

20th September

Paper Title:	Supplementary Consideration: Review of the Use of Firearms on Land Managed by NRW
Paper Reference:	NRW B B 43.18
Paper Sponsored By:	Ceri Davies
Paper Presented By:	Chris Tucker and Michelle van-Velzen

Purpose of Paper:	Decision
Recommendation:	The Board is asked to direct on the implementation of the Minister's request that NRW ceases leasing shooting rights on the Welsh Government Woodland Estate (WGWE).

Impact: To note – all headings might not be applicable to the topic	<p>How do the proposals in this paper help NRW achieve the Well-Being of Future Generations Act principles in terms of:</p> <p>Looking at the <u>long term</u>:</p> <p>Taking an <u>integrated</u> approach:</p> <p>Involving a <u>diversity</u> of the population:</p> <p>Working in a <u>collaborative</u> way:</p> <p><u>Preventing</u> issues from occurring:</p>
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Issue

1. The Board asked the Shooting Review Team to assess the impacts and implications of implementing the request by the Minister for the Environment to consider not renewing the leasing of shooting rights on the Welsh Government Woodland Estate (WGWE). This paper assesses the implications and makes recommendations about

the way forward. The Board are asked to consider these recommendations and agree a position.

Background

2. At the [July Board meeting](#) all recommendations were agreed and the Position Statement proposed by the Review into the use of firearms on land that we manage. The Position Statement says that NRW will continue to consider the leasing of rights for pheasant shooting, wildfowling and other pursuits involving firearms on a case by case basis and subject to certain conditions including that NRW recovers costs involved in agreeing, managing and monitoring of lease.
3. At the same meeting, the Board also considered the position of the Welsh Government (WG) which was communicated via a letter from the Minister for the Environment to Clare Pillman on the 9th July. NRW were asked to consider not renewing leases for pheasant shooting or holding birds in pens on the WGWE. The Minister's letter recognised wildfowling as a form of site management but raised concerns regarding the shooting of conservation species. She asked for NRW ornithologists to investigate the impact of wildfowling on rarer bird species.
4. Notwithstanding the content of this paper, an Implementation Plan has been developed and is being actioned to ensure implementation of the position statement that was approved by the Board in July 2018. Work to date has included drafting a new Desk Instruction on the principles of ethical wildlife control, identifying a lead for an Advisory Group on lead ammunition, and tasking NRW experts to review wildfowling on sites that we manage.

Assessment

4. The Review team met with representatives of WG to seek clarification on the issues raised in the Minister's letter.
5. With respect to the paper submitted to NRW's Board in July, the WG representatives confirmed that the Minister agreed with the first two recommendations and the position on lead ammunition, but it is the rearing of birds for shooting that causes an issue and so it is in relation to the pheasant shooting element of the third recommendation that WG are asking for their position to be taken into account. It was also confirmed that the concerns about impacts of wildfowling activities upon rarer species is regarding Red or Amber listed species.
6. As requested, the impacts and implications of the Minister's position for the three existing pheasant shooting leases on the WGWE has been assessed. Whilst the terms of the leases include shooting rights currently pheasant shooting only occurs on open ground adjacent to the WGWE. The three current leases permit access for shoots to flush birds from cover with some penning and feeding of birds in woodland and some associated habitat management and predator control activities. There is currently no breeding of birds on NRW managed land.
7. All leases have been renewed on an annual basis pending the outcome of the Review and all come to an end in March 2019. NRW can choose not to renew the leases without penalty, although there will be financial implications in terms of a small loss of income and there may be a reputational risk to the organisation.

8. The small parcels of WGWE involved are part of much wider shoot areas. It is highly likely that birds reared and released on adjacent land will continue to use the woodlands managed by NRW. This is something that NRW has little control over. Shooting rights as part of a lease are a separate issue to the granting of permission to access the WGWE to help facilitate shooting activity on adjacent land not managed by NRW. Shoots will continue to request to flush pheasants from woodland cover to an adjacent shoot. As NRW has a freedom to roam access policy, shoot staff could enter the WGWE on foot for the purpose of driving birds out to the adjacent shoot land. However it would be advantageous to NRW to have some control and knowledge regarding the timing of such activity to manage our own interests in the land and so could be managed via an access permit.
9. It is understood that WG are comfortable with the idea of allowing shoot staff to walk through the WGWE to flush pheasants from woodland cover.
10. With respect to the site where there are currently three release pens, the leaseholder has said that if he does not have access to the WGWE the wider business would have to come to an end. The shoot currently supports full and part time jobs in the local area. The leaseholder may be able to locate pens and carry out the release of birds on alternative sites but there has been insufficient time to investigate this option. Termination of this lease may give rise to complaint against NRW although it is possible that a short-term extension to allow the leaseholder to make alternative arrangements might mitigate this risk.
11. Each of the three current leases allow for the control of pest species using firearms. Even if the leases were terminated, NRW would still be required to consider applications from adjacent landowners to control pest species using firearms on the basis of the position statement approved by the Board in July (recommendation 2). This is therefore not an issue that is unique to pheasant shooting.
12. In relation to wildfowling, the Minister's concern related to the potential shooting of conservation species, rather than the shooting of wildfowl *per se* as a form of species management. Clarification from the Minister that this relates to Red and Amber listed birds is helpful, but further discussions are needed with WG as it is still not clear whether her concern relates solely to direct impacts on birds that are shot, or whether it includes wider disturbance impacts. The latter would be a significant piece of work that would require allocated funding and resource. Currently, work has started to look at the populations on designated sites against bag returns over a specified time period with the aim of presenting the findings to BREB before the end of the year. At this point, the need for any further work can be assessed.

Recommendations

13. Based on the above assessment of the impacts and implications of the Minister's position, the following recommendations are made.

Recommendation 1: NRW stops the leasing of [pheasant] **shooting rights** on the WGWE (with effect from 1 March 2019 when the current leases expire). Where a current leaseholder identifies significant impact to their business or will incur costs beyond the remaining period of the lease, NRW should offer a one-year extension to the lease to

allow for adjustments to be made by the leaseholder. This means that no breeding, rearing, holding or shooting of pheasants will take place on the WGWE.

Recommendation 2: NRW to allow, through permissions, the driving of birds from the WGWE in connection with shooting activity on adjacent third-party land.

Recommendation 3: The leasing of wildfowl shooting rights will be reviewed when the potential impacts on conservation species is known (i.e. pending the work being undertaken by NRW's ornithologists on the impact of wildfowling on rare bird species (Red and Amber listed birds).

Recommendation 4: As per NRW's position statement (approved by the Board in July 2018), NRW will continue to consider applications for permission to carry out control of wild species, impacting on neighbouring land management objectives, using firearms on the land we manage.

Key Risks

Risk	Mitigation
Current leaseholders can substantiate that our decisions are detrimental to their business	<ul style="list-style-type: none">• Allow one-year extension to make adjustments to their business
Reputational risk that the decision is not evidence-based or consistent with the outcome of NRW's Review of the use of firearms.	<ul style="list-style-type: none">• Defer to the Minister's correspondence to Clare Pillman, and that fact that the WGWE is owned by Ministers on behalf of the nation. They are able to direct NRW in relation to its management.
Reputational risk that NRW is facilitating the activity of pheasant shooting by allowing birds to be driven from WGWE and allowing pest control.	<ul style="list-style-type: none">• We cannot control or manage shooting activity on third party land and are unable to prevent pheasants entering the WGWE from this land.• As per the Position Statement approved by the Board in July 2018, we will no longer actively promote commercial shooting activities.• Pest control is consistent with the Hunting Act 2004 and we are required to consider applications.

Financial Implications

14. Loss of income from the leasing of shooting rights, £4,500/annum. Cost of processing and managing permissions should be recovered through the cost of a permission.

There are substantial costs incurred in processing wildfowling leases and cost-recovery via a new charging scheme will be difficult to implement and manage.

Equality impact assessment (EqIA)

15. A screening was completed for the paper and position statement submitted to the Board in July 2018 and it was concluded that as our recommendations do not significantly alter a service that we currently provide, a full EqIA was not required.
16. As this paper relates to a small amendment to our position, a second screening exercise has not been undertaken.

Sustainable Land Management Team
21st August 2018