

Please find below the BASC response to the DEFRA consultation questions

Question 1: Do you agree or disagree with our proposed approach for implementing the licensing/prohibition requirements of AIHTS?

BASC does not agree with the proposed approach for implementing the licensing/prohibition requirements of AIHTS.

The proposal to implement AIHTS by the 1st January 2019 is too short a period to allow the transition to compliant stoat traps. The original timescales set when the agreement was ratified in 2008 included a period of three years between the approval of AIHTS-compliant traps and the removal of those which do not comply for the relevant species.

Because of previous delays in beginning the process we are now faced with a proposal that this transition, including ongoing testing of traps, introduction of legislation, manufacturers setting up production of newly approved traps and trap users acquiring and replacing existing traps with at best a timescale of a little over six months, this is simply not achievable.

BASC would also seek assurance that the use of a general licence to permit the trapping of stoats using AIHTS-compliant traps, would not impact negatively on trapping. BASC can envisage a scenario whereby a delay in the issuing of such licence in a timely fashion or if poorly worded would have serious implications for trapping.

Question 2: Do you agree or disagree with our proposed approach for live capture traps?

BASC would agree with the proposed approach for live capture traps.

BASC is supportive of the proposal that, because many cage traps are similar to each other, *“the certification of one trap model may mean a similar design can be certified without the need for a separate humaneness assessment”*.

BASC would also agree with the proposal *“to grant individual licences using the derogation purposes available under Article 10 AIHTS to permit the use of unapproved live capture traps (e.g. cage traps) to trap the species concerned, until we have gathered enough welfare data on the trapped animal to be able to determine whether the trap can be certified as AIHTS-compliant.”*

Question 3: Do you agree or disagree with our proposed approach for lethal traps?

BASC does not agree with the proposed approach for lethal traps.

BASC would highlight a number of issues and concerns which are largely connected to the proposal to implement AIHTS in too short a time frame. A number of key assumptions around the process are incorrect.

As the consultation documents acknowledges there are currently no approved traps which are compliant with AIHTS for stoats in a run-through configuration (which is by far the most commonly used method of trapping).

Whilst there are potentially new traps coming to market and existing ones (the Doc) which are likely to be approved in run-through configuration, at present none of these are a like-for-like replacement for the Fenn-type trap (the most commonly used trap) in terms of cost, availability and, importantly, size.

Because of this, even if there was a ready supply of replacement traps, it would not be a simple case of replacing one trap with another but rather substantial modification of the tunnels in which the traps have to be set will be required. This will take considerable time, effort and expense.

BASC feels that the estimated time to replace existing traps and infrastructure is significantly underestimated and based on the feedback of experienced trap users, BASC would suggest this is more likely be in the region of between two and three hours per trap as opposed to up to an hour as suggested. As a gamekeeper could easily have in the region of 200 tunnels, this could equate to 600 hours just changing the infrastructure.

While the consultation document looks at the time it will take to amend or replace a tunnel configuration, it does not look at the seasonality. This is a major unconsidered factor for example due to the height of cover in summer months it would be more difficult and time consuming to replace existing trap infrastructure, then likewise if conditions are too wet or frosty, this makes this task difficult or impossible, clearly limiting the times of year when this can be done.

It is also important to remember that gamekeepers and other trap users will also have other seasonal duties which they have to undertake, such as management of birds and habitats which will further decrease the window of opportunity.

With regards to new traps or existing traps (Docs) being run in a new way, their efficacy is unknown so potentially for the same level of management control more individual traps may be required to be set.

BASC understands that production of any new trap design is unlikely to commence until the approval process has at least begun, which will delay implementation even further. Even once this is complete, the numbers produced will not be in sufficient quantities to allow the current implementation date to be met.

Simply put, if replacement traps are not available it will not be possible to make the required changes.

The impact assessment advises that *“If a trapper is not able to replace their Fenn-type traps by the implementation deadline, their options would be to:*

- 1) seek licensed use of their illegal traps. These would only be granted in exceptional circumstances.*
- 2) choose not to target stoats whilst trapping other pest species*
- 3) purchase and use compliant but less effective traps (e.g. baited traps)”*

Having to apply for a licence, which is likely to be the case for large numbers, is not the least burdensome approach which is stated as an aim within the assessment. It will increase the workload and uncertainty for both those submitting and those administering applications.

Where there is a need to target stoats this will remain. Depending upon the risk of catching a stoat whilst trapping other pest species, some trap users will also seek to use AIHTS-compliant traps, which will further increase demand for these traps.

Doc traps, which are currently approved and AIHTS-compliant in a baited set up, are also likely to be approved for a run-through configuration so it would be reasonable to assume demand for these is going to increase reducing their availability. The other existing trap currently approved (in England only) and compliant with AIHTS, the Good nature, is

significantly more expensive at over £100 and BASC understands there are currently issues around the sourcing of the stoat specific lures required for these traps.

None of these suggestions are a suitable alternative to a smooth and appropriate transition period.

At present the manufacture of traps has developed to meet a consistent and steady demand. Manufacturers of new trap designs are likely to need to build a stable market for their product in order to ensure stability and a consistent supply for future years.

It is difficult to see how manufacturers of new traps would be willing and able to get a new trap to market in large enough numbers to enable a rapid changeover knowing that once this demand was met they would have to scale back operations.

The costs of individual traps which have yet to go into production are unknown but BASC considers that even the highest costs estimated in the impact assessment are considerably too low, noting that the current cost of a Doc 150 is around £30, more than three times the cost of a Fenn or similar trap.

BASC would strongly support the continued use and approval of all existing traps currently listed on the spring trap approval orders for the species (other than stoat) they are permitted for at present, noting that a number of these have already been assessed and approved for other species e.g. 'Canadian' stoats.

The fact that some traps may no longer be in production should not be a bar to their continued approval and should government consider the removal of their approval then consideration of compensation should be made.

Question 4: Do you agree or disagree with our proposed approach with respect to the training requirements?

BASC agrees with the proposed approach with regards training.

Question 5: Do you agree or disagree with our proposed approach with respect to the trap marking requirements?

BASC agrees with the proposed approach with respect to trap marking, noting that a requirement of AIHTS is that trap users can readily identify compliant traps.

Question 6: Do you agree or disagree with our proposed approach with respect to the provision of trap instructions requirements?

BASC agrees with the proposed approach with respect to provision of trap instructions requirements.

Question 7: Do you agree or disagree with the approach undertaken in the impact assessment?

BASC does not agree with the approach undertaken in the impact assessment. There are a number of fundamentally incorrect assumptions and subsequent conclusions, which have been highlighted in previous answers.

Additionally the assessment identifies the main affected group as gamekeepers but it does not appear to take into account the substantial number of other users, such as farmers and pest controllers who will run a number of traps for a variety of reasons, for example as part

of a rat control program to minimise the use of rodenticides or the control of grey squirrels in forestry.

All of these users are potentially going to have to make the transition to AIHTS stoat approved traps depending upon the risk of them catching a stoat.

BASC is also aware of a major conservation project to eradicate stoats from the Orkney Islands which will also increase the demand for AIHTS compliant stoat traps.

BASC would suggest that the number of traps in circulation has been significantly underestimated. These estimates are based on the annual sales of Fenn and similar traps and include an assumption based on a trap lasting in the region of ten years. Feedback from gamekeepers and other trap users indicates that type of trap, if well maintained, could easily last double this.

The impact assessment anticipates that a suitable replacement trap will be approximately £17. The current cost of a Doc 150 is around £30 therefore BASC considers this to be a serious underestimation.

The impact assessment, quite correctly, identifies that the rate at which new AIHTS-compliant traps can be manufactured is limited. Using the estimated best production rate of 50,000, it would take at least a two year transition period to replace the 104,000 traps which the assessment advises would need replacing.

Whilst BASC considers this estimated number of replacement traps required to be considerably too low, what it does show, by the assessment's own calculations, is that the proposed transition period is not achievable.

The Consultation documents also highlight criteria set out in the implementation plan that replacement traps should be of a similar size to those traps currently used to allow their use in existing tunnels. BASC is not aware of any like-for-like replacement so currently any new trap would require some modification of existing tunnels and infrastructure.

Therefore the estimated time and cost to replace existing traps and infrastructure is significantly underestimated.

Question 8: Do you agree or disagree with the conclusions of the impact assessment?

BASC disagrees with the conclusions of the impact assessment - please see answer to question 7 above.

Question 9: What additional costs may be incurred by you or those you represent as a result of implementing the AIHTS requirements for manufacturers?

In our previous answers, BASC has highlighted there are significant financial implications associated with transition to new AIHTS stoat compliant traps which we feel have been significantly underestimated.

There are also a number of potentially unforeseen consequences which could result from any downturn in trapping effort as a result of poor implementation which the assessment has not considered. Such a reduction in trapping effort for only a relatively short period could have a serious impact on land managers and conservationists both financially and also for the species and habitats which they manage.

As an example, stoats were first seen in Orkney in 2010 and, since then, in the absence of control, the population has become widely established to the point where they pose a very serious threat to Orkney's unique wildlife. As a result of this expansion, in only a few years, there is now a major eradication programme (based on trapping) underway which the RSPB advised could cost up to £5 million.

The importance of controlling rats by trapping is recognised in the UK's rodenticide stewardship, not least to minimise the risk of secondary poisoning to other wildlife by reducing rodenticide use.

Should control of rats decrease in locations where there might be a risk of catching a stoat, such as farmland, other methods of control will be needed with the associated risks or there would be an increase in rat numbers and the damage caused by them with the associated risk to human health.

Question 10: What additional training costs may be incurred by you or those you represent as a result of implementing the AIHTS?

BASC would suggest that if AIHTS is implemented as proposed, there will be limited additional training costs in addition to familiarisation with manufacturers' instructions.

Question 11: Which make and models of stoat trap and how many do you or those you represent use?

BASC would agree with the consultation assessment that Fenn-type traps are the most commonly used type of stoat trap. Feedback received from trap users is that these account for well over 95% of the traps which they use.

Question 12: Roughly how many of each permitted target species do you catch using these traps in an average year?

N/A

Question 13: How often in years do you or those you represent replace a particular make and model of trap (how long is its working life)?

N/A

Question 14: Roughly how many of each AIHTS species other than stoat have you or those you represent caught in the last year?

N/A

Question 15: What trap make and models did you use?

N/A

Question 16: What trap/tunnel set up is most important for you when trapping stoats?

Based on feedback from trap users, BASC understands that the run-through configuration is the most common form of trapping by a substantial margin.

Question 17: Do you place bait or lures in the tunnel?

N/A

Question 18: Do you use baffles/restrictors to prevent non-target species entering the tunnel (outer) or to guide target species through the trap (inner)?

N/A

Question 19: How do you buy your traps?

N/A

Question 20: How much do you estimate you have spent in £ on traps in the last year?

Please specify in £

N/A

Question 21: Any other comments you wish to make, relevant to your use of traps against the species concerned.

BASC has engaged with government and other stakeholders throughout the process to find suitable AIHTS-compliant stoat traps and to facilitate the transition to these.

While there has been very good progress as a result of partners working together, there is still more to do to find suitable replacement traps, of which there are new and innovative designs coming forward. BASC would therefore seek assurance from government that they will continue to engage and provide support in this important area of wildlife and conservation management.

As stated above BASC feels that the proposed implementation period is too short and would have serious and unintended consequences. BASC would urge that government continues to engage with stakeholders to continue the process to set a realistic and achievable date for implementation.