured. Look at this report in the Irish Independent from Howth in 2017 sent to us by our friends in Howth - <https://www.independent.ie/irish-news/sisters-shock-after-vicious-seagull-attacks-on-family-walk-left-them-with-bloodied-mouths-36359476.html>.

If our little [REDACTED] had been badly injured by that seagull – how many of you would have gone on the news to say this was a terrible thing that shouldn't have happened – when it was too late? Does this country always have to ignore a problem until something bad happens and then watch the people responsible shed crocodile tears for the victims. Shame on whoever is responsible for this situation and on whoever is responsible for stopping a proper solution from being applied.

The last time I wrote to ask questions about this issue I was told that seagulls are a protected species and that the European Law meant that nothing could be done. This is utter nonsense – and we are calling on our MEPS here to verify that it is utter nonsense. The EU law says that the issue is the responsibility of the member states and their role is statistics and monitoring. How come every other country in Europe is acting on this problem except us? Is Ireland the only EU country that is obeying the law by forcing its people to accept seagulls taking over our homes and schools. Nonsense – utter rubbish.

After the latest incident with our baby I ([REDACTED]) went on Google to see what is the story in our neighbouring countries. Lo and behold – in Northern Ireland seagulls are regarded as a public health and safety issue for years and people can just download a licence to allow them remove seagull nests and eggs and chicks from houses, schools, hospitals, supermarkets, shopping centres – wherever they are a menace and do not belong, they can also shoot seagulls as a public health and safety measure in Northern Ireland – except on Sundays it seems on the Licence. In case any of you don't believe this, we have downloaded and attached a copy of the Northern Ireland Licence for you to read. Can any of you say why Northern Ireland allows people to protect themselves and their children from these large, dangerous, vicious birds and our government doesn't allow our families here to do likewise? Can any of you explain – in an all-island kind of way – why a clearly very different – and correct standard of public health and safety is being applied in Northern Ireland but not here? This is a direct question to you our public representatives and to whoever is supposed to be in charge of this. Having seen the situation in Northern Ireland, we then did googles for England, Scotland and Wales – and lo and behold, they also let you just download a licence that lets you protect your family. Not only that, in umpteen towns and cities all over the UK countries – guess what? – their local Councils provide a free service whereby they hire contract companies to remove seagulls nests from housing estates, schools and hospitals and shopping centres!!! We have attached a published report from Edinburgh City Council that we also found on Google – if any of you doubt what we are saying, please read it for yourselves, it includes an analysis of how the issue is handled across the whole UK. And all of these protections in our neighbouring countries have been done for years for public health and safety protection within the EU Law. In fact, this year in England it looks like they have made a new policy for dealing urban seagull problems – with even stronger “overriding priority to protect public health and safety” and have set “no limits” on controls on urban seagulls – if you don't believe us, you can see all of this official information on the DEFRA and Natural England websites.

Having been terrified by what almost happened to our little baby, and having seen for ourselves at first-hand that every other country around us not only recognises that seagulls in urban areas are a menace, but have been actively managing and controlling these problems – you might understand our anger that we are not allowed to protect ourselves and our children in our own homes and in our schools, and neither do our public services protect us. Does Dublin City Council not have a legal obligation to protect public health and safety? Add further to that that Dublin City Council has clearly known all about this problem since at least 2017. How DARE you all turn a blind eye to this? Is that what it is going to take – a disfiguring or maiming injury to a child before you all wake up to this problem and do your jobs for God's sake? On RTE news about a month ago they covered a story about rat infestations in Dublin flat complexes. Has Dublin City Council taken action to protect those people on public health and safety grounds?

So when we calmed down a little bit we googled this dominant European law that is supposed to be stopping Irish people from protecting ourselves from this menace, but apparently lets everyone else in the UK and the rest of Europe (except us) protect themselves. The “Birds Directive” states very clearly in Paragraph 9, section 1, sub-section a) “in the interests of public health and safety” that all member states can control all species of wild birds; reading all of the text, controls are allowed even when the conservation status of a species is not good – once it is a public health and safety issue that is causing the problem. Not only that – the public health and safety clause in the EU law is the highest priority (a) i.e. even higher than (b) over aeroplanes’ flight paths, (c) farming crops and (d) other species of animals or birds. If anyone plans to quote “UK Brexit” back at us in a reply to this email regarding the UK, you needn’t bother, can take a run and jump - the UK countries have been working on this problem for years going back to the 2000s as members of the EU. Apparently this problem started when the landfill dumps were closed and thousands of seagulls that were sustained by human food waste had to move into towns and cities, and we in Ireland are coming late to this problem because we were allowed by the EU to delay closing our landfills because we had no other means of disposing our waste. Apparently the French and the Dutch are also dealing with this same seagull problem - the Google translate system is awkward to use – but there are loads of examples. So please don’t bother quoting the EU law back to us, that is a nonsensical excuse and there is no law that would require people to just live with a bloody rampant, dangerous pest species that attacks people for food – a description which of course does not apply to the seagulls who live where they are supposed to live – at sea. Google says that seagulls have camouflage colouring that conceals them well in their sea habitat, they have a gland at the top of their beaks that lets them convert sea-water to fresh water for drinking purposes, their communication sounds are designed to be heard over long distances in stormy sea conditions, and of course they have webbed feet. Also their digestive systems are adapted to cater for swallowing and digesting whole prey, bones and all. Would anyone mind telling me which of these multi-million-year species adaptations are in any way relevant to aggressive foraging from human baby in an enclosed back garden in Marino, or a in a school full of children, or in the Mater or Beaumont Hospitals where they are also plagued by seagulls? Are we dealing with the wild bird version of “bring back the wolves” and let them roam free to do whatever they like wherever they like? Because that’s what it looks and feels like!

While our anger and fright were fading just a little as we worked on this email, we saw an online article recently reporting that three men were prosecuted for shooting seagulls in Wexford. Well let us tell you this here and now, that if we could have shot that seagull that tried to land itself onto the tray table of our baby’s chair, we would have done so without hesitation. If we could have given it a belt of the garden rake if we got near enough to it, we would have done so without hesitation. Are you telling us we would have been committing a crime by protecting an infant from an aggressive wild animal!!!? Would any of you like to try and explain to us why vicious seagulls in a place they clearly do not belong are entitled to threaten harmless human infants, and we as adults are legally prohibited – under threat of prosecution - from protecting our children? The situation you are presiding over regarding seagulls in urban settings is nothing short of idiotic and is clearly out of control – you are welcome to come out to our house and try to justify it!!

We have every intention of handing this email into the Taoiseach’s office for his attention and to ask him to set up an investigation into this whole debacle since 2017 – Council debates, Departmental Reviews, Special Committees and zero action while people are being attacked and seriously injured. And soon thereafter we are copying this email to every TD and to every Senator and every Councillor in Dublin, and after that we are giving this email to each of the major newspapers for them to ask all of the same questions again - unless we get full and proper answers from whoever is supposed to be in charge and responsible for addressing this issue. We are afraid to have our little baby out in our own back garden – whom of you is saying to us that we have to live with this situation?

In conclusion, we are asking each of our TDs to represent us on this matter by putting down questions in the Dáil when it come back from holidays and demanding full and truthful answers about this problem. Likewise we are asking our Councillors to do exactly the same in Dublin City Council until a proper solution is put forward for this problem. And we are also asking our MEPS to disabuse any of our Ministers, TDs and Councillors who make or agree with the ridiculous claim that the EU Law requires our people to put up with “infestations of a pest seagull species” – unlike every other country in Europe.

Yours sincerely

A solid black rectangular redaction box covering the signature area.

Smaoinigh ar an timpeallacht sula ndéanann tú an ríomhphost seo a phriontáil. Please consider the Environment before printing this mail.