



Department  
for Environment  
Food & Rural Affairs

# Bovine TB: Consultation on proposals to evolve badger control policy and introduce additional cattle measures

A consultation exercise contributing to the delivery of the government's strategy for achieving bovine tuberculosis free status for England

Date: 14 March 2024

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# Ministerial foreword

Bovine TB has been a tragedy for British farming. It has devastating impacts on farming businesses up and down the country and has a cost to the taxpayer of over £100 million every year.

It has also taken a terrible human toll on farmers, whose mental health is severely impacted by the threat and reality of TB. That is why we published the Bovine TB Eradication Strategy for England in 2014. This set out our commitment to achieve bovine tuberculosis free status in England by 2038, and the steps we would take to achieve that goal.

I am immensely proud of what has been achieved to date and the continued efforts from all of those involved.

The latest statistics now paint an ever-improving disease picture in England. In the 12-month period ending September 2023, fewer than 20,000 cattle had to be slaughtered for TB-related reasons, having peaked at 34,500 in 2018. We also saw the lowest number of new bovine TB breakdowns recorded since 2004, and the herd incidence rate in England reached its lowest level since 2007.

I want to be clear. A major element of this success has been the industry-led cull of badgers.

The latest evidence from the first 52 cull areas shows that rates of bovine TB breakdowns in cattle are down on average by 56% after four years of culling. This analysis has been published in a scientific journal after rigorous peer review.

I know this progress has provided a glimmer of hope for thousands of hardworking farmers. The same farmers who have invested their time, money, and effort. Those who have had the unenviable task of delivering these culls, which they have done so for the last decade safely, humanely and effectively. From Cornwall to Cheshire and across to the midlands, I want to give these farmers clarity on what the future policy in this area will look like.

Our approach continues to be informed by science and I am clear that the cull of badgers for bovine TB eradication purposes must continue so we can give farmers as much flexibility as possible to use tools they think they need within the current legislative framework.

The proposals in this consultation will ensure that badger culling remains available wherever there is infection in cattle and wherever the evidence is clear that badgers are part of the problem in the spread of disease to these herds. They give clarity to the provision to retain culling as was set out in 2021, while we continue to evolve delivery of our bovine TB strategy.

I also want to provide certainty.

Under proposals we will move away from culls of fixed duration. Culling would continue in areas for as long as is necessary, led by the evidence. Badger vaccination would then take place to maintain disease control benefits. This sets a clear path to preserve the gains of culling and prevent the return of the disease in these areas. Through our investment, badger vaccination is now a reality, with more farms involved in vaccination programmes than ever before, including in areas where badger culling has ended.

I want to build more trust.

We will recognise the experience and safety record of those who have delivered the culling of badgers over successive years, by eliminating unnecessary burdens on them in terms of cost and infrastructure. And we will ensure there's a balance of public safety and costs through the approach to rural policing of the culls. This could unlock more money for farmers to improve on-farm biosecurity and give them greater choice in how they manage disease in their local area.

We have also reinforced our cattle surveillance measures and we will continually look for opportunities to enhance them further, while balancing the need to ensure we retain economically sustainable beef and dairy sectors. And a deployable cattle vaccine against this disease is closer than ever, with the aim of adding another valuable tool to existing control measures.

We must not lose sight of the considerable hardship bovine TB has placed on farmers who continue to suffer the loss of highly prized animals and valued herds. I believe we've come a long way in the ten years of the strategy. But we still have a lot of work to do.

There are no easy answers to reducing this disease and no single measure is the solution. We must do all we can to bear down on bovine TB.

More certainty, more trust, more choice. That is what proposals in this consultation will deliver. It will put farmers, those most affected by this miserable disease, at the heart of government policy.



The Rt Honourable Steve Barclay MP

Secretary of State for the Department for Environment, Food and Rural Affairs

# Part A: About this consultation

## Background

- 1.1. Bovine tuberculosis (bTB) is an infectious and contagious disease caused by *Mycobacterium bovis* (*M. bovis*). The disease has a complex epidemiology, which can spread within and between cattle and badger populations. Thanks to major investment by government and farmers in recent years, there have been significant recent improvements in the disease picture. Nevertheless, tackling bTB remains a pressing and costly animal health problem in England affecting a large number of cattle herds. The disease threatens our cattle industry and presents a risk to other livestock and wildlife, as well as farming livelihoods. Dealing with the disease costs the taxpayer over £100 million each year. The latest accredited official statistics show that around 20,000<sup>1</sup> cattle were compulsorily slaughtered in England to control the disease in the last year, causing devastation and distress to hard-working farmers and rural communities.
- 1.2. The government's bTB strategy<sup>2</sup>, published in 2014, aims to achieve Officially Bovine Tuberculosis Free (OTF) status for England by 2038, while maintaining an economically viable livestock industry. The strategy is an integral part of Defra's objectives of supporting and developing British farming and encouraging sustainable food production; enhancing the environment, biosecurity<sup>3</sup>, and biodiversity; managing the risk of animal disease; and the government's overarching objective of supporting economic growth.
- 1.3. The bTB strategy is an adaptive, evidence-based, long-term approach to disease control. It is based on the fundamentals of effective testing, controls on movements to limit transmission from infected herds and good biosecurity (as guided by the five-point plan<sup>4</sup>). It also includes the licensing of badger control in areas where the disease is in cattle and in badgers, to complement other measures. By implementing and gradually adjusting cattle and wildlife controls since the introduction of the bTB strategy, including the widescale deployment of effective, industry-led badger culling since 2013, we are making progress in tackling the disease. See Paragraph 5.1.

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<sup>1</sup> [Latest national statistics on tuberculosis \(TB\) in cattle in Great Britain - quarterly - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/latest-national-statistics-on-tuberculosis-tb-in-cattle-in-great-britain-quarterly)

<sup>2</sup> [The Strategy for achieving Officially Bovine Tuberculosis Free status for England.](#)

<sup>3</sup> [Environmental Improvement Plan \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/348422/Environmental_Improvement_Plan.pdf)

<sup>4</sup> [Protect your herd from bovine TB | TB Hub](#)

- 1.4. The government's response to the Godfray Review in March 2020<sup>5</sup>, set out three top priorities for the next phase of the bTB strategy. This included the evolution of the strategy for preventing the spread of bTB from wildlife, pivoting to greater non-lethal control of the disease in badgers whilst retaining the ability to cull where needed; this is the main focus of this consultation. Our approach focuses on banking the benefits of action and investment to date, to maintain progress towards bTB eradication. A consultation in 2021 and subsequent response<sup>6</sup> signalled the end of the current widespread cull policy. It provided a transitional period in which to develop the next phase of wildlife disease control policy, to undertake pilots and build the badger vaccination capability necessary for wider-scale deployment. We have made significant progress in this area. See Annex A.
- 1.5. To strike the right balance between retaining the hard-won benefits of culling and evolving our approach to disease control so it continues to reflect the current disease picture, we propose to introduce a new targeted approach that makes sure culling remains available to farmers where badgers are a part of the problem in the spread of disease to cattle, as supported by the underlying epidemiological evidence. Our intention is that if bTB is detected and linked to badgers, and those wishing to undertake a cull have met all of the other licence conditions as set out in Annex B, a cull will be permitted. This forms the focus of this consultation.

## Purpose of this consultation

- 2.1. This consultation is part of the government's bTB strategy. Achieving OTF status will provide tangible benefits for the cattle industry, rural communities and government. These include significant savings in combating the disease both to government and to industry, increasing the ability to trade<sup>7</sup> internationally and alleviating the social and mental health impacts of the disease on farmers and their businesses.
- 2.2. We recognise the importance of providing clarity to all parties on the future of badger control. This consultation seeks views on proposals to introduce what is termed a "targeted badger intervention" policy, through an approach that builds on the adaptive

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<sup>5</sup> [Next steps for the strategy for achieving bovine tuberculosis free status for England \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>6</sup> [Bovine tuberculosis: consultation on proposals to help eradicate the disease in England. - Defra - Citizen Space](#)

<sup>7</sup> The World Organisation for Animal Health's (WOAH) Terrestrial Animal Health Code lays down animal health standards for international trade. These include requirements for qualifying for official freedom from TB. [Terrestrial Code Online Access - WOAHA - World Organisation for Animal Health](#)

strategy taken in response to bTB outbreaks in the Low-Risk Area of England, as well as the success of farmer-led and centrally co-ordinated intensive culling.

- 2.3. Additionally, we are proposing changes to support responsible cattle movements. The consultation purposefully brings together cattle and wildlife measures as part of our holistic strategy.
- 2.4. One underlying priority is the need to make sure the strategy continues to be informed by science and deploys all tools at its disposal. Alongside the move to a targeted badger intervention policy, we will be taking steps to reduce the administrative burden for farmers wherever possible, for example by making taking part in culling and vaccination less labour intensive. One important aspect of this covered in this consultation is our proposal for Defra to issue targeted badger intervention licences and the associated licensing conditions. Annex A also provides details of a range of steps we have already taken to improve farmer experience of engagement in bTB measures and to reduce administrative and other burdens.
- 2.5. Bovine TB policy is devolved. This consultation applies to England only. The proposals are set out in Part B. Details of how to respond are set out in Part C and views are invited by 22 April 2024.

## How this consultation is structured

- 3.1. The proposals in this consultation are:

Proposals for future wildlife disease control policy on:

- Introducing a targeted badger intervention policy (targeted badger culling with badger vaccination as the exit strategy).
- Defra issuing a targeted badger intervention licence and associated licensing conditions.

Proposals for changes to cattle measures on:

- Supporting cattle purchases by publishing further bTB risk information on [ibTB](#)<sup>8</sup>.
- Supporting responsible cattle movements by publishing bTB risk information of 'supplier' herds on [ibTB](#).

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<sup>8</sup> [ibTB - Mapping bovine TB \(bTB\) in England and Wales](#)



## Confidentiality and data protection

- 4.1. A summary of responses to this consultation will be published on the government website at: [www.gov.uk/defra](http://www.gov.uk/defra). An annex to the consultation summary will list all organisations that responded but will not include personal names, addresses or other contact details.
- 4.2. Defra may publish the content of your response to this consultation to make it available to the public without your personal name and private contact details (for example, home address, email address, etc).
- 4.3. If you click on 'Yes' in response to the question asking if you would like anything in your response to be kept confidential, you are asked to state clearly what information you would like to be kept as confidential and explain your reasons for confidentiality. The reason for this is that information in responses to this consultation may be subject to release to the public or other parties in accordance with the access to information law (these are primarily the Environmental Information Regulations 2004 (EIRs), the Freedom of Information Act 2000 (FOIA) and the Data Protection Act 2018 (DPA)). We have obligations, mainly under the EIRs, FOIA and DPA, to disclose information to particular recipients or to the public in certain circumstances. In view of this, your explanation of your reasons for requesting confidentiality for all or part of your response would help us balance these obligations for disclosure against any obligation of confidentiality. If we receive a request for the information that you have provided in your response to this consultation, we will take full account of your reasons for requesting confidentiality of your response, but we cannot guarantee that confidentiality can be maintained in all circumstances.
- 4.4. If you click on 'No' in response to the question asking if you would like anything in your response to be kept confidential, we will be able to release the content of your response to the public, but we won't make your personal name and private contact details publicly available.
- 4.5. There may be occasions when Defra will share the information you provide in response to the consultation, including any personal data with external analysts. This is for the purposes of consultation response analysis and provision of a report of the summary of responses only.
- 4.6. This consultation is being conducted in line with the Cabinet Office "Consultation Principles" and be found at:  
<https://www.gov.uk/government/publications/consultation-principles-guidance>.
- 4.7. Please find our latest privacy notice uploaded as a related document alongside our consultation document.

4.8. If you have any comments or complaints about the consultation process, please email: [consultation.coordinator@defra.gov.uk](mailto:consultation.coordinator@defra.gov.uk).

## Introductory questions

### Questions

**Question (1a): Would you like your response to be confidential?**

- a. Yes
- b. No

**Question (1b): If you answered Yes to this question, please give your reason.**

**Question (2): What is your name?**

**Question (3): What is your email address?**

**Question (4): What is your organisation?**

## Part B: Proposals

### Proposals for future wildlife disease control policy

#### Proposal 1: To introduce a targeted badger intervention policy

##### Rationale and evidence for badger culling

- 5.1. Our 25-year strategy is working: the percentage of cattle herds under bTB restrictions in England (prevalence) is currently 4.1%, one of the lowest levels since October 2010, having peaked at 6.4% in March 2018. There were a total of 19,506 animals slaughtered due to a bTB incident in England from October 2022 to September 2023, which is among the fewest compulsory slaughters over a 12-month period since 2007. Total animals slaughtered has decreased 43% since the peak of 34,500 in the 12 months to April 2018.
- 5.2. The policy of badger culling, which has been in place since 2013, is highly likely to have contributed to this significant reduction in the disease. These operations have taken place across most of the High-Risk Area (licences covering 72.3% of the land area) and parts of the Edge Area (licences covering 24.9%) where the disease is considered endemic. We have seen statistically significant reductions in Officially TB

Free Status Withdrawn (OTFW) incidence of 66% and 37% in the first two cull areas over the first four years of culling compared to similar matched areas<sup>9</sup>. This analysis also found no significant perturbation effect<sup>10</sup> immediately outside these cull areas where it had been predicted bTB would increase. We acknowledge that this analysis has been challenged by certain groups opposed to culling who analysed the publicly available data from cull areas up to 2020<sup>11</sup>. These groups concluded that culling had no effect on bTB in cattle. This peer-reviewed analysis was published in the *Veterinary Record* journal in March 2022. The Defra Chief Scientific Adviser (CSA) and UK Chief Veterinary Officer (UK CVO) assessed this paper and found the analysis to be flawed. The UK CVO and CSA response (and a later correction) was published in the *Veterinary Record*<sup>12,13</sup> although the authors reject the criticisms of the UK CVO and CSA<sup>14</sup>.

5.3. The latest statistical analysis<sup>15</sup> of bTB herd incidence that combines the data from the first 52 licensed cull areas in the High-Risk and Edge Area, up to the end of 2021, shows an average reduction of 56% in OTFW incidence by the end of the fourth year of badger culling, compared with the years before licensed culling began. This reduction is similar to what was predicted at the start of the intensive policy. Furthermore, in areas where culling has continued beyond four years, the benefits of culling in keeping TB in cattle at a reduced level are maintained. This maintenance effect is also in line with the predicted goal of supplementary badger culling when that policy was introduced. Beyond these relatively short-term projections, the overall goal of the bTB strategy is to achieve OTF status. This requires a significant and permanent disruption of the cycle of infection between cattle herds and between cattle and wildlife. Control measures that target different parts of the infection cycle will work synergistically to reduce the circulation of infection, so reductions in the number of infected badgers will allow cattle measures to be more effective. This will reduce the number of infected cattle who could reseed infection back into badgers. Therefore, the benefits of culling need to be maintained, particularly in areas of disease linked to badgers.

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<sup>9</sup> Downs, S.H., Prosser, A., Ashton, A. *et al.* Assessing effects from four years of industry-led badger culling in England on the incidence of bovine tuberculosis in cattle, 2013–2017. *Sci Rep* **9**, 14666 (2019). <https://doi.org/10.1038/s41598-019-49957-6>

<sup>10</sup> The perturbation effect is an increase in TB incidence in cattle in land just outside cull areas.

<sup>11</sup> Langton TES, Jones MW, McGill I. Analysis of the impact of badger culling on bovine tuberculosis in cattle in the high-risk area of England, 2009–2020. *Vet Rec* 2022;doi:10.1002/vetr.1384.

<sup>12</sup> Middlemiss C, Henderson G. Badger culling to control bovine TB. *Vet Rec* 2022;190:243–4

<sup>13</sup> Correction to Middlemiss C, Henderson G. Badger culling to control bovine TB. *Vet Rec* 2022;190:419

<sup>14</sup> Langton TES, Jones MW, McGill I. Badger culling to control bovine TB. *Vet Rec* 2022;190:289–90

<sup>15</sup> Birch, C.P.D., Bakrania, M., Prosser, A. *et al.* Difference in differences analysis evaluates the effects of the badger control policy on bovine tuberculosis in England. *Sci Rep* **14**, 4849 (2024).

<https://doi.org/10.1038/s41598-024-54062-4>

5.4. The scientific consensus, summarised in Professor Charles Godfray’s independent restatement of the evidence base in 2013<sup>16</sup>, is that bTB spreads within and between populations of badgers and cattle in the absence of effective biosecurity and disease control measures. If the gains from widespread badger culling are not to be eroded, there remains the need for ongoing control of the current and future risk of bTB from badgers. This proposal seeks to balance the management of disease risk to cattle with the potential welfare and ecological risks associated with badger control. One key consideration is the balance between vaccination and culling. Badger culling has advantages over badger vaccination in having;

- a strong evidence base of an effect on cattle breakdowns;
- the ability to remove infected badgers from an area quickly (infected badgers are not cured by vaccination and remain an infection risk); and
- an experienced cohort of practitioners who have a strong track record of delivering culling humanely at a large scale.

5.5. Badger culling and badger vaccination are complementary tools to eradication. We consider it both proportionate and important to make sure culling remains available for use in areas where the underlying epidemiological evidence suggests badgers are a part of the problem in the spread of disease to cattle. Badger vaccination is then best deployed in areas where disease incidence has been lowered in both cattle and badgers. This combined approach, which makes full use of the tools we have, is similar to the changes in policy in Ireland. In Ireland badger culling is being scaled back in favour of increased use of badger vaccination, although the ability to cull in specific epidemiological situations is retained<sup>17</sup>. However, it is noted that there are significant differences in badger ecology and delivery models of badger control between Ireland and England.

## **Proposal**

5.6. We propose to introduce a “targeted badger intervention” policy, which would focus interventions, including badger culling and vaccination, in the High-Risk and Edge Areas with high levels of infection in cattle, and where badgers are a part of the local disease problem. These areas would be known as “clusters”. Our suggested methodology for identifying clusters is set out in paragraph 5.9.

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<sup>16</sup> [A restatement of the natural science evidence base relevant to the control of bovine tuberculosis in Great Britain† | Proceedings of the Royal Society B: Biological Sciences \(royalsocietypublishing.org\)](#)

<sup>17</sup> [gov.ie - Bovine TB Eradication Strategy 2021 - 2030 \(www.gov.ie\)](#)

- 5.7. The objective of a targeted badger intervention policy would be to secure disease control benefits by reducing the potential for infectious contacts between badgers and cattle in cluster areas. This is achieved by:
- Containment – prevent geographic spread to cattle herds within and adjacent to the affected cluster.
  - Control – reduce and then eradicate infection in cattle herds within the affected cluster.
- 5.8. The objective would be achieved by lowering the badger population of the affected cluster sufficiently to reduce the risk of infection of cattle from badgers (whether through direct or indirect contact).
- 5.9. We propose clusters will be identified as follows:
- The Animal and Plant Health Agency (APHA) will spatially analyse the High-Risk Area and Edge Area, using accepted spatial analytical methods, to identify areas with high incidence levels of bTB in cattle.
  - Breakdowns that could be caused by high-risk cattle movements will then be removed, to increase the accuracy of identifying areas where badgers are a part of the problem in the spread of disease to cattle. This assessment would be done by the APHA using a combination of cattle movement data and analysis of whole genome sequencing of *M. bovis*, thereby identifying breakdowns which are unlikely to be due to badgers.
  - A map of cluster areas would be published, and engagement would take place with farmers and other landholders in cluster areas to make them aware of the local disease situation and the options and support available to them. As part of this, we are continuing to look at ways to improve data sharing to farmers who experience a bTB breakdown.
  - Based on the above evidence, the UK CVO would provide expert advice to the Secretary of State on disease control options and which clusters should be eligible for badger culling. This will take into account factors such as the effectiveness of any previous culling delivery, the spatial distribution of cattle bTB incidence, and where available, the spatial distribution of badger bTB prevalence.
  - Any other area which is a cause for concern, but which does not meet the spatial analysis criteria, may exceptionally be considered at the discretion of the UK CVO, particularly if it is in a part of the Edge Area where incidence had previously been low and/or threatens the Low-Risk Area.
- 5.10. Decision making will continue to be informed by the evidence. It is difficult to predict how long each of these stages will take and, where the evidence suggests it is appropriate, how long it would take for a cull under this approach to be licensed. In practice, we would expect it to be in months. If evidence of a problem emerges in one

season, then culling, subject to meeting licence conditions, would most likely start in the season that follows.

- 5.11. The methodology to identify clusters will be regularly reviewed and updated where appropriate in subsequent years. Similarly, it is expected that the methodology to assess the role of badgers would be updated and modified in the light of evidence from the area in question and other areas. Additionally, in response to improvements in surveillance and diagnostic methods. By evaluating and adapting our approach in this way, we will ensure that the targeted badger intervention policy meets the stated objective in paragraph 5.7.
- 5.12. Once culling is underway the APHA would test a sample of culled badgers for bTB every year. This would help to inform an annual assessment of disease in each cluster by the UK CVO, which will be based on all available data including data on the effectiveness of culling delivery, the spatial distribution of, and changes in, badger bTB prevalence, as well as any changes in cattle bTB incidence. As with the approach in the Low-Risk Area, farmers and other landholders will be regularly informed of any changes in the disease situation in their local area. The UK CVO would then advise the Secretary of State whether culling should continue in the cluster, whether the cluster should be expanded, or if there should be a switch to badger vaccination.
- 5.13. Under proposals culling would continue until the disease situation inside the cluster has been deemed to have improved sufficiently such that it is no longer deemed a cluster, or the prevalence of infection in badgers has been reduced significantly. Badger vaccination would then take place as set out in paragraph 5.32. It is not possible to define in advance how long this would take, but based on experience from the Low-Risk Area we would envisage that at least two years of culling would be needed. This approach ensures badger culling continues where necessary, whilst embedding badger vaccination as a non-lethal exit strategy, to preserve the gains of culling and prevent the return of the disease in the clusters. This would also ensure that badger vaccination is focused on areas where the disease pressure from badgers has reduced and thus gives time for vaccination to protect the badger population post-cull.
- 5.14. It is envisaged that the culling would take place under a licence issued by the Secretary of State. See Proposal 2.
- 5.15. In summary, there are four key differences in how badger culling in this way differs from the existing policy in the High-Risk Area and Edge Area:
- Regular spatial analysis to identify clusters rather than all parts of the High-Risk Area and affected parts of the Edge Area being eligible.

- Discounting of breakdowns caused by high-risk cattle moves to help identify clusters where badgers are a part of the problem in the spread of disease to cattle.
- Testing of a sample of culled badgers to refine and track progress.
- The inclusion of badger vaccination as an exit strategy.

5.16. As part of these proposals and our approach of being evidence-led, we are developing a surveillance and monitoring system which, when fully implemented, would allow for an assessment of the level of risk that local badgers may pose in a cluster. Disease surveillance data is complex. We believe it would be necessary to rely on expert judgement when forming an assessment of whether culling should take place in a given cluster. Epidemiologists and veterinary science experts from the Bovine Tuberculosis Partnership<sup>18</sup>, a government and stakeholder group focussing on coordination and decision-making surrounding England's 25-year bTB eradication strategy, could be available to support decision-making processes by the UK CVO, through analysis of the available disease surveillance data.

5.17. Following discussion with the Bovine Tuberculosis Partnership, we decided that in these proposals, several years of effective badger vaccination would not be a pre-requisite prior to culling being licensed under this targeted approach. This is due to concerns over whether badger vaccination could be deployed at the scale needed across the High-Risk Area and Edge Area.

5.18. The proposal in this consultation would apply to clusters located in the High-Risk Area and the Edge Area. We propose there would be no set limit on how many clusters can be licensed for culling under the targeted badger intervention policy in any given year.

5.19. In areas which are not in clusters or clusters where culling has not been deemed necessary, we would provide support for preventative action, including on-farm biosecurity measures and badger vaccination. Areas that may fall into this category would include those, for example, where available data shows that herd breakdowns are likely due to cattle movement. The support available would seek to incentivise the uptake of on-farm biosecurity measures and badger vaccination, to foster a preventative mindset that breaks the cycle of infection between cattle and badgers. The available evidence suggests that the factors affecting the transmission of *M. bovis* between badgers and cattle are highly context-specific and dependent on many interacting factors at a local level. Accounting for this variability would be a key component in providing preventative support in remaining clusters. We would aim to

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<sup>18</sup> [Bovine Tuberculosis Partnership - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

better incorporate these differences, using a locally tailored approach that also has input from farmers and other landholders in affected areas.

5.20. Overall, the proposed approach is expected to be more responsive to farmer needs. We understand the negative impacts on farmers and their businesses of bTB breakdowns, including the removal of reactors and herd restrictions. We also know that farmers can feel helpless and at the mercy of repeat infection from wildlife. We expect the new targeted approach, which makes sure culling remains available where it is necessary, alongside a range of other measures and delivery mechanisms for activating these, to give more certainty over what farmers can do to address the source of bTB on their farm.

5.21. In terms of rolling out the new approach, any clusters in areas which are eligible or already licensed by Natural England for intensive or supplementary badger control in 2024 or 2025 would not be eligible for culling under the targeted badger intervention policy in those years. Furthermore, the current approach of managing Low-Risk Area hotspots would continue, as consulted on in 2018 and subsequently implemented through the published guidance to Natural England.

### **Expected economic impacts**

5.22. Previous economic assessments of wildlife control policies indicated that badger culling largely represents positive value for money (VfM), that is, the expected benefits outweigh the costs. The last published VfM assessment<sup>19</sup> included timeseries analysis which indicated that over 8 years of culling the average net benefit per area was around £0.8 million and the overall net benefit was around £52 million. These annual assessments portray a more positive assessment of the VfM of culling as compared to the ex-ante assessment in the 2011 Impact Assessment<sup>20</sup>.

5.23. As it is uncertain how a broader suite of measures in the new proposed approach will interact, we need to introduce the approach to gather evidence of costs and benefits before we can consider completing another Impact Assessment. This will help ensure we can make an informed and robust assessment. This decision takes into consideration that the policy proposals seek to emulate aspects of the approach taken in the Low-Risk Area, and notes that we have undertaken VfM assessments each year since 2013 (as well as in 2011). While previous VfM assessments demonstrate that the costs of badger culling are generally outweighed by the

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<sup>19</sup> <https://www.gov.uk/government/publications/bovine-tb-badger-control-policy-value-for-money-analysis/badger-control-policy-value-for-money-analysis-2022>.

<sup>20</sup> <https://www.gov.uk/government/publications/measures-to-address-bovine-tuberculosis-in-badgers-impact-assessment>.



benefits, the current proposals contain a number of differences to previous control policies, and we therefore cannot assume that the same will apply. Subject to the outcome of the consultation we plan to complete and publish an Impact Assessment of the new approach after the first year of introducing proposals as we will have a more robust evidence base. This will include estimates of the costs and benefits of the new proposals.

## Questions

To maintain disease control benefits, our proposal is to introduce a more targeted badger control strategy focused on areas where badgers are a part of the problem in the spread of disease to cattle. We invite views on how this proposal can be made as effective as possible. We would particularly welcome views on the following specific issues:

### **Q5. To what extent do you agree or disagree with the stated objective of a targeted badger intervention policy?**

- a. Strongly agree
- b. Agree
- c. Neutral
- d. Disagree
- e. Strongly disagree
- f. I don't know/I don't have enough information

### **Q6. Do you agree with the requirement that badger culling under the proposed targeted badger intervention policy be allowed in clusters of cattle infection with high herd incidence, after removing cattle movement related breakdowns?**

- a. Yes
- b. No – too limited
- c. No – not limited enough
- d. I don't know/I don't have enough information

### **Q7. Should there be an annual cap on the number of clusters that can be licensed to undertake badger culling?**

- a. Yes
- b. No
- c. I don't know/I don't have enough information

### **Q8. What other factors should be taken into consideration in defining a cluster under the targeted badger intervention policy? (optional)**

[free text response]

**Q9. Please give reasons for your answers to this section (optional).**

[free text response]

**Proposal 2: Licence and associated conditions for badger culling under a targeted badger intervention policy**

5.24. Any decision by the Secretary of State on introducing licensed badger control under a targeted badger intervention licence will be informed by the scientific evidence and veterinary advice available, experience from the licensed badger control operations to date and responses to this consultation.

**Rationale for Defra issuing licences for badger culling under a targeted badger intervention policy**

5.25. Section 78 of the Natural Environment and Rural Communities Act 2006 allows the Secretary of State to enter into an agreement with a designated body to perform a Defra function. Pursuant to this power, on 29 September 2006, the Secretary of State entered into an agreement with Natural England for it to exercise licensing powers, including those in the Protection of Badgers Act 1992. Natural England has acted as licensing authority for the existing badger control policy, issuing licences under the intensive and supplementary badger control policy since 2012 and 2017, respectively.

5.26. Under a targeted badger intervention policy, we believe it would be advantageous to have a distinct separation of Natural England's role of as statutory conservation adviser from licence application decision maker. This would help provide public confidence that Natural England is able to take an objective account of all matters, with respect to the conservation and ecological impacts of the lethal control of badgers, within its statutory remit of providing nature conservation advice to government. Furthermore, were the Secretary of State to exercise their licensing functions as is proposed, under section 10(6) of the Protection of Badgers Act 1992 the Secretary of State would be required to consult Natural England, as to the exercise of these functions and circumstances in which a licence should be granted.

**Proposal**

5.27. We propose that the Secretary of State would assume the licensing authority role for licences issued under the targeted badger intervention policy, exercising the function in Section 10(2)(a) of the Protection of Badgers Act 1992, as well as the parallel licensing functions under section 16(3)(g) and (h) of the Wildlife and Countryside Act 1981. The Secretary of State has already exercised these powers to issue licences to cage-trap badgers for vaccination.

- 5.28. We want to take the opportunity to significantly reduce the administrative burden placed on farming groups when applying for a licence through the proposal to use an organisational licence<sup>21</sup>. This approach is wholly compatible with ensuring culling activity is safe, effective and humane, and would not impact the outcome of the licence, only the time taken to apply and process it. It is envisaged that there would be only one licence, which permits the killing or taking of badgers for the purpose of preventing the spread of disease, in any clusters where culling under the proposed targeted badger intervention policy has been deemed warranted. The licence would be issued on an annual basis.
- 5.29. The conditions that licence applicants would be required to meet can be found in the draft document at Annex B. We are seeking views on these requirements in this consultation. The conditions would be published on GOV.UK as guidance. The guidance would only be confirmed and published if the proposal is taken forward after consideration of the consultation responses and other evidence.
- 5.30. The licence holder would be provided greater responsibility for managing activity taken under the licence. This includes naming persons in the licence to act under the licence. Only those who have received appropriate government-approved training on the humane shooting of badgers, will be able to be named by the licence holder on the licence as an authorised person. Those shooting badgers under licence will need to demonstrate, as they do under the current intensive and supplementary badger control policy, an appropriate level of marksmanship and be deemed competent in the use and safe handling of firearms by the licensing authority to undertake activities permitted by the licence.
- 5.31. We will continue to seek advice from local police forces on whether additional licence conditions are required to protect public and operator safety, including a review of the use of GPS devices, which we do not anticipate being used under this proposal. We will explore and build on the experience of delivering badger control in England to date, to make the policing approach more beneficial to farmers and rural communities. This will include a review to see if the same approach to policing is needed and whether funding in this area can be directed to other projects such as badger vaccination.
- 5.32. The licence holder would also need to demonstrate, at application, that it is able to vaccinate badgers in the year immediately after the UK CVO has deemed that culling should cease in the cluster. Accordingly, it is envisaged that the licence holder would

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<sup>21</sup> Current badger culling is licensed under individual area licences.

need to establish, with government support, a field force to deliver the badger vaccination. This would likely involve the area arranging for enough suitable individuals to undertake training<sup>22</sup> to become cage trappers and lay vaccinators, or the area securing the services of an existing provider. These individuals should then undertake vaccination across the cluster area for the recommended number of years (typically 4 years) as advised by the UK CVO.

- 5.33. Any badger culling or vaccination would only take place on land within the boundary of the cluster, where the relevant landowner has granted access to their land. The Secretary of State will make decisions on the level of accessible land on a case-by-case basis, taking into account such specific circumstances such as topography, land use and badger sett surveys or any other matter that is considered relevant. They will have regard to any advice provided by the APHA and the UK CVO, on what is a sufficient extent of land access within the cluster to maximise disease control benefits. Access would be provided by an agreement with each participating landowner. This will also grant access for government and industry contractors to carry out control activities.
- 5.34. Badger culling would not be permitted during the closed seasons<sup>23</sup>. Culling methods would be restricted to cage trapping and shooting, and controlled shooting. These methods have been used over the last ten years and the UK CVO is content with their efficacy and humaneness. There are no other candidate culling methods to use. There is no additional data to support altering the closed seasons for welfare considerations. This ensures safeguards would remain to minimise negative welfare impacts on the local badger population.
- 5.35. An industry led and funded approach to badger culling remains our preferred option. It is proposed farmers should continue to cover the cost of undertaking a culling operation, as they do under the existing badger control policy. However, the government would continue to pay for the licensing operation and monitoring, as well as the cost of policing culls, and support with those costs incurred by industry when delivering badger vaccination in clusters, when this is deemed appropriate.
- 5.36. For existing culling operations, farmers and other landholders participating in badger control operations are required to deposit, before culling is licensed and can begin, sufficient funds to cover the total expected cost of delivering a four-year cull. The government can access these funds if it needs to intervene and assume

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<sup>22</sup> [Bovine TB: badger vaccination training - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

<sup>23</sup> The closed seasons are as follows: (i) 1 December to 31 May for cage-trapping and shooting badgers; (ii) 1 February to 31 May for controlled shooting.

responsibility for a culling operation. The government has not had to step in and deliver badger control in any area. This funding is not required under supplementary badger control, since culling does not need to run for a minimum duration. It is therefore proposed that if a cluster overlaps with an area that has completed intensive or supplementary badger control within the last three calendar years, there would be no funding requirement. If the interval is longer than this, the licence holder will need to demonstrate that it has access to funds which are sufficient to carry out culling operations in eligible clusters for at least two years, as that is expected to be the most likely minimum duration that the culling would continue for.

5.37. Existing badger control licences issued by Natural England, in accordance with Defra's guidance to Natural England<sup>24</sup> will continue and will not be affected by the targeted culling proposal. Areas eligible for supplementary badger licences in 2024 can still apply to Natural England for a licence. Culling in response to bTB outbreaks in the Low-Risk Area of England would continue to be permitted on the same terms as introduced in 2018<sup>25</sup>, on an individual licence basis as licensed by Natural England.

## Questions

We invite views on how the licensing proposal can be made as effective as possible. We would particularly welcome views on the following specific issues:

### **Q10. To what extent do you agree or disagree there should be a separation of Natural England's statutory conservation advice from licensing decisions?**

- a. Strongly agree
- b. Agree
- c. Neutral
- d. Disagree
- e. Strongly disagree
- f. I don't know/I don't have enough information

### **Q11. Do you agree that the Secretary of State should assume the role of licensing authority for culling under a targeted badger intervention policy?**

- a. Yes
- 

<sup>24</sup> [Guidance to NE: Licences to kill or take badgers for the purpose of preventing the spread of bovine TB under section 10\(2\)\(a\) of the Protection of Badgers Act 1992 \(publishing.service.gov.uk\)](#)

<sup>25</sup> [Bovine TB: consultation on proposals to introduce licensed badger control to prevent the spread of bovine tuberculosis in the Low-Risk Area \(England\) - Defra - Citizen Space](#)

- b. No
- c. I don't know/I don't have enough information

**Q12. Please give reasons for your answers to this section (optional).**

[free text response]

**Q13. Do you have any comments on the Information for Applicants at Annex B for carrying out the culling part of a targeted badger intervention policy? (optional)**

[free text response]

**Q14. Do you have any other comments on the proposals for a targeted badger intervention policy? (optional)**

[free text response]

## **Proposals for changes to cattle measures**

### **Proposal 3: Support cattle purchasers by publishing bTB risk information on ibTB**

5.38. We propose sharing additional animal and herd level bTB risk information to help cattle purchasers factor in TB risks when sourcing new stock. Specifically, we propose adding the following information to ibTB (a free to access interactive map which shows the location of bTB breakdowns in England and Wales and provides some limited information on the TB risk status of all cattle herds in England).

- Date and type of the animal's most recent pre-movement TB test, if applicable (i.e. if pre-movement testing was required, was this a bespoke test, or is the animal moving off the back of a government-funded TB herd test such as a releasing short-interval herd test at the end of a TB breakdown).
- Date and type of the most recent TB test completed in the herd of origin of that animal.
- Number of years that the animal has been in the herd from which it is being sold.
- Number of years that the herd of origin of the animal has been bTB free.

#### **Rationale**

5.39. Currently only herd level bTB risk information is published on ibTB. While that information is useful, cattle purchasers would be better supported, from a disease control perspective, if animal level information was also made available to the public, as this would help inform purchasing decisions.

## **Expected economic impacts**

5.40. There would be no new substantive costs for industry arising from this proposal.

## **Questions**

### **Q15. Should animal level bTB risk information be published on ibTB?**

- a. Yes
- b. No
- c. I don't know/I don't have enough information

### **Q16. Please give reasons for your answer (optional).**

[free text response]

## **Proposal 4: Support responsible cattle movements by publishing bTB risk information on 'supplier' herds on the ibTB mapping application**

5.41. In line with a recommendation made to us by our Bovine Tuberculosis Partnership, we propose enhancing ibTB by publishing, for each cattle herd in England, some bTB risk information for herds from which it has sourced new stock i.e. the location of supplier herds and the length of time they have been bTB free.

## **Rationale**

5.42. In February 2022, following positive responses to an option included in its 2021 Call for Views exercise, Defra enhanced ibTB by showing how many years all unrestricted cattle herds in England have been officially bTB free (OTF). This can be useful for cattle purchasers as the longer a herd has been OTF, whilst regularly tested, the lower its risk of harbouring undetected bTB-infected animals. A further indicator of herds' bTB risk status is their cattle restocking practices. For example, those that regularly source stock from higher bTB risk herds will increase their bTB risk.

## **Expected economic impacts**

5.43. This proposal to enhance ibTB would not increase costs or other burdens for industry.

## **Questions**

### **Q17. To what extent do you agree or disagree it would be helpful to share information on where herd owners source their stock from?**

- a. Strongly agree
- b. Agree

- c. Neutral
- d. Disagree
- e. Strongly disagree
- f. I don't know/I don't have enough information

**Q18. Please give reasons for your answer (optional).**

[free text response]

## Additional comments

5.44. If you have any further comments on any of the areas covered by this consultation, please let us know by answering the following additional question. Please note this is not compulsory.

### Questions

**Q19. Do you have any other comments? (optional)**

[free text response]

## Part C: Tell us what you think

### How to respond

- 6.1. We have contacted organisations that we believe have a direct interest in the proposals to raise awareness about this consultation and have invited them to respond. We hope this will help ensure a wide range of informed views can be considered. Anyone else who would like to respond to the consultation is encouraged to do so. Each response will be considered in its own right and on its own merits.
- 6.2. We recognise that respondents may choose to use some standard text to inform their response. Campaigns are when organisations (or individuals) coordinate responses across their membership or support base, often by suggesting a set of wording for respondents to use. Campaign responses are usually very similar or identical to each other. For this consultation, campaign responses may be analysed separately to other responses to ensure the breadth of views received can be summarised effectively and efficiently. All campaign responses will be taken into account in the final analysis of public views and campaigns help provide an indication of the strength of feeling on an issue. The preferred route for all respondents to provide



their views (including where a response is based on a campaign) is via the Citizen Space platform.

- 6.3. Our preferred way of receiving responses is online through the Citizen Space platform because it is the fastest and most cost-effective way for us to collate, analyse and summarise responses. If you are unable to use Citizen Space, you can download the consultation documents and return your response via email to [bTBengage@defra.gov.uk](mailto:bTBengage@defra.gov.uk).
- 6.4. This consultation will run for 5 weeks. The consultation opened on 14 March 2024 and closes on 22 April 2024. To ensure your response is included in the analysis, please consider responding online via Citizen Space.
- 6.5. For further information about how Defra collects, processes, and stores our data, please see the consultation privacy notice saved on Citizen Space.
- 6.6. The summary will not include your personal name (unless you have asked us to include it) or other personal data such as contact details. The summary may contain the name of your organisation, if you are responding on an organisation's behalf.
- 6.7. Defra will retain copies of responses for a suitable length of time. Please note that a member of the public can ask to see copies of information held. If you need to keep any part of your response confidential, please tell us when you respond. Please note that confidentiality disclaimers automatically added to emails do not count.
- 6.8. Important: We will take your reasons into account if someone asks for information. Because we must comply with the law, including access to information legislation, we cannot promise that we will always be able to keep details that you provide to us confidential.

# Annex A: Wildlife disease control - Progress since 2020

- 1.1. In 2018, Professor Sir Charles Godfray was commissioned to lead an independent review to reflect on progress being made with the bTB strategy and consider what additional actions might be necessary now to ensure other tools and interventions are ready to be deployed in later phases of the strategy ('the Godfray Review'<sup>26</sup>).
- 1.2. The government published a response to the Godfray Review<sup>27</sup> in March 2020, setting out our three top priorities for the next phase of the bTB strategy, which are:
  - accelerating work to develop a deployable cattle vaccine;
  - increasing government-supported badger vaccination and surveillance. Culling will remain an option where epidemiological assessment indicates that it is needed (and the focus of this consultation); and
  - improving diagnostic testing to identify and eliminate bTB more effectively, with deployment of more sensitive tests for surveillance supported by greater use of on-farm restriction of cattle with inconclusive test results.
- 1.3. In the government response, we explained the next steps we planned to take to achieve bovine tuberculosis free status for England. This annex sets out the progress made in relation to wildlife disease control.

## Evolving the wildlife control policy

- 1.4. Natural England currently issues licences under section 10(2)(a) of the Protection of Badgers Act to kill or take badgers for the purpose of preventing the spread of bTB, and any associated licensing functions under section 16(3)(g) and (h) of the Wildlife and Countryside Act 1981 in relation to any activity that (in the absence of such a licence) would be prohibited under section 11 of that Act. There are currently three types of badger control licence, which Natural England can issue in accordance with the guidance given by the Secretary of State to Natural England under section 15(2) of the Natural Environment and Rural Communities Act 2006 (NERC Act):
  - A **badger disease control licence (intensive cull)** is required where culling is to take place for the first time in the High-Risk or Edge Area of England

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<sup>26</sup> [Report to Rt Hon Michael Gove MP, Secretary of State, Defra \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>27</sup> [Next steps for the strategy for achieving bovine tuberculosis free status for England \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

- A **supplementary badger disease control (supplementary cull)** licence is required where culling is to take place to prevent the recovery of the badger population following the completion of annual intensive culling, which has lasted at least four years under a badger disease control licence in the High-Risk or Edge Area of England.
- A **Low-Risk Area badger disease control licence** is required where culling is to take place in an area of the Low-Risk Area of England as specified by the Animal and Plant Health Agency, where there is evidence that infection with *Mycobacterium bovis* is present in badgers and linked with infection in cattle herds.

1.5. Under the existing policy, licensing decisions are made by Natural England (NE) and NE must have regard to Defra’s Guidance to them. There are also particular circumstances where the Guidance states that NE should have regard to the CVO’s advice on certain issues. The Guidance outlines which areas are eligible to be considered for either a badger control licence or a Low-Risk Area badger disease control licence. For a badger control licence, the area must be in the High-Risk Area or Edge area. The APHA subsequently published analysis indicating which parts of the Edge are considered to have a reservoir of disease. There are no other criteria in the Guidance regarding the level of disease in either cattle or badgers that is required before a badger control licence can be granted. For an LRA licence the Guidance states (paragraph 21a) that the APHA will identify the specific area and that the APHA “has found evidence that infection is present in both badgers and in cattle herds”.

1.6. Following consultation in 2021<sup>28</sup>, we evolved our wildlife control policy, whilst retaining the provision for future culling to take place where needed. The following changes were introduced<sup>29</sup>:

- No new badger disease control licences (intensive cull) were to be issued after 2022.
- New badger disease control licences (intensive cull) issued in 2021 and 2022, could, after a minimum of two years of culling, be revoked after a progress evaluation by the Chief Veterinary Officer (CVO). Areas 55 to 61 inclusive began culling in September 2021, and all of them completed their second cull in late 2022. These areas were considered by the CVO in March 2023 for early termination<sup>30</sup>.

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<sup>28</sup> [Bovine tuberculosis: consultation on proposals to help eradicate the disease in England. - Defra - Citizen Space](#)

<sup>29</sup> [Bovine tuberculosis: consultation on proposals to help eradicate the disease in England \(defra.gov.uk\)](#)

<sup>30</sup> [UK Chief Veterinary Officer’s advice on early termination of 2021 badger disease control areas - GOV.UK \(www.gov.uk\)](#)

- The initial financial commitments for cull companies to apply for a badger disease control licence remained at four years' worth of funding. However, the 25% contingency requirement was removed.
- New supplementary badger control (SBC) licences were limited to a maximum of two years and the issuing of new SBC licences for previously licensed areas or areas licensed for intensive culling after 2020 was prohibited.

1.7. In 2020 we said we would publish and periodically revise the location of the areas in the Edge Area with infected badgers and those where there is no evidence of infection in badgers. This has been achieved through the reservoir in the Edge analysis published in 2021<sup>31</sup>. Further information about specific counties will be available through projects such as the Southern Edge RTA Study<sup>32</sup> conducted by the APHA in collaboration with the University of Nottingham.

### **Badger vaccination**

- 1.8. Since 2011, our policy of badger control has been to enable badger culling and/or vaccination<sup>33</sup>. Since 2021, we have been building our capability for badger vaccination. This includes through investing in the APHA to bolster its vaccinator field capability. This work has shown vaccination can be undertaken at scale and has generated local exposure amongst farming communities to the method. This important work aimed to dispel concerns expressed by farmers regarding badger vaccination.
- 1.9. Piloting deployment of badger vaccination post-intensive culling, ahead of phasing out SBC was a commitment in our 2020 response. Early indications from APHA deployment in 'post-cull' areas shows that significant numbers of badgers can be trapped and vaccinated in previously culled populations.
- 1.10. We proposed to pilot the vaccination in areas as part of a phased approach. APHA has recruited two cohorts of full-time vaccinators in 2022 and 2023, who have been undertaking badger vaccination in several areas across the country, including in five former cull areas. These areas vary in size from 15 to over 350 km<sup>2</sup>, with more than 1,500 badgers vaccinated in England by APHA in total in 2023. We are now seeing a

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<sup>31</sup> [Bovine TB: local reservoirs of Mycobacterium bovis infection in the Edge Area of England - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

<sup>32</sup> [Survey for tuberculosis \(TB\) in found dead badgers in the Southern Edge Area - Bovine TB | TB Hub](#)

<sup>33</sup> The Government's policy on Bovine TB and badger control in England, December 2011 <https://assets.publishing.service.gov.uk/media/5a789a86ed915d07d35b0fb8/pb13691-bovinetb-policy-statement.pdf>

progressive expansion of existing vaccination areas, as more farmers in these communities engage with this method.

1.11. In 2022, APHA-delivered badger vaccination also replaced culling as the control intervention in the LRA Hotspot in Cumbria. In 2023, 169 badgers were vaccinated over 214 km<sup>2</sup>.

1.12. We have further supported vaccinators by making it easier to undertake badger vaccination:

- **Licensing** – we have reformed the process, simplifying the licence to make it clearer and recognising training, skills and experience through a new licence registration form. Those wishing to vaccinate can register in under 10 minutes and receive notification of their outcome within 48 hours. Once registered, vaccination can take place wherever permission has been agreed.
- **Recording and reporting** – vaccinators are now able to record their activity and report to Defra in real time with the introduction of a smartphone reporting app. The app replaces an impractical and slow paper-based system and now affords vaccinators greater flexibility and control when managing their own projects.
- **Vaccine** – improving on the benefits of subsidising the cost of BadgerBCG, Defra are now able to offer the vaccine at wholesale cost (approximately £8 per dose). This has been achieved as a result of greatly reducing the costs associated with licensing.
- **Training** – learning from licensing and reporting, we are improving accessibility for those completing the training programme. Measures include to explore moving the current, classroom-based training and testing process to an e-learning and testing platform. Recognising practical training as a priority, we are working with our partners to foster greater access to training. The ‘Train the Trainer’ programme for lay vaccinators, a scheme we proposed to deliver in 2020, is one of a number of ways we are achieving this. We are encouraging those with relevant experience to set up their own training hubs, creating more options and greater flexibility.
- **Support** – the Defra-funded Vaccinating East Sussex badgers (VESBA) project seeks to identify how to plan and run a badger vaccination project successfully at scale and from within the farming community. The project has just completed its third year of five and provides a practical example which farmers and landowners can relate to. The project has highlighted the importance of a farmer-led approach, with trusted operatives carrying out the activities.
- **Information availability** – we committed to refresh the information on GOV.UK and develop a simple information pack for publication. This can be found the TB

Hub<sup>34</sup>. In parallel, the government committed to developing a communications strategy to ensure clearer messaging from its delivery partners to farmers.

### **Developing a deployable cattle vaccine**

1.13. In 2021, world-leading bTB cattle vaccination trials began in England and Wales as a result of a major breakthrough by government scientists on the development of a new DIVA skin test to Detect Infected among Vaccinated Animals. These trials are due to conclude shortly, meaning we are closer to being able to vaccinate cattle against this endemic disease. It is hoped that the combination of the CattleBCG vaccine and DIVA skin test will be deployable within the next few years, adding significant tools to those currently available. Government is working closely with stakeholders to co-design policy to support the future rollout of the cattle vaccine programme. We see cattle vaccination as an important additional tool, alongside the current measures in the bTB strategy, including badger control.

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<sup>34</sup> [TB hub badger vaccination powerpoint Sept 2022.pdf \(secureserver.net\)](#)

## Annex B: Information for Applicants



Department  
for Environment  
Food & Rural Affairs

### **Information for applicants**

Licences to kill or take badgers for the purpose of preventing the spread of bovine TB under section 10(2)(a) of the Protection of Badgers Act 1992



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**PB XXXXX**



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## Scope of this document

1. This document represents the Secretary of State's considered views, based on current scientific evidence, about what is required for a cull of badgers (as part of the targeted badger intervention policy) for bovine tuberculosis (bTB) control purposes to be effective, safe and humane. Licensing of a given area for this purpose is the decision of the Secretary of State for Environment, Food and Rural Affairs (hereafter referred to as "Defra"), upon advice of the UK Chief Veterinary Officer (CVO).
2. This Guidance relates only to licensing functions under section 10(2)(a) of the Protection of Badgers Act to kill or take badgers for the purpose of preventing the spread of bTB, and any associated licensing functions under section 16(3)(g) and (h) of the Wildlife and Countryside Act 1981 in relation to any activity that (in the absence of such a licence) would be prohibited under section 11 of that Act. Guidance for all other licensing relating to badgers is given in a separate document.
3. Bovine TB policy is devolved. With the exception of paragraph 20 this guidance relates to England only.

## The policy

4. The government's policy is to enable the licensed culling or vaccination of badgers for the purpose of controlling the spread of bTB, as part of the strategy for achieving Officially Bovine Tuberculosis Free status for England<sup>35</sup>.

## Targeted Badger Intervention requirements

5. Badger control will only be permitted under a **Targeted Badger Intervention licence** if the following criteria have been met:
  - a. It must relate to a **specific area** (hereafter referred to as a "cluster") affected by bTB, as defined by the Animal and Plant Health Agency (APHA). The levels of disease and the role of badgers must be such that it has been deemed by the UK CVO that culling is warranted.

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<sup>35</sup> The Strategy for achieving Officially Bovine Tuberculosis Free status for England (PB 14088).  
<https://www.gov.uk/government/publications/a-strategy-for-achieving-officially-bovine-tuberculosis-free-status-for-england>

- b. All participating farmers in the cluster are complying, and for the duration of any licence continue to comply, with **statutory and (where applicable) temporary additional TB control measures** as may be introduced as part of APHA's response.
  - c. The size of any inaccessible land within the cluster should be minimised for the purposes of effective disease control. Defra will make decisions on the level of **accessible land** on a case-by-case basis, taking into account such specific circumstances as Defra considers relevant, for example, topography, land use and badger sett surveys or any other matter that Defra considers relevant. Defra will have regard to any advice on this matter from the APHA and the UK CVO.
  - d. Reasonable **biosecurity** measures are being, and for the duration of any licence will continue to be, implemented by participating farmers on their land. For this purpose "reasonable measures" means measures that in the particular circumstances are practicable, proportionate and appropriate, having regard to the Bovine TB Biosecurity Five-Point Plan<sup>36</sup>.
  - e. All land holders must permit Defra, or anyone it has appointed to undertake this function, access to their land for **compliance monitoring**.
  - f. The duration of badger control in a given cluster will be determined by Defra's assessment of all the available evidence, including monitoring of the badger population, and on a case-by-case basis. The associated licence may, however, be revoked if appropriate, following a progress evaluation or on reasonable grounds. This does not preclude an application in due course for a further licence.
6. Before any culling takes place in a cluster, the licence holder must satisfy Defra that they are able to deliver an **effective cull** in line with this policy and have arrangements in place to achieve this. Defra will assess whether the licence holder meets this requirement having regard to the following criteria:
- a. culling should **lower the badger population** of the affected cluster sufficiently to reduce the risk of infection of cattle from badgers (whether through direct or indirect contact), and ideally substantially reduce or even eliminate the risk of infection of cattle from badgers.

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<sup>36</sup> [Protect your herd from bovine TB | TB Hub](#)

- b. Culling must be **co-ordinated** on accessible land across the cluster and the resources deployed in culling must be such as are assessed by Defra to be sufficient to ensure the control operation will be effective.
  - c. Culling must be **sustained**, which means it must be carried out annually within the open season for the duration in which badger control is permitted in the cluster of the licence (unless wholly discontinued before the expiry of the licence). The culling of badgers must commence during the culling season, on or after the date specified by Defra in its letter of authorisation, and continue until Defra requires it to cease in all or part of a cluster.
  - d. The licence holder must ensure badger vaccination is carried out in the cluster when requested following culling.
  - e. The number of badgers vaccinated in the cluster should be comparable to the number that would need to be removed during a culling operation.
  - f. Culling or vaccination will not be permitted during the following **closed seasons**:
    - i. 1 December to 31 May for cage-trapping and shooting badgers;
    - ii. 1 February to 31 May for controlled shooting; and
    - iii. 1 December to 30 April for cage-trapping and vaccination.
7. The licence holder must satisfy Defra that they are able to deliver the cull in a cluster as **safely and humanely** as possible. The following requirements must be met in that respect:
- a. In order to ensure humaneness, only two **culling methods** will be permitted (which can be used in combination, or alone):
  - b. cage-trapping followed by shooting (“cage-trapping”); and
  - c. controlled shooting of free-ranging badgers (“controlled shooting”).
  - d. Persons to be authorised to carry out culling pursuant to the licence must be able to demonstrate a level of **competence** appropriate to the method they are licensed to use. Successful completion of a training course approved by government will be taken as proof of competence.
  - e. Culling and vaccination must be carried out in accordance with the relevant Best Practice Guide.
8. Defra will aim to ensure that badger culling under a Targeted Badger Intervention licence will “not be detrimental to the survival of the population concerned” within the meaning of Article 9 of the Convention on the Conservation of European Wildlife and

Natural Habitats, and for this purpose in considering applications for a Targeted Badger Intervention licence should have regard to the guidance of the Standing Committee on the interpretation of Article 9 of that Convention. For that purpose Defra will:

- a. assess the risk of local extinction from a badger control operation; and
  - b. where necessary, determine appropriate area-specific licence conditions.
9. Defra will consult Natural England before issuing the licence in accordance with section 10(6) of the Protection of Badgers Act, as to the exercise of the licensing function and circumstances in which the Targeted Badger Intervention licence should be granted. Defra will also consult Natural England as the appropriate nature conservation body, to consider and mitigate the conservation impact of the licence, including for designated sites, for example Sites of Special Scientific Interest (SSSIs), Special Areas of Conservation (SACs), and Special Protection Areas (SPAs). Under the Conservation of Habitats and Species Regulations 2017, (SI 2017/1012), an “appropriate assessment” must be carried out before granting a licence which might have a significant effect on a protected site (principally SACs & SPAs).

## Implementation

10. Before granting of the licence, Defra should be satisfied that the application meets the licence criteria and the policy requirements. Defra on behalf of the Secretary of State, will determine applications for culling and vaccination licences on a case-by-case basis.
11. To enable Defra to assess licence applications, it will require applicants to demonstrate how they will meet the culling and vaccination policy requirements, including details of contingency plans in case the chosen culling strategy proves ineffective and plans to deliver badger vaccination in the cluster when this has been deemed appropriate by the UK CVO.
12. Defra will keep the duration of badger control in a cluster in each year under review. The review will allow Defra to consider whether or not to take action to terminate operations on a case-by-case basis. Defra may take into account factors such as the UK CVO’s advice on disease control; the latest evidence and advice on the remaining badger population; and whether any immediate action is appropriate.
13. In considering whether operations in a cluster should be terminated, Defra should take into account the extent to which the licence holders annual operational planning is being complied with and the licensing criteria continue to be met (for example, in the case of a Targeted Badger Intervention licence, whether the extent of access has been

reduced since the licence was granted) and, if so, whether this is likely to adversely affect the effectiveness of operations in reducing badger numbers.

14. Badger control in each cluster will be permitted for a period which Defra determines is appropriate, based upon advice of the UK CVO, to ensure that the proposed cull achieves the policy aim. This will normally be at least two years.
15. Defra will give the public an opportunity to comment on any licence applications that are made.
16. Defra will seek advice from local police forces on whether additional licence conditions are required to protect public and operator safety. We will explore and build on the experience of delivering badger control in England to date, to make the policing approach more beneficial to farmers and rural communities.

## Monitoring

17. As part of its role, Defra, or anyone it appoints for this purpose, will monitor compliance with licence conditions and agreements in place for culling and vaccination. The use of site visits will be in accordance with a risk-based approach that complies with Better Regulation principles and the Regulators' Code for Compliance. Defra, or anyone it appoints, will maintain sufficient oversight of the progress of each cull area to ensure that removal of badgers and/or the level of effort deployed is consistent with that set out in operational planning, allowing cull companies or groups to flexibly manage their resources and approach to deal with changing circumstances. Defra, or anyone it appoints, will be ready to advise the UK CVO on progress at regular intervals, reporting on effort across each cull area, progress with badger removal and compliance issues.

## Reporting and disclosure of information

18. Defra will disclose as much information as practically possible. Each year, or more frequently if appropriate, Defra will, as a minimum, publish on its website the numbers of applications received and licences granted, and for each licence issued:
  - a. the county or counties included within the licensed area;
  - b. the size of the licensed area;
  - c. the number of badgers reported culled by each method; and
  - d. the number of non-target species caught and culled.

## Enforcement

19. Defra, or anyone appointed to undertake this, will apply Defra's published Enforcement Policy Statement to breaches of licences that it has issued. Wildlife offences that are not breaches of licences may be reported to the police for investigation.

## English/Welsh boundary

20. The Devolved Administrations should consider on a case-by-case basis any licence applications in respect of areas which cross the English/Welsh boundary. If an application relates to an area which is solely within England but within 2km of the boundary, Defra should determine the licence application in the normal way but will consult the Welsh Government.

# Glossary

**Access/accessible land:** land within a control area that is participating in the application and accessible for culling to take place.

**Applicants:** those persons named as the applicant(s) on the licence application.

**Application Area:** land included in an application, including both access land and non-participating land.

**Biosecurity measures:** measures to reduce the risk of transmission of infectious disease.

**Controlled shooting:** the shooting of free-ranging badgers in the field (as distinct from shooting those that have first been trapped in cages).

**Control Area:** land included in the licence, once granted, including both land that is participating and land that is not participating in culling.

**CVO:** Chief Veterinary Officer (UK). Advises on the programmes necessary to control, and, where appropriate, eradicate disease.

**Effective Cull:** a cull that meets the requirements set out in paragraph 6.

**Herd immunity:** an epidemiological term that refers here to the protection of sufficient susceptible individuals through vaccination in a population as a means of protecting remaining susceptible, unvaccinated animals in that population from infection.

**High-Risk Area, Edge Area, Low-Risk Area:** three geographical TB management zones defined in the strategy for achieving Officially Bovine Tuberculosis Free status for England.

***Mycobacterium bovis (M. bovis)*:** the bacterium that causes tuberculosis (TB) in cattle (bovine TB) and can also infect and cause TB in other species of mammals.

**Non-participating land:** land within a control area that is not participating and where access has not been permitted for culling to take place.

**Participating farmers:** all freehold owners and tenants of accessible land who are in occupation of that land and have permitted access to their land for targeted badger intervention to take place.

**Targeted Badger Intervention:** a form of badger control in a specific area (known as a cluster) in the High-Risk Area and Edge Area with high levels of infection in cattle, and where badgers are part of the local disease problem.