

## 2014 Annual Wildfowling conference

### Working together - Richard Ali BASC chief executive

Richard outlined the process by which regulation is determined and how each government and its subordinate departments determine their policies which are usually generated as a result of public opinion or representing organisations expressing dissatisfaction with an existing situation. Agendas are set which require input from many stakeholders and policy tools selected e.g. whether to use self regulation, new laws etc. The policy is then implemented and the final stage is evaluating the effectiveness of the policy.

Dealing with various "interest" groups each with differing aims and aspirations often results in compromises, together with a failure to adequately evaluate policies has often led to policies that failed to achieve the desired outcome.

Richard stressed that it is vital to be involved at every stage of the policy development and work with all stakeholders if we are to have a positive influence on the outcome. BASC are doing this through engaging with politicians, civil servants, statutory agencies such as Natural England (NE) and NGO's like the RSPB and National Trust. By working with FACE at European levels. Providing education on the benefits of wildfowling and sponsoring research.

When questioned whether BASC could persuade NE to take a more realistic view on the word "likely" to reduce usage of the precautionary principle when considering consents. Richard replied that the regulators code due out this year is designed to remove subjective wording when drafting acts, guidance and documents to avoid expensive and unnecessary litigation. BASC will be working with all agencies that are covered by the code to use it and will be endeavouring to see it extended to police licensing units which are not currently covered by it.

### Marine Protected Area – Nigel Gooding head of marine biodiversity for DEFRA

Nigel stated that DEFRA launched a 3 month consultation in December 2012 on proposals to designate 31 marine conservation zones. He stressed that it was important to engage with all interested parties in the process. So far 27 had been agreed for England with the decision on another at Hythe bay to be completed this year (Scotland has a possible 33 sites). These are the first of what is expected to be 3 parts process, with part 2 complete and designated by the end of 2015 and part 3 by 2016. These areas will form a network of marine protection areas. There is still some negotiation to determine whether inshore areas would be better served by a SSSI designation. As with Special Areas of Conservation (SAC's) and Special Protection Areas (SPA's), legislation will place a clear responsibility on regulators for

site protection. That will mean that activities in these areas will be controlled according to the risk posed by the activity. Whilst wildfowling already takes place mostly under consents it was felt that the current management arrangements would probably be appropriate for MCZ's. However activities such as trampling could potentially damage features of the area, assessments would be on a site by site basis and might include designated footpaths.

Nigel confirmed when asked that there needed to be a balance between socio-economic and ecological concerns and that the evidence based approach was still valid, he also reassured delegates that the impact of MCZ's on wildfowling were expected to be minimal.

For the KWCA the whole of the Medway estuary forms one of these areas, these proposed areas can be viewed on an interactive map on the JNCC website (<http://jncc.defra.gov.uk/page-5201>).

#### Hunting and Protection of Waterfowl under AEWA – Dr John Harradine

This session discussed the requirements of the African-Eurasian Waterbird Agreement signed up to by the UK and 70 other countries, a legally binding agreement for each of the signatories to maintain and improve the conservation status of 255 waterbird species. It defines the necessary actions to control activities that impact on these species including sustainable harvesting (hunting)

It has 3 fundamental principles:-

1. To maintain or improve the conservation status of migratory waterbirds.
2. Secondly to apply an action plan to meet the above
3. To apply the precautionary principle

Dr Harradine explained how each species is categorised in columns in the AEWA table 1 as either A - protected, B – regulated taking or C – no special measures. These are reviewed by the AEWA technical committee every 3-4 years.

The technical committee comprises of representatives from nine agreement regions, we are represented by FACE and Dr Harradine is invited as a technical expert.

Dr John Harradine was asked whether there was any process in the pipeline for requiring bag returns throughout Europe. He replied the UK is one of the few countries that do not currently have a comprehensive bag return system. He also explained that we are endeavouring to show that a voluntary system would be effective and that a mandatory system would not be required.

### Hunting disturbance on waterfowl – Kathleen Vanhuysse

Kathleen discussed the impact of disturbance caused by human activities including hunting on waterfowl. It looked at controlled studies where shooting and refuges were managed to determine the effects on bird behavioural responses and dispersal patterns. These studies showed that the effects were dependant on environmental conditions e.g. food availability and weather. These became more pertinent during the reproduction cycle

She highlighted that disturbance was relevant to nature conservation but only if it had a negative effect on population dynamics.

The observations made were that whilst hunting is a key disturbance factor, by careful management of shooting areas, refuges and shooting regimes it would not be a major cause of disturbance. Something the KWCA already does.

Kathleen concluded that controlled hunting does not have an adverse impact whereas other disturbance factors such as water sports are seldom considered and pointed out that these often take place during the critical phases such as breeding seasons.

When asked if birds of prey were considered in the studies Kathleen responded that it was focussed on human disturbance, she also acknowledged that wildfowling in Belgium is only allowed during daylight hours which is different to the UK where birds are generally moving from one area to another during morning and evening flights and are better able to settle during the day.

### Wintering birds and disturbance – how does wildfowling compare with walking on the beach Catherine Callop (Ph.D. student at Bournemouth University)

Catherine is being part funded by BASC into her research on bird disturbance and developing a computer model to run simulations on the potential effect of human activities. Collecting data in Poole harbour she demonstrated that birds make a trade-off between feeding and minimising predation risk and that there were variations in response to disturbance between species. The presentation was used to describe how the disturbance could impact on wintering populations, why this was not always the case and to compare the effects of different disturbance types. Wildfowlers are aware that gunshots cause disturbance, but its impact is not continuous as is a person walking in close proximity.

### Natural England's Review of Consents – Sue Beale Regulation Senior Specialist NE

Under an amendment in August 2012 to the Conservation of Habitat & Species regulations 2010, Natural England (NE) must review all consents given on SSSI's that has subsequently given a European designation. This will mean that all consents given since 1981 will be reviewed.

The scale of the review will be over 320 designated European sites containing 880 SSSI's with approximately 11000 owner/occupiers. Performed in two stages the first will be looking at current files and undertaking a basic assessment. This will be to compile an accurate register of consents which are currently live, identify the number which present a risk and identify the resources required for stage two. It was confirmed that there would be an appeals procedure at the end of stage two.

- ✚ Asked about the previous concerns regarding consistency within NE, Sue Beale replied that the same assessment tools would be use throughout the country and a 10% sample will be audited to ensure a consistent approach.
- ✚ Wildfowlers raising concerns regarding consents and the impacts caused by 3<sup>rd</sup> parties were told that consents were issued to landholders and NE did not have the authority to deal with 3<sup>rd</sup> parties.
- ✚ Sue Beale confirmed that it was not the intention to curtail wildfowling which had historically had few instances of negative impact. The review would be evidence led but only where that evidence was available
- ✚ When asked if it was seen as part of NE's remit to work with other agencies to manage disturbances Sue explained that it was not but that all government bodies were covered by:-

S 28G Public Body Duty: -Take reasonable steps consistent with the proper exercise of their function to further the conservation and enhancement of SSSI's

### Transatlantic Wildfowling – Kevin Wilcox of Tidepool

Kevin begins with a brief outline of his wildfowling background and how he became interested in American wildfowling methods and equipment. Via the internet he made contact with clubs in the USA and by winning a raffle made his first trip to shoot on the Mississippi in three different states. His talk briefly touches on the US

Federal and State Permit Systems, bag limits, legal shooting time and how they enforce the laws. Finally, how he was able to organise (for the cost of an airline ticket) a trip with a member of the New Jersey Waterfowlers Club, where they shot on the River Tay in Scotland, in exchange for a week wildfowling in New Jersey

### The MMO who are they and what do they do – Russel Gadbury Marine planning manager

Set up as part of the Marine and Coastal Access Act 2009 the main functions of the Marine Management Organisation (MMO) is to manage:-

- + Marine Licensing,
- + Marine planning,
- + Sustainable Development in England's seas
- + Fisheries Management
- + Marine protected area management

The MMO implements policies from DEFRA, Department of Transport, Department for Energy & Climate Change and the department for communities & Local Government.

**Marine licensing** is only required for activities that remove or deposit a substance or object in the UK marine area. **Marine planning** ensures that any plans are consistent, transparent and add value, consider environmental and economic effects involving all stakeholders. **Fisheries management** involves UK fishing fleet capacity and fishing quotas

The East Inshore and East Offshore areas were the first areas in England to be selected for marine planning. The East Inshore area includes a coastline that stretches from Flamborough Head to Felixstowe. MMO officially began the planning process on 1 April 2011. The East Inshore and East Offshore Marine Plans provide guidance for sustainable development in English waters. Marine plans will inform and guide decisions on development in marine and coastal areas, while conserving and enhancing the environment and recognising leisure uses.

Russell inform the conference that MMO's remit runs to the high water mark but that he saw very little impact on wildfowling

*Questions on general matters.*

*Questions were raised regarding the consultation NE has issued regarding the general license. The chairman explained that these have to go through the proper consultation process and urged all members to respond individually. How to do this is on the BASC website*

*Concerns arising from the lack of information from BASC regarding the progress Lead Ammunition Group review. The chairman informed the conference that as BASC does not have a seat on the group and it would not be proper to discuss what may be rumours and supposition. Further to that individuals who may be part of the group would have to abide by confidentiality agreements and until such time as the review is made public BASC would not be making any comments*