

# Statutory suspension of waterfowl shooting in severe winter weather

For many species of bird, and especially for waterfowl, mid-winter can be an ecological "bottle-neck" when they have particular difficulty obtaining enough food. They face reduced prospects for survival during periods of harsh winter weather. In addition, many waterfowl will have flown to Britain to escape from even colder conditions in continental Europe. Lengthy spells of cold weather result in many birds showing changed behaviour. They become "tame" and reluctant to fly when approached in order to avoid using up their remaining energy reserves. In these circumstances, it is important to reduce any disturbance, such as that caused by waterfowl shooting, because when the birds cease feeding and fly around, they use up their limited energy reserves more quickly.

Shooting organisations co-operate closely with voluntary and statutory nature conservation organisations to minimise such disturbance. **Other sources of disturbance in cold weather, however, should also be reduced, and bird watchers, walkers, dog-walkers, horse-riders and water-based sports, in particular, should avoid disturbing groups of feeding or resting birds.**

## Waterfowl shooting

The season for waterfowl shooting inland closes on 1 February and for foreshore shooting it closes on 21 February (Section 2(4) of the Wildlife and Countryside Act 1981).

In periods of prolonged severe or particularly harsh winter weather (usually when freezing weather conditions are persistent) the relevant Secretary of State(s) have the power under Section 2(6) of the Wildlife and Countryside Act to make a Protection Order temporarily banning or suspending the shooting of waterfowl. The following guidelines have been agreed between the statutory conservation agencies, the Department of the Environment, Food and Rural Affairs (Defra), the Scottish Government, the Welsh Assembly Government and the principal non-governmental organisations involved in the monitoring and management of, cold-weather bans: Royal Society for the Protection of Birds, the Wildfowl & Wetlands Trust and the British Association for Shooting and Conservation.

## What does this ban mean for waterfowl shooters?

Once the suspension comes into force it prohibits the shooting of any bird on Schedule 2 Part 1 of the Wildlife and Countryside Act 1981; in effect it introduces a temporary close season for these birds. This applies throughout the specified country, affecting all inland and coastal waterfowl shooting.

Once severe weather fulfils previously agreed criteria and there appears to be no sign of a change BASC normally calls on waterfowl shooters to exercise voluntary restraint where appropriate. At this stage waterfowl shooters and others provide invaluable information on the conditions of birds and habitats. When several periods of severe weather occur within a short time scale, voluntary restraints play a particularly important rôle because it allows populations to recover from stress.

## Criteria for a ban

A JNCC contract with the Meteorological Office provides daily data on ground conditions at 23 meteorological stations throughout England, Scotland and Wales (Table 1). These stations are chosen broadly to reflect the weather conditions around the coast and are often close to major estuaries and centres of foreshore shooting.

**Table 1. The British network of meteorological stations used to provide ground condition data for cold weather alerting.**

<b>Scotland</b>	<b>England and Wales</b>	
<b><i>N &amp; W Scotland</i></b>	<b><i>NE England</i></b>	<b><i>SE England</i></b>
Islay (Port Ellen)	Boulmer	Herstmonceux
Tiree	Loftas	Manston
Prestwick	Bridlington	Shoeburyness
Dundrennan Laws*		Wainfleet
<b><i>N &amp; E Scotland</i></b>	<b><i>NW England/N Wales</i></b>	<b><i>SE England/S Wales</i></b>
Kinloss	Dundrennan Laws*	Aberporth
Aberdeen/Dyce	Walney Island	St. Athan (Cardiff)
Leuchars	Crosby	Camborne
Edinburgh Gogarbank	Valley	Portland
		Thorney Island

## Procedure

When more than half of these meteorological stations (in either Scotland, England and Wales, or all three countries) have recorded frozen conditions (determined from minimum air and grass temperatures) for five consecutive days, JNCC is alerted. The weather conditions are monitored more closely.

On the seventh day of frozen conditions JNCC informs the country agency co-ordinators (who inform government) and BASC, who then initiate a comparable information gathering and condition monitoring exercise through regional staff and local contacts if severe weather looks likely to continue. Once alerted, BASC writes to all its wildfowling clubs and shooting syndicates calling for voluntary restraint in waterfowl shooting in those parts of the country where necessary (and warning of the possibility of a statutory suspension if conditions persist). Such voluntary measures continue up to the point of any statutory suspension or as considered necessary in the light of prevailing conditions and information, especially on the condition of birds.

With respect to the criteria applying to the 'count-down period', short periods of thaw (one or two days with less than half stations frozen) have no effect on the triggering process, but periods of thaw of three or more days have the effect of terminating the process. Such short periods of thaw are 'neutral' in terms of counting days towards a suspension - that is they neither count nor terminate the process.

During the alert stage (day 7 onwards) regional representatives from the country agency, RSPB and BASC should liaise with one another to exchange information. They should pay particular attention not only to the foreshore and freezing of inland waters and feeding grounds, but also to the condition of birds, bird numbers and movements, appearance of unusual species, significance of wind chill and to snow cover. Information should be recorded on the separate form available to download from the JNCC website, and collated by the relevant county co-ordinator. Country co-ordinators share collated reports on bird status with JNCC and NGOs, and copy to relevant government departments for information, allowing a collective assessment of the situation prior to formal advice being provided by the country agency to the relevant government administration.

On the 13th day, if more than half the relevant meteorological stations are still frozen, a case is presented to the relevant Secretary of State(s) requesting a ban on waterfowl shooting due to the severe weather. Such bans can be instituted throughout Great Britain, or in Scotland alone, or in England and Wales dependent on the extent of the cold weather.

Once this Statutory Instrument has been signed, it comes into force at 9 am on the 15th day of severe weather.

The two intervening days are used to publicise the impending ban as widely as possible. BASC writes to all its wildfowling club secretaries, Joint Councils and game shooting syndicates, issues press releases to all newspaper, sporting magazine, radio and television editors and institutes a 24-hour telephone information service in all regions of the country. Similarly Defra and Scottish Government, as appropriate, issue press releases and place public notices of the suspension in the following newspapers:

<b>National</b>	<b>Scotland</b>	<b>Wales</b>	<b>England</b>
The Times	The Scotsman	Western Mail	The Birmingham Post
The Independent	Glasgow Herald	Western Daily Press	The Northern Echo
Daily Telegraph	Dundee Courier and Advertiser		East Anglian Times
Daily Mail	Aberdeen Press and Journal		Yorkshire Post
Sun	Dumfries and Galloway Standard		Liverpool Daily Post
	Edinburgh Gazette		The Journal
			Eastern Daily Press
			Western Morning News
			Evening Echo
			Gloucestershire Citizen
			Hull Daily Mail
			Southern Daily Echo
			Manchester Evening News

Efforts are made to have such notices included on national and regional television and radio news and weather programmes.

In accordance with Section 26(5) of the Act, the advertisement is placed in the *London Gazette*, when the Order affects England and Wales.

Shooting of waterfowl is banned for an initial period of 14 days.

Information on the condition of waterfowl should continue to be reported to the relevant county co-ordinator on the form attached in order to aid review.

The ban is examined after seven days. If the weather conditions have improved and the forecast is for a continuation of this improvement, then, in consideration with other factors, the lifting of the ban can be recommended. However, if there has been no thaw and the weather is still severe then the ban continues for the full 14 days.

Any lifting of the ban before the full 14 days will take into consideration the need for a period of recovery for waterfowl after the end of the severe weather itself. In this event, Defra or Scottish Government undertake publicity campaigns as extensively as possible to inform the shooting community of the fact.

There can be an extension of the ban beyond 14 days, through the signing of a second Statutory Instrument, if there is still severe weather and no improvement in weather conditions is forecast. The management of the second period of suspension is undertaken in the same manner as the first.

## The Regional Contact System

This system was introduced for the first time in the 1985/86 season. It consists of, in each region, representatives from the relevant country agency, RSPB and BASC. During the alert stage of the ban, and whilst a ban is in force, these three people in each region are in contact with one another to exchange information gained from their own local contacts and knowledge on general weather conditions, the conditions of the birds and movements of birds. Such information is then disseminated to each respective organisation.

The regional contact point relays this information, together with information gathered from wardens and other contacts in their region, to the relevant country co-ordinator in the country agency. The country co-ordinators collate this information from all the contact points, and use this information to decide whether to continue with a ban. JNCC will pass completed waterfowl condition forms to the county co-ordinators.

## What do country agency regional staff have to do?

In the event of a period of cold weather, regional staff do not have to worry about the possibility of a waterfowl shooting ban until contacted by their own headquarters. When the alert stage is reached, JNCC contact the country co-ordinators to inform them of the situation. They will, in turn, contact regional staff. However, during periods of prolonged severe weather, it is hoped that regional staff will collect information regarding general conditions *etc.* (see section on Regional Contact System) and feed this information back to their country co-ordinator. This enables a current picture of the developing situation across the whole of Great Britain to be given to relevant government departments or administrations. **It is most helpful if the separate form available on the JNCC website is used in making reports on both ground conditions and condition of waterbirds.**

Country agency regional staff should also make use of the time between the 13th and 15th day of severe weather to publicise the *impending* ban, especially through local media and by other means. Local publicity is vitally important and staff stressing to incoming waterfowl shooters new to the area that they must also respect it, can have a very useful impact.

Country agency staff should also keep in close contact with their colleagues in BASC, RSPB and the local police force giving advice and building rapport wherever possible.

## Further information

If you have any further queries regarding these waterfowl shooting suspensions please contact either the relevant country co-ordinator or JNCC (coldweathermonitoring@jncc.gov.uk). A review of the historical background to the current system of cold weather shooting bans was published in "**Statutory Suspension of Wildfowling in Severe Weather, Review of past winter weather and actions**" JNCC Report No. 75. This gives detailed information on the operation and efficiency of the scheme in previous winters. Copies are available from NHBS .

## Principal organisational contact points

<b>Name</b>	<b>Organisation</b>	<b>Telephone</b>	<b>e-mail</b>
Anna Robinson <sup>1</sup>	Joint Nature Conservation Committee	01733 562626	<a href="mailto:coldweathermonitoring@jncc.gov.uk">coldweathermonitoring@jncc.gov.uk</a>
Andrew Douse	Scottish Natural Heritage	01463 725000	<a href="mailto:Andy.Douse@snh.gov.uk">Andy.Douse@snh.gov.uk</a>
Matt Murphy	Countryside Council for Wales	01248 385500	<a href="mailto:m.murphy@ccw.gov.uk">m.murphy@ccw.gov.uk</a>
Ivan Lakin	Natural England	01733 455000	<a href="mailto:Ivan.Lakin@naturalengland.org.uk">Ivan.Lakin@naturalengland.org.uk</a>
John Harradine	British Association for Shooting and Conservation	01244 573016	<a href="mailto:john.harradine@basc.org.uk">john.harradine@basc.org.uk</a>
Jeff Knott	RSPB	01767 693006	<a href="mailto:Jeff.knott@rspb.org.uk">Jeff.knott@rspb.org.uk</a>
Richard Hearn	Wildfowl & Wetlands Trust	01453 891185	<a href="mailto:richard.hearn@wwt.org.uk">richard.hearn@wwt.org.uk</a>
Nigel Clark	British Trust for Ornithology	01842 750050	<a href="mailto:nigel.clark@bto.org.uk">nigel.clark@bto.org.uk</a>

<sup>1</sup>If not available, David Stroud (same contact information)