**Consultative Committee to undertake a review of the issues surrounding the impact of gulls in urban areas**

**90 North King Street, 25 November 2019**

**Meeting 3**

**Minutes**

**Attendees:**

Dr. Derek McLoughlin (Chairman) (Chair)

Tom Cardiff (Balbriggan Community Committee) (BCC)

Gerry Coffey (Balbriggan Community Committee) (BCC)

Oonagh Duggan (Birdwatch Ireland) (BWI)

John Daly (Fingal County Council) (FCC)

Dr. David Tierney (National Parks and Wildlife Service, (NPWS)

Department of Culture, Heritage and

The Gaeltacht)

Gerry Leckey (National Parks and Wildlife Service, (NPWS)

Department of Culture, Heritage and

The Gaeltacht)

Roy Thompson (National Parks and Wildlife Service, (NPWS)

Department of Culture, Heritage and

The Gaeltacht)

Joe McMahon (National Parks and Wildlife Service, (NPWS)

(Secretary) Department of Culture, Heritage and

The Gaeltacht)

**Apologies:**

Dr. Steve Newton (Birdwatch Ireland) (BWI)

Dr. Hans Visser (Fingal County Council) (FCC)

**Presenters:**

Dr. Gary Goggins (GG) – National University of Ireland (Galway)

**Approval of Minutes from CC1 and CC2 & Matters Arising**

The Chair stated that draft Minutes for CC1 and CC2 had been circulated and any comments received would be reviewed by him and final version re-circulated. NPWS clarified an incorrectly interpreted statement relating to CC1 and the Application Assessment for a Section 42 licence: they stated that each application is looked at on a case by case basis and a site visit, and on the merits of each individual application where the operatives or occupants can’t be present and the applicants state this in their applications.

The style of Minutes was discussed and with the exception of BCC other members preferred a short and succinct style with factual statements and views of members recorded.

***Action – Draft Meeting Minutes to be circulated within 10 days of meeting***

**The use of participatory approaches for addressing human-environment concerns (Dr Gary Goggins, Environmental Sociologist, NUIG)**

The Chair introduced Dr. Goggins, and stated that he had input into the Report of the

Review of the Derogation Process under Article 9 of the EU Birds Directive. Dr. Goggins gave his presentation (copy circulated to Committee Members) and he recommended that a Public Health Expert and Legal Expert be invited to attend as well as representatives from other areas like Waterford and Galway where there have been concerns raised over the Urban Gull population. He also stated that he can see progress has been made since the publication of the Report of the Review in relation to the current dialogue that is ongoing and the setting up of the Committee.

In the Questions and Answers Section following the presentation, a number of observations were made namely:

* Are there examples of how this approach has worked for other projects? Concerns that media only interested in sensationalist aspects of the issue and don’t present information in fair and accurate way. Information campaigns must have factual information. Derogations should have science based criteria and all other alternatives looked at.- (BWI)
* Needs to be interaction between policy (DCHG) and operational bodies (FCC) and a fast track approach to extreme ends of the problem like Control measures used in UK and Northern Europe which are not been used in Ireland. Lack of competency and reasoning for why NPWS issues licences issued for public health and safety ground, should be HSE/HSPC, and that other Departments and Agencies written to have stated in the past that this is a DCHG issue not theirs (e.g. Dept. of Housing, Department of Health) – (BCC)
* Licences and Derogations issues have to be within the current legislative framework (NPWS)
* Lots of legacy issues around the Derogation and Licensing process and one of purposes of Committee is to create a long term transparent proposal for these (Chair)

***Action – NPWS to invite individual with knowledge of case law to make a presentation at next meeting***

**Member presentations on short, medium and long term approach**

The Chair invited each committee group (BCC, BWI, FCC, NPWS) to make a presentation and that GG would use the model he had outlined in his presentation to create a table of Solutions & Gaps for each group and that this table would be circulated to the Consultative Committee after the meeting. All of the key points made in each members’ presentation was captured in this table.

**BCC** outlined the main issues they perceived in their slideshow presentation under four broad topics of policy, services, communication and law. They see gaps in policy leadership and inadequate alignment with EU law and policy and suggested the potential for a ‘Class’ licence similar to the UK. They highlighted importance of clear communication amongst all parties. They referenced Ass. Prof. Barry McMahon from CC2 meeting presentation regarding One Health Policy and the deficiency in Irish policy versus other EU Member States application of Derogation process and nest disturbance in high density areas. They also raised the issue around schools in the area and damage being caused to them by nesting gulls and also that children were not allowed to eat lunches outside due to foraging gulls. They also requested if a figure could be ascertained for the number of Breeding Gulls in the early 2000s versus current estimate that perhaps Peter Rock might know this.

***Action – BCC ask Chair to invite Dr. Dearbhaile Morris from the AREST Project to make presentation at next meeting***

**NPWS** outlined their approach and among the items discussed were:

* Public education programmes around gulls issues and no one quick fix (nest removal, littering)
* A full survey of gull movement pattern in North Dublin was not available
* Multi-annual control management services like in the UK, it was unclear if they were unsuccessful or if they just moved on the problem to another area
* Large data gap for Urban Gulls in Ireland and UK and proposed survey to take place in 2020
* Problem has to be quantifiable and pass through the Article 9 process based on solid blocks of facts

FCC commented that noise and annoyance from gulls as well as other environmental noise issues have a knock on effect for other health issues.

**BWI** indicated the lack of time and non-presence of their scientific representative to submit their input. Among the points they raised:

* Disappointed that blanket derogation is for one specific area and lack of public consultation on this decision.
* Rule of EU Law is that “no other satisfactory solutions” must be ruled out before a derogation comes in to place and they believe this is not the current case.
* Fears derogation may be used on other species based on precedent for Herring Gulls which is red listed species
* Suggest public consultation process which would involve a team going door to door and asking individuals views, public education programme which could include nest cams, work with schools
* Conservation plan for the species

Dr. Hans Visser (**FCC**) had submitted a paper and the Chair read it out for the record.

Following the presentation BCC stated they had done their own research work and that the communities they represented had been waiting many years for a coordinated policy approach and programme and that Ireland should use models used in other countries, for example, nest management service. BWI asked had this worked and BCC responded that it had where individuals did the work themselves but many people weren’t in a position to do this. FCC stated that the type of programme is resource heavy and that they don’t have the funding or staff to manage such a contract with a nest control company. NPWS stated that it is key to quantify the problem before any programme put in place.

The NPWS stated that in advance of 2020/2021 Derogation that the Department would take the recommendations of the Committee into consideration.

***Action – Suggestion that Peter Rock be invited to attend future meeting and make a presentation to assist with a drawing up a programme.***

**Overview of interim report**

The Chair has drafted his Interim Report of the work of the Committee based on his observations from CC1 and CC2 and guest speakers and this would be circulated by email to Committee Members following the meeting.

***Action – Circulate Interim Report following meeting with views of Committee Members to be sought. Table of Solutions and Gaps from presentation to be circulated for any further comment.***

**Any Other Business**

BCC asked what was scenario in non-derogation area for gulls nesting, NPWS replied that Section 42 licence would have to be applied for in these cases and no work could be done until licence application processed.

NPWS stated that the Consultation process for the 2020/2021 Derogation would be advertised shortly.

Provisional dates for next meetings 4 February 2020 and 7 April 2020.