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## Seagulls – trends, legal protection and living with Wales' gull population

### August 2015

Despite the iconic status of gulls as a well-known part of the seaside in Wales, public opinion is divided about their behaviour. Although generally marine-based birds, many gulls also live inland for at least part of the year and often roost in flocks, increasing their contact with human populations. There has been considerable coverage concerning the perceived threats which seagulls pose Wales' communities, including fear of attack towards humans and animals, and other nuisance.

#### SPECIES OF GULL

- There is no such thing as a "seagull". Eleven species can be found in Wales; *the Black Headed, Common, Great Black-backed, Glaucous, Herring, Kittewake, Iceland, Little, Mediterranean, Lesser Black-backed and Yellow-legged Gull*.
- Of the British species, three in particular have taken well to nesting in urban environments; Herring Gulls, Great Black-backed Gulls and Lesser Black-backed Gulls.
- Gull species benefit in a range of ways by living and breeding in urban environments. For example there are fewer predators, and a constant, abundant food source.

#### TREND OF DECLINING GULL NUMBERS

- Studies have claimed a quadrupling of the urban-based gull population in recent years.
- However, it should be noted that in general **gulls have suffered from significant population declines in recent times**.
- The UK Government confirmed in 2010 that "*UK breeding populations of herring gulls have declined by 69 per cent since 1969 and winter populations have declined by more than 50 per cent*"<sup>1</sup>.
- Additionally, the RSPB has noted that, between surveys in 1983/84 and 2004/05, a fall in herring gull numbers between 53% and 60% has been observed<sup>2</sup>.

#### LEGAL PROTECTION – WILDLIFE & COUNTRYSIDE ACT 1981

- All wild birds in Wales, as in England, are protected under the Wildlife and

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<sup>1</sup> Hansard, 9 February 2010 – comments from the then Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs, Dan Norris MP

<sup>2</sup> RSPB – "The State of the UK's Birds 2013"

Countryside Act 1981, as amended.

- It is an offence to: kill, injure or take any wild bird; to intentionally take, damage or destroy the nest of any wild bird that is in use or being built; and to take or destroy and egg of any wild bird.
- Under the Act, it is possible to take action against some species of gull using an appropriate licence issued by Natural Resources Wales. Any action must follow conditions specified on each licence. Notably, in Wales, the herring gull and the lesser black backed gull are subject to greater protection as they as they cannot be killed or taken under a general licence. In England, such protection only exists for herring gulls.
- Conditions for licensed control include: to preserve public health; air safety; to prevent serious damage to agriculture; or to protect other wild birds. However, it remains illegal to do anything that will cause suffering to birds. If breeding is taking place, and there is a risk to public health or safety, then it may also be possible remove birds under licence.
- RSPCA Cymru has long championed the consolidation of wildlife legislation in Wales; ensuring it becomes more accessible and understood by enforcement agencies and the general public. Sadly, the RSPCA does receive calls about gulls which have been persecuted and the victim of abusive attacks<sup>3</sup>.

## LETHAL CONTROL OF GULL POPULATIONS

- When debating nuisance behaviours attributed to gulls, lethal control is often debated.
- The RSPCA is opposed, in principle, to killing or taking wildlife. In circumstances where there is a proven case for controlling wild animals, we advocate the use of non-harmful methods of deterrence where possible.
- RSPCA Cymru recognises the need to deal with dangerous situations. However, from an animal welfare perspective, this must be sufficiently well controlled. We believe the present controls should remain in place and **oppose the removal of any species of gull from the protected species list in Wales.**
- RSPCA would always favour non-lethal solutions to controlling gull populations, and only if there is a serious problem and non-lethal means are ineffective or impractical should killing be contemplated. Indeed, unwanted behaviours in gulls have natural explanations and can be managed with a little care and understanding.

## LOCAL GOVERNMENT ACTION

- Should the Welsh Government deem it necessary to issue guidance to Local Authorities on the management of gulls, we would urge an emphasis on the role of non-lethal solutions, and for Councils to promote to the general public steps they can take to live in harmony with gulls.
- Local Authorities in Wales are well-placed to work the Welsh Government and other agencies in ensuring people understand that unwanted gull behaviours can often be managed by positive changes in human behaviour.
- Brighton & Hove City Council has noted that *"a change in human behaviour would be more likely to have an impact on bird numbers, than most direct control methods.*

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<sup>3</sup> RSPCA Press Release – Give gulls a break this summer, 14 May 2014

*Changes in commercial refuse storage and collection could have a significant impact on the town centre populations particularly.<sup>4</sup>*

- The RSPCA has produced an educational sheet, "[Living With ... Gulls](#)", which includes information on how people can deter gulls from rooting through household rubbish, from nesting on rooftops and other perceived nuisances.

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<sup>4</sup> The Brighton & Hove Local Biodiversity Action Plan (2012)