

Agenda Item:

Report to: Full Council

Date: Tuesday 3rd November 2020

Subject: Pest control at Kings Hill Sports Park

Summary: Following an alleged incident at the Sports Park reported by Cllr Petty, Cllrs Petty and Falzon-Thomas then requested that the Chairman call an extra-ordinary meeting to discuss pest control.

Decisions Required:

To discuss and decide on whether to continue with the pest control agreement at the Sports Park.

1. Pest Control at Kings Hill Sports Park

Kings Hill Parish Council grants shooting rights to control the rabbit and fox population at the Sports Park. The decision to do this was made in 2014 by the Sports Park Committee. The contractor is a member of the British Association for Shooting and Conservation, holds employer and employee public liability insurance cover and all documents are held by the parish council's insurer. This includes a shooting risk assessment and safe area management plan and copies of firearms certificates. The last review of these documents took place in June 2020.

2. Background

Cllr Petty rang the Deputy Clerk on Tuesday 20th October enquiring about pest control at the Sports Park as he had a message from a resident who had spoken to somebody at the Sports Park who was "shooting" on site and they were concerned.

Cllr Petty rang the Clerk on Thursday 22nd October wanting to talk about an incident at the Sports Park on Saturday 17th October and was advised by text to email the details.

On 22nd October Cllr Petty responded to a list of email questions from Cllr Falzon-Thomas regarding pest control at the Sports Park as follows:

'This has all come around because on Saturday evening at around 10.30pm, 5 youths were walking along the public footpath, when they heard shooting, whilst im aware we do use contractors to shoot rabbits, I assumed wrongfully, that they were using air rifles. Infact, they killed no rabbits, but did kill three foxes, since when did we agree to this?

If the contractor is using bullets rather than pellets, this could have the potential to kill a passer by, maybe just walking the dog!!'

Report from Pest Control Contractor

- On Saturday 17th October the contractor reports that he was leaving site and locking up by the gate to pitch 4 around 22.30-23.00. Work had already finished when they saw 3 boys and 2 girls walking from the Northpole end of the site towards the pavilion. They presumed the contractor was a member of sports park staff and enquired "where they could hang out". They all had bottles of beers in their hands and were carrying a bag of beer bottles. Not being a member of staff the contractor did not know how to reply and just advised that they should clean up after themselves.
- The contractor reports that the youths could not have observed them with any animals as they did not have any with them.
- The contractor has since reported that the local gunshop has contacted him directly to inform him that a parish councillor had been in the gun shop asking lots of questions about pest control at the Sports Park and how it works and has contacted the parish council to reassure members of his professional capability and integrity.

Police

There are no reports of an incident lodged with Kent Police.

Operational Staff

The Sports Park Management had received no reports of an incident on 17th October.

3. Previous Resolutions

Below is a history of the resolutions made in regard to pest control at the Sports Park. The original contract was agreed by the parish council in 2014. The current contractor was appointed in October 2014 by the Sports Park Committee.

Date	Officers/ operation reports	Minutes
August 2014	Rabbits continue to create holes in the pitches and they are now on Pitch 1 and 2. Janine is liaising with the pest controller to reduce the rabbit population. We will also purchase top soil and sand to fill the holes on a regular basis. In the long term, rabbit fencing will need to be considered as man power to fill the holes in can take up to 2 hours prior to play.	

September 2014	Weekly repairs are undertaken to fill in rabbit holes on the pitch. Pitch 4 is a particular problem. This takes the lads approx. 6 hours per week. Janine has obtained a quote from Coblands to ascertain likely cost of rabbit proof fencing around the whole of Pitch 4. This would be in the region of £3000-£3500. Another suggestion is to use ferrets to reduce the rabbit population.	The Operations report was circulated and discussed. The installation of rabbit proof fencing would be considered in the future to protect the grass pitches from damage.
October 2014	<u>To receive update on animal nuisance issues, discuss solutions and agree actions</u> This relates to rabbit issues. There are a couple of options being investigated including rabbit fencing and the use of ferrets to control the rabbit population.	<u>To receive update on animal nuisance issues, discuss solutions and agree actions</u> An update was given. It was RESOLVED that alternative cost effective methods would be undertaken initially and monitored. The installation of rabbit proof fencing would be considered if other methods proved unsuccessful. The following councillors were present at this meeting: Cllr Hall, Cllr Barker, Cllr Board, Cllr Cassidy, Cllr Lambotte and Cllr Steel.
November 2014	<u>KHS 14/118 Animal Nuisance Issues</u> Problems have reduced since pest control was doubled.	

4. Rabbit Proof Fencing

From 2015 onwards there was a lengthy discussion around installing rabbit proof fencing:

Date	Minute
September 2015	<u>To consider rabbit proof fencing around grass pitches and funding options and agree actions</u> It was RESOLVED that three quotes be obtained and further

	<p>research would be undertaken in relation to grant funding. Once received it will be presented to the Finance & HR Committee for approval.</p>
October 2015	<p><u>To consider the quotations for rabbit proof fencing around grass pitches and funding options and agree actions.</u> A report was received and it was AGREED that the specification for the fencing required further clarification. This would be reported at the next Sports & Leisure Committee meeting.</p>
November 2015	<p><u>To consider the specification for rabbit proof fencing around grass pitches and funding options and agree actions.</u> An update was received and discussions took place regarding advertising fencing being part of the rabbit proof fencing.</p>
	<p>It was agreed to contact hirers to ascertain their views regarding advertising fencing which could also include rabbit proof fencing.</p>
	<p>It was agreed that the company whose details were supplied by Cllr Board concerning the specification for rabbit proof fencing would be contacted.</p>
December 2015	<p><u>To consider the specification for rabbit proof fencing around grass pitches and funding options and agree actions.</u> A report was received and the final specification was agreed by RESOLUTION. Three quotations would be sought and reported at a future meeting.</p>
	<p><u>To consider sponsorship to contribute to the Rabbit Proof Fencing and agree actions.</u> It was AGREED to investigate further all funding streams once the quotations have been received.</p>
January 2016	<p><u>To receive update for rabbit proof fencing around grass pitches and agree actions</u> It was AGREED that quotations would be sought and sent to councillors for agreement by email. A report would be received at the next Sports & Leisure Committee meeting.</p>
February 2016	<p><u>To receive update for rabbit proof fencing around grass pitches and agree actions</u> Quotes were presented and reviewed. It was RESOLVED to accept the quotation from Dawes Fencing in relation to the rabbit proof fencing at the Sports Park.</p>
	<p><u>To consider funding for the Rabbit Proof Fencing and agree actions.</u> Funding was considered for the rabbit proof fencing and it was AGREED to liaise with a hirer regarding grant funding.</p>

March 2016	SL15/315 To consider funding for rabbit proof fencing around grass pitches. A hirer is trying to secure funding for the rabbit proof fencing.
April 2016	<u>SL15/315 To consider funding for rabbit proof fencing around grass pitches.</u> Representatives from the Kent FA could not attend the meeting to be held on the 9th April. A further date is to be arranged.
May 2016	SL15/315 - To consider funding for rabbit proof fencing around grass pitches. An update from a hirer trying to secure funding is awaited.
June 2016	SP16/ 15 - To receive update on Kings Hill Football Club's progress to secure funding for rabbit proof fencing and agree actions. It was agreed that this item be deferred until the Sports Park Committee meeting to be held in July.
July 2016	SP16/15 To receive update on Kings Hill Football Club's progress to secure funding for rabbit proof fencing and agree actions. No update has been received. The Sports Park Manager will liaise with Kings Hill Football Club and alternative funding streams reviewed.
September 2016	SP16/15 - To receive update on Kings Hill Football Club's (KHFC) progress to secure funding for rabbit proof fencing and agree actions It was reported that contact had been made with KHFC and there was no further update regarding alternative funding for the rabbit proof fencing. It was RESOLVED to place this item on the next KHFC agenda.
October 2016	SP16/166 To consider funding rabbit proof fencing and agree actions. It was RESOLVED to investigate grant funding options to place rabbit proof fencing on pitch 4. An update will be given at the next Sports Park Committee meeting to take place in November 2016.
	SP16/167 It was RESOLVED that the Sports Park Manager would liaise with the Kent FA regarding funding for rabbit proof fencing and report at the next Sports Park Committee meeting to be held in November 2016.
November 2016	SP16/112 - To receive update on Kings Hill Football Club's (KHFC) progress to secure funding for rabbit proof fencing and agree actions An update had been received from KHFC. A delay to the placement of rabbit proof fencing has been requested. A

	schedule for these works has been requested from KHFC.
December 2016	SP16/112 Pitch 3 Step 7 inclusion of rabbit proof fencing. Kings Hill Football Club (KHFC) have not yet received quotations for the work.
January 2017	SP16/112 Pitch 3 Step 7 inclusion of rabbit proof fencing. An update is still outstanding.
February 2017	To receive update on installing dugouts and pitch perimeter fencing to pitch 1 & 2 and consider proposal to remove rabbit proof fencing from the specification. After discussion it was RESOLVED that Kings Hill Football Club would obtain further quotations for the perimeter fence to include rabbit proof fencing. This will then be presented to the Parish Council once received.
	To receive update on Kings Hill Football Club funding proposal for the Step 7 works and agree actions. A report was received and it was RESOLVED to accept the funding proposal from Kings Hill Football Club as long as it is cost neutral to Kings Hill Parish Council subject to Landlord approval and other necessary consents.

In summary, rabbit proof fencing was originally planned for pitch 4 and Kings Hill Football Club wanted to apply for the funding as they believed they could obtain more funding than the parish council.

In December 2015 Kings Hill Football Club changed this to pitch 3.

In February 2017 Kings Hill Football Club changed this to pitches 1 and 2.

Eventually, rabbit proof fencing was installed to pitch 1 only (as part of the Kings Hill Football Club first team league regulations as stipulated by the Football Association, known as Step 7 works).

5. Existing Contractor Procedures

The contractor attends site on Saturday or Thursday evenings, weather dependent, September to November and from March until the end of May.

The contractor arrives on site and unlocks all gates to the furthest pitch (up by the top end of pitches 4 and 5 away from the public footpath areas) they then check the areas to ensure it is clear. If it is not clear they do not go ahead and leave the site.

There are two persons on site, one is on lookout throughout and the other completes the task.

The contractor uses small calibre sporting rifles; .22 LR Rimfire Rifle; .17 HMR Rifle; 243 Rifle. This contractor also works at several well-known sporting establishments within the borough.

6. Controlling rabbit populations

The control of rabbit populations is laid out in law. The parish council must obey the law to control rabbit numbers on its property or land. England (excluding the City of London and Isles of Scilly) was declared a rabbit clearance area under the Pests Act 1954.

The law states that you must control rabbits on your land in this area. If this is not possible you must stop them causing damage to adjoining crops by putting up rabbit proof fencing. If you don't take action the Secretary of State for the Environment can enforce control and prosecute if this action is not taken.

You can control rabbits using these methods:

- gas
- traps and snares
- fencing
- ferreting
- shooting¹

The most effective time for control is from November to March.

An occupier may use any legal method to kill rabbits and should ensure that he/she complies with other legislative controls on the methods of killing and taking animals, the most relevant of which are:

- Gassing - the most effective method of reducing rabbit numbers where burrows are accessible.
- Fencing - when correctly erected and maintained, wire-netting and electric fences can reduce rabbit numbers on protected areas by 85-90%.
- Shooting - the Ground Game Act 1880 gives an occupier the right to shoot rabbits on his land during the day and to authorise in writing one other person to do so. Shooting at night with a spotlight is the most effective.
- Baited cage trapping - this technique involves the live capture of wild rabbits in galvanised wire-mesh cages baited with carrot. The technique can be used throughout the year, but is most effective at catching adult rabbits.

¹ <https://www.gov.uk/guidance/rabbits-how-to-control-numbers>

- Snaring - intended for use to tether rabbits for subsequent humane despatch. Where rabbits are numerous, the use of well-placed snares can catch animals quickly and efficiently, but results are poor during dry weather and frost.
- Ferreting - most successful outside of the breeding season and has the advantage of capturing more females than males, However, the method is time consuming and, when used in isolation, is unlikely to produce effective control of rabbit infestations².

7. Controlling foxes on your land

The night shooting of foxes and ground game is necessary to ensure that damage to game, wildlife, livestock and growing crops is kept at acceptable levels. It is a safe and effective method of control. It is the responsibility of all those involved in pest control to ensure that it is carried out properly. Foxes actually cause the most damage to football pitches.

Schools, nurseries, lawns, football pitches, golf courses, bowling greens, flower beds, plants, bulbs and swimming pool covers are all subject to damage caused by foxes either digging for worms or teething, along with the risk of defecation or urination. All good reasons why foxes should be controlled³.

The British Association for Shooting and Conservation has a code of practice on shooting foxes at night(lamping)⁴.

- You must ensure that you have established safe lines of fire with backstops and that these are used.
- You must clearly identify the quarry you are about to shoot. Never shoot if you can only see a pair of eyes.
- Always use the appropriate firearm, shotgun or air weapon for the quarry species.
- It is your responsibility to ensure that you abide by the law⁵.

Rifles

In most instances, game managers will prefer the use of a centrefire rifle for fox control. However, over appropriate distances and in certain circumstances, rimfire rifles may be appropriate.

Shotguns

Shotguns with large magazine capacities (more than two cartridges) offer the user a significant advantage when dealing with large numbers of pests.

² <https://www.pitchcare.com/news-media/controlling-rabbit-populations.html>

³ <https://www.searchukpestcontrol.co.uk/urban-foxes/>

⁴ <https://www.gov.uk/guidance/foxes-moles-and-mink-how-to-protect-your-property-from-damage>

⁵ <https://basc.org.uk/codes-of-practice/night-shooting/>

Relevant authorisation to hold such firearms will be required under firearms licensing laws.

For ranges up to 30 metres, a 12 bore shotgun with a load of not less than 36 grams of large shot such as no. 1 or no. 3 is recommended as an effective alternative to a centrefire rifle for fox control.

Air rifles

Air rifles should never be used for shooting at foxes. Air rifles can be used for the night shooting of rabbits, but only at short range⁶.

8. Cost

Currently there is no cost to the parish council for this form of pest control.

9. Implications

Damage to the football pitches at the Sports Park has significantly reduced since this contract has been in place. Should the parish council decide to not continue with this form of pest control an alternative should be implemented as soon as possible. The consequence of not controlling rabbits and foxes at the Sports Park could include:-

- a. Increase in staff costs as additional hours may be required to inspect and repair pitches prior to use
- b. Increase in materials costs – to purchase soil and dressing to fill holes
- c. Possible cancellation of hire whilst pitches are repaired
- d. Reputational damage due to a deterioration of pitch quality

If a decision to investigate alternative measures is taken the parish council is minded to note that the council is facing a critical financial position, holds no general reserve and has no budget for additional costs in 2020/21 or 2021/22.

10. Decision required:

To discuss and decide on whether to continue with the pest control agreement at the Sports Park.

Contact Officer: Georgina Jackson

Date: 27th October 2020

⁶ <https://basc.org.uk/codes-of-practice/night-shooting/>
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