

[REDACTED]

**Do you agree that common pheasant and red-legged partridge should be added to Part 1 of Schedule 9 of the Wildlife and Countryside Act 1981 in Wales?**

**This change would mean that releasing those species in Wales would need to be carried out under licence. Please give reasons for your views. - Adding to Schedule 9**

Yes, the [REDACTED] firmly agrees that common pheasant and red-legged partridge should be added to Part 1 of Schedule 9 of the Wildlife and Countryside Act 1981 in Wales.

The [REDACTED] is opposed to the shooting of birds for 'sport' or their intensive production and release for such activities, but understands that this consultation is not considering a ban on shooting.

In that context, this is the logical and appropriate mechanism by which to ensure the release of non-native birds is regulated for the protection of the environment and is the mechanism already used in England in relation to protected sites.

There is clear evidence of negative effects on the environment and biodiversity of game bird release, particularly with heavy release densities. We believe that this issue is critical for the whole of Wales, not just protected sites, especially as habitats and species of principal importance to biodiversity are present across the country.

The current system of self-regulation by the shooting industry has not demonstrated meaningful improvements by the shooting industry or lessening of the negative impact game bird releases have on the natural environment including biodiversity. Compliance with voluntary guidance remains low, demonstrating the need for statutory regulation accompanied by effective requirements for reporting, and methods of enforcement for non-compliance. Therefore in our view, this means that continuing to rely upon self-regulation would be insufficient for Welsh Government and NRW to meet the obligations set out under the Environment (Wales) Act 2016 in maintaining and enhancing biodiversity. Only statutory regulations in conjunction with appropriate reporting and enforcement measures will be consistent with current environmental commitments.

**If these species are added to Schedule 9, please give us your views on whether our proposed licensing approach would be effective and proportionate? - Views on proposed licensing approach**

We believe current proposals would be effective to a degree, but improvements must be made to maximise the effectiveness of the proposals as well as aid NRW's ability to conduct future reviews.

**General licenses and reporting requirements**

Significantly, the current proposal for a general license in most instances will limit the ability of NRW to fully understand and limit the environmental impact of releasing gamebirds en masse.

[REDACTED] would recommend that specific licenses be required for all releases to aid enforcement and reporting. If specific licenses are rejected for areas away from protected sites, we believe NRW should reconsider 'class' licenses as an alternative.

As per Annex 1, we understand that class licenses were considered and rejected as an alternative to specific licenses for areas close to and within protected sites. It is unclear however, whether class licenses were considered as an alternative to general licenses which [REDACTED] believes lacks the reporting or enforcement capabilities necessary.

There is insufficient information on how the conditions of general licences will be monitored and enforced, particularly considering the apparent lack of obligation to report information on releases to NRW. Due to the nature of general licences, and poor compliance with the existing voluntary guidance on which they would be based, we have significant concerns as to the level of compliance with the proposed system that can be expected.

NRW acknowledges that compliance with the existing industry guidance, the Code of Good Shooting Practice, is limited. Madden also notes that “I could find or derive no data specific to Wales that indicated levels of voluntary compliance at any particular shoot location. Relying on data from English shoots, it appears that <15% of pens are stocked at densities below the maximum numbers recommended by the Code of Good Shooting Practice, produced and endorsed by all the main organisations involved in gamebird shooting.” NRW also acknowledges that there is already limited compliance with statutory obligations such as that to record data with the APHA poultry register.

Evidence reports 680 & 681 also make it clear that there is a distinct lack of evidence on the scale of releases and how birds are managed post release.

Bearing this in mind, it seems likely that compliance with a general license, and the ability of NRW to understand the impact of the measures and undertake future reviews, will also be limited unless reporting obligations and enforcement are both improved beyond current proposals.

In the absence of specific or class licenses for releases away from protected sites, a minimum requirement to report the location and size of releases should be introduced.

#### Release away from protected sites

[REDACTED] believes it is necessary to broaden the scope of sensitive sites which would require specific licenses accompanied by buffer zones. Specifically, we believe that Ancient Semi Natural Woodland (ASNW) should be included due to their particular sensitivity to damage from game bird release.

NRW itself estimates that only around 9% of the mapped ancient woodland in Wales falls within an SSSI. Many ASNW are small areas that may be particularly susceptible to damage from large shoots releasing game birds in or close to them, while Annex 3 highlights that the GWCT guidance on which general licences would be based may be insufficient to protect these sites even when it is followed.

This coupled with the already highlighted limited level of compliance with industry guidelines risks these environmentally vulnerable areas if they are left under general license conditions. We believe these risks necessitate a move away from the light touch licensing system proposed towards a specific license for areas of ASNW.

#### Review period

[REDACTED] supports the proposal to review the effectiveness of the overall regulatory approach after a defined period. However, we believe that this should take place sooner than the five years proposed. As outlined earlier, we are concerned that a lack of reporting requirements for all releases coupled with effective monitoring will make it difficult to understand whether the measures are being followed and to what extent they are effective in reducing the environmental impact of

releases. The situation should therefore be kept under closer review, with a review of the overall approach taking place after two years.

#### Buffer zones

Measures to limit the release of game birds near to protected sites by requiring specific licenses are welcome. [REDACTED] however believes that the proposed buffer zones should be extended to 1km.

In Annex 2, it is acknowledged that 'there are no actual studies of the effects of gamebirds at or beyond 500 m from the release site'. Meanwhile, a Madden and Sage review cites research in which a significant proportion of birds dispersed beyond 500m, with smaller proportions dispersing beyond 1km. Similarly, a study conducted by Turner in 2007 and cited in Annex 2, found that the mean maximum distance pheasants wander from their release site was around 913m (+- 82m), significantly beyond the currently proposed 500m buffer zone but within our suggested 1km zone.

Given the acknowledged damage releases have on the environment and biodiversity, we believe that a 1km buffer zone would be more appropriate to prevent damage to vulnerable sites such as SSSIs. It cannot be said that the currently proposed buffer zones will do enough to ensure that releases do not cause deterioration or significant disturbance. This does not reflect the precautionary approach required.

NRW acknowledges that current estate management practices could "intentionally, or unintentionally, encourage birds to move into sensitive areas", something recognised by GWCT, particularly on larger shoots. This may therefore exacerbate risks in some areas of birds released exceeding the 500m buffer zone proposed and stray into sensitive areas in damaging numbers. The need therefore for limitations on game bird release within roaming range of environmentally vulnerable sites is clear. Given the limited evidence available and the need for a precautionary approach to limit damage to vulnerable areas, it is justified to increase the buffer zone around vulnerable environments such as SSSIs from the currently proposed 500m to 1km to prevent the significant numbers of birds ranging beyond 500m from causing damage.

In Evidence Report 680: Patterns of Gamebird Release, Management and Shooting in Wales, Madden calculated that almost half of shoots releasing game birds operate within 1000m of SSSIs. We believe that the risk of game birds straying on to sensitive areas after release is therefore high in Wales.

#### Avian influenza

Additionally, the ongoing threat of avian influenza must be considered, which NRW has not focussed on in this consultation. Natural England recently recognised the threat posed by the release of game birds to the spread of avian influenza by introducing a requirement for individual licenses for release within 500m buffer zones around special protection areas (SPAs) and special areas of conservation (SACs). [REDACTED] would urge NRW to similarly consider the risks of avian influenza posed by game bird releases when making licensing decisions.

**We have based the proposed general licence conditions for pheasant release on the recommendations in the GWCT guidelines for sustainable gamebird releasing. However, the guidelines do not include specific density thresholds for red-legged partridge and there appears to be less evidence on which to base conditions relating to partridge. We have used what evidence is available, and expert opinion, to propose conditions for partridge releases. These are either based**

**on a density threshold linked to the area of cover crop provided, or on density per hectare of release pen (as with pheasants), depending on how the birds are released. We would welcome views on whether these proposals are appropriate and workable and whether they could they be improved. - Views on conditions for partridge release**

The Game and Wildlife Conservation Trust should be recognised as a pro-shooting organisation and as such, their guidelines should not be regarded as impartial basis for setting appropriate thresholds for release.

As Annex 3 recognises, even stocking densities within the recommendations of the guidelines can have negative impacts. In particular, it notes that specialists 'considered that even releases within recommended stocking densities may still have a negative effect' on lichens. ██████████ would therefore further urge caution in accepting the GWCT guidelines as workable for environmental and biodiversity protection.

In relation to partridges, given the potential negative impact of releases on the environment and biodiversity, and the acknowledgement that there is more limited available evidence to inform density thresholds, a more precautionary approach should be taken than the one proposed.

**The GWCT guidelines include a recommendation that no more than one third of woodland with game interest should be used for release pens. This is to ensure sufficient woodland remains that can benefit from habitat management activities. We would like to include this recommendation in our proposed general licence. However, we would prefer to be able to define what can be included in the calculation. Do you have suggestions for how this might be achieved? - View on including a limit on woodland used for pens**

We question whether the GWCT guidelines should be relied upon in determining the maximum proportion of woodland area permitted to be used for release pens. We are uncertain what evidence has been used in reaching the 'one third' recommendation, which is particularly important where the guidelines relied upon have been set by a pro-shooting organisation.

As set out earlier, ██████████ believes that ASNW should be excluded from any general licence, instead requiring specific licences.

**Location and density appear to be the main factors influencing the environmental impact of releases, but we recognise that smaller releases in less sensitive areas are likely to present reduced risks. It may be appropriate that small gamebird releases taking place away from sensitive protected sites and their buffer zones are not subject to the same general licence conditions that apply to larger releases. Do you think this is something we should consider? Please give reasons - Views on taking a lighter touch approach for small releases**

To exclude small shoots from licensing conditions would ignore the potential cumulative impact of smaller shoots, limiting the potential positive impacts of licensing. This may be especially true because negative impacts are acknowledged to take place on a landscape scale, not just in the vicinity of release sites. ██████████ believes that exempting some shoots from the licensing system will also further reduce NRW's ability to understand the scale, location and impact of release across Wales.

**Could the proposals affect opportunities for people to use the Welsh language?**

**- Welsh language considerations**

N/A

**Is there a way we can increase the use of Welsh or provide more opportunities for people to use the Welsh language? - If yes, please explain in the box below**

N/A

**Are there any aspects of the proposals that could disadvantage people in using the Welsh language? - If yes, please explain the effects and how they could be mitigated**

N/A

**Do you believe the proposals treats the Welsh language less favourably than the English language? - If yes, please explain in the box below**

N/A