

Seagulls – advice and information for property owners



Introduction

Many residents and visitors have been affected by the behaviour of the local seagull population. This leaflet offers information and practical advice to property owners on how best to tackle the challenges that arise because of these birds, within the laws that are designed to protect them. By playing your part, you can help Lyme Regis Town Council to reduce the problems associated with seagulls.

The particular gull species in question is the herring gull (commonly known as the seagull). During the summer season, seagulls feed and protect their young and may aggressively seek out food by any means possible. The introduction of 'wheelie bins' in Lyme towards the end of 2015 has possibly forced the seagulls to focus on obtaining food from areas such as Marine Parade.

Whilst it may appear that there are more herring gulls in Lyme Regis than ever, across the country they are declining. As a result they are 'red listed' in the latest edition of [Birds of Conservation Concern](#)¹ (Dec 2015), the national, authoritative study of UK bird populations.

What are the problems caused by gulls?

Common issues for property owners include:

- **Noise** caused by gulls calling and more annoyingly the distress call when warning other gulls of a perceived danger.
- **Mess** caused by their droppings which foul pathways, gardens, people, cars and washing.
- **Damage** to property caused by debris from nests and occasional dead chicks blocking gutters and downpipes.
- **Diving** and swooping on people and pets, usually when chicks have fallen from the nest onto the ground. The adult birds use this technique in an attempt to drive off potential threats sometimes coming into contact and causing injury.
- **Nesting materials and other debris blocking gas flues**; this can have severe consequences if gas fumes are prevented from venting properly.

What does the law allow me to do?

All wild birds are protected under the Wildlife and Countryside Act 1981, making it an offence to intentionally injure or kill any wild bird or to take, damage or destroy an active nest or its contents. However, certain species of bird can be controlled for specific reasons under the terms of [licences issued by Natural England](#)².

One of these licences, [\(GL05\)](#)³ permits property owners to remove herring gull nests and eggs without the need to apply to Natural England for a special licence or to register to use this licence. But you must follow the conditions of the general licence GL05.

What are the conditions of this licence?

If you're a land owner, occupier or anyone authorised by the owner or occupier (e.g. a contractor), you can use the general licence (GL05) to carry out a range of otherwise prohibited activities against herring gulls that would be offences under the legislation referred to above. The licence permits you to take, damage or destroy the nests, or take or destroy the eggs of herring gulls.

You can use this licence only to preserve public health or public safety. In this context, public health or public safety could involve the following risks for example:

- gulls nesting on or over a boiler ventilation flue, resulting in a build-up of noxious fumes
- gulls causing damage to property such as blocking rainwater collection
- a gull physically contacting an individual or making an elderly person stumble or fall when swooping low over them when they are entering or leaving their home.

This licence does not permit you to take action because gulls are, for example, making a mess on a house or a car or because they are creating a noise nuisance. Also, you cannot take action once a nest contains chicks.

¹ https://www.bto.org/sites/default/files/shared_documents/publications/birds-conservation-concern/birds-of-conservation-concern-4-leaflet.pdf

² <https://www.gov.uk/government/collections/bird-licences>

³ <https://www.gov.uk/government/publications/wild-birds-licence-to-take-or-kill-for-health-or-safety-purposes>

Before you take any action under this licence you must be satisfied that legal methods of resolving the problem, such as removing nests outside the breeding season or proofing buildings with nets or spikes, are ineffective or impracticable.

What happens if I don't comply with the conditions?

It may be an offence against the 1981 Act or mean that the licence cannot be relied upon and an offence could therefore be committed. The maximum penalty available for an offence under the 1981 Act is, at the time of the issue of this licence, an unlimited fine and/or a six-month custodial sentence and it may result in your permission to use this licence being withdrawn. Natural England will inform in writing any person or organisation whose permission to use this licence is withdrawn.

What action can I take without recourse to the licence?

There are a variety of ways of controlling seagulls. Some are more effective than others and the costs vary. Experience indicates that the best way to deter seagulls from nesting on property is to take the following steps:

1. De-nesting

At the end of every nesting season (usually September) remove all nests and nesting material from your building.

2. Proofing buildings

Just removing nests will not solve the problem on its own. The birds will build another nest the following spring. Seagulls must be discouraged from coming back. One method is the proofing of affected buildings. This can be done by fitting fine netting with a maximum mesh size of 25mm, which should be kept taut on four sides to prevent birds' wings becoming caught in the mesh. It is important to make sure that all possible nesting and roosting sites on the roof, especially behind chimney stacks, and building/window ledges are protected. It is also important to maintain the netting to prevent it from tearing or sagging, otherwise seagulls may become injured or die caused by entanglement and/or starvation as they are trapped and unable to feed. 'Spikes' can be another solution if fixed securely. Furthermore, use of humane and safe chemical deterrents, such as "fire gel", applied on likely nesting surfaces, can be used. However, these need to be regularly renewed to be effective.

3. Who should do the work?

You can do it yourself or engage someone else to do it for you. There are a number of pest control companies available to carry out proofing. You can find them on the Internet, in the local papers, Yellow Pages or Thomson Local. A contractor to remove a nest can also be found this way.

4. When should it be done?

The best time to de-nest and proof buildings is at the end of the nesting season, usually around September time. If you engage a company to do the job they will advise you further on your particular situation. Proofing of buildings should be carried out outside the nesting season of seagulls.

5. Who pays?

The responsibility for resolving any problem is yours if you are the owner or occupier of an affected building. Therefore, the cost of any works to resolve the problem will have to be met by the owner or occupier.

Disclaimer

Lyme Regis Town Council believes that the advice and information given in this leaflet reflects the relevant legislation but it offers no warranty. If you have any doubts as to whether the action you propose to take is lawful, you should consult Natural England and/or seek legal advice.

Acknowledgement

Lyme Regis Town Council acknowledges the contributions made to this leaflet by Natural England and various other councils faced with the same problem.