

Appendix D – Consultation questions

This consultation is seeking views on effective management measures for widely spread species of Union concern. Therefore responses proposing actions that do not contribute towards the eradication, population control, or containment of these 9 widely spread species will fall outside the scope of this consultation.

Alongside the consultation questions we have provided a number of prompts and examples. They have been included to help clarify the information and evidence that would be most helpful to receive in response to this consultation.

Respondents may wish to submit comments on wider matters regarding the control of species of Union concern. Please however refer to guidance given in Appendix E, as this will help you ensure your response falls within the scope of the consultation.

(Please note – responses that either

- 1. Propose that we make exceptions for particular species from the requirement to have in place effective management measures for widely spread species of Union concern, or*
- 2. Propose that we make exceptions for particular species from restrictions of the Principal Regulation;*

would not be consistent with our obligations under the Principal Regulation. Suggestions of this nature would therefore fall outside the scope of this consultation)

Q1. Would you like your response to be confidential?

A. No

Q2. What is your name?

A. Dominic Whitmee, Chief Executive of the Ornamental Aquatic Trade Association. OATA represents more than 850 UK businesses which provide fish-keepers with everything they need to set up and maintain a successful home aquarium or garden pond, including retailers, breeders, importers and manufacturers, many of which are SMEs.

Q3. What is your email address?

A. dominic@ornamentalfish.org

Q4. Who do you represent?

(You can tick more than one box.)

- Academia
- Animal rescue
- Animal welfare campaigner
- Aquatic interests/anglers
- Business

- Charity
- Commercial Fishery
- Conservation body
- Farmer
- Forester/woodland owner/manager
- Garden centre/retail outlet
- Government agency
- Horticultural Industry
- Individual Land owner & their representative body
- Local action group
- Local Authority
- Member of general public
- Non-Government Organisation
- Pet interest group
- Pet owner
- Professional and Membership Organisations/Agencies

X Trade association

- University/research institute
- Utility supplier
- Veterinarian
- Water supplier
- Zoo
- Other (please specify)

Q5. What are your views on the proposed aims for the management measures set out in Appendix A?

- Please indicate if your answer relates to a specific widely spread species, a number of specific species, or is a general response relation to management aims more widely.
- It is helpful if you include reasoning or additional evidence as to why you hold your opinion. If you do not agree with the proposed aims, please could you explain why and provide evidence as to why you feel alternative aims should be adopted. Please remember, aims need to be focused on achieving eradication, population control or containment of widely spread species.
- For example you could say: “I do not agree with aim X for species Y, I feel that instead we should aim for Z in relation to this species. I provide the following reasoning to support my argument ...”

We are broadly in support of the aims of the management measures, except where it mentions the ‘lethal control’ of a species in the main aims of the management measures (pg 6). We would not be supportive of this approach when it comes to pets/companion animals such as *Trachemys scripta* (terrapins). See our more detailed comments under Q9.

There is also no mention in this consultation about how it intends to deal with public perceptions around management measures. Any measures involving animals, particularly those perceived by the public as being 'cute, fluffy and cuddly' will likely invoke an emotive response, thus causing social conflict (as highlighted by Crowley *et al.* (2017)¹). In relation to plants, measures which involve the use of biological/chemical means may also give rise to social conflict by the public in their use. As recommended by Crowley *et al.* (2017), this consultation should give due regard to which areas of conflict may arise and how they can be addressed. For example, to engage the public as to why management measures are needed for these 10 species, a public education campaign could be done via e-learning. We know that the GB Non Native Species Secretariat offers free, comprehensive e-learning modules via their website and given their expertise in developing such modules, once such potential areas of social conflict have been identified, e-learning modules could be developed for the whole of the UK and offered to the public on relevant websites on why such measures are required and how the public can help. This would assist in the public being made to feel more inclusive in decision making and enhance their understanding of why such measures are needed to ensure the long-term survival of GB native species and sensitive ecosystems.

We would also like to point out that efforts to manage or eradicate IAS in the UK have been hindered in part because of agencies missing the 'golden window of opportunity' to eradicate an IAS from a site, because no one body will take responsibility for such measures. The delay which ensues, whilst bodies enter discussions about who should take responsibility or decide whether to take action at a site because it may affect other species (an example highlighted during the recent Westminster Environmental Audit Committee Inquiry by Dr David Aldridge was the gulf wedge clam²), ultimately means that the opportunity to eradicate an IAS before its numbers spread is often missed. Of course OATA raised concerns in 2004 about several aquatic plant species (some of which are mentioned amongst the 10 species) but yet it took a decade until an official ban came into effect, a time span which could have resulted in these species being better managed.

We know that *Lagarosiphon major* (Curly waterweed) is still being sold illegally, often under the name of *Elodea crispata* or that such species are being mis-sold under generic terms such as 'oxygenators' and is highly likely to be entering the UK illegally. Where OATA has received information on such sales/illegal entry, this has been reported to the relevant authority, but until such time as enforcement powers come into effect, the authorities do not have the power to intercept and seize such illegal consignments. More also needs to be done in relation to the e-commerce supply chain which is increasingly a pathway of introduction for such illegal species. Whilst illegal and illicit activity continues, this is wholly undermining the efforts of the legal and legitimate industry in promoting the Be Plant Wise campaign and educating its customer base to raise awareness of the negative impacts that IAS cause and what measures they can undertake to stop their spread, which is increasingly leading the legal and legitimate industry to feel disengaged with such campaigns, as their reputation is being greatly harmed, both reputationally and financially, by those who engage with impunity in illegal and illicit activity.

We therefore remain disappointed that enforcement measures will not be in place until December 2019. We reiterate that without effective enforcement measures problems will persist endlessly as online sellers continue to sell banned plants with impunity, particularly as more species are added to the EU list each year. We are pleased to see that the Invasive Species Ireland website does have information which advises people on which species cannot be traded. This is a much better situation than in Great Britain where there is no central portal with this easy to find information.

¹ Crowley, S.L., Hinchcliffe, S. and R.A. McDonald. (2017). Conflict in invasive species management. *Frontiers in Ecology and the Environment*. 15(3), pp. 133-141.

² <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/environmental-audit-committee/invasive-species/oral/103087.html>

Q6. What are your views on the general management measures set out in Appendix B?

- Please indicate if your answer relates to a specific widely spread species, a number of specific species, or is a response relating to general management measures more widely.
- It is helpful if you include reasoning as to why you hold your opinion. If you do not agree with the proposed general management measures, please could you explain why and provide evidence as to why you feel alternative general management measures should be adopted. Please remember, management measures need to be focused towards achieving eradication, population control or containment of widely spread species. Please be as detailed as possible in your response, including reasoning and evidence.
- As well as proposing general management measures in Appendix B, we have included examples of actions which we propose should be undertaken.
- For example you could say: “I do not agree with measure X for species Y, I feel that instead we should apply measure Z in relation to this species. I provide the following reasoning/evidence to support my argument ...”

We would suggest that thought is given to the messaging around the removal and disposal of the plant species mentioned in this consultation, which may be in private gardens etc. This should be done via a gradual ‘phase out’ with the message continually being ‘drip fed’. It is likely that the introduction of the Enforcement and Permitting Order on 1 December 2019 could cause panic in the general public unless there is very careful guidance, as to how they will prove they obtained a species, which was subsequently banned, BEFORE the ban came into effect. Measures should consider offering guidance to members of the public as to how they can responsibly dispose of such species from their ponds/aquariums should they wish to do so. Such measures should engage with industry expertise as to how this message can be disseminated and continually reinforced via industry’s outreach to its customers.

The obvious way to do this would be through a campaign such as the Be Plant Wise campaign, of which OATA is long-time supporter. However, this particular campaign badly needs an update. In Great Britain it is very hard to currently find, in one place, a definitive list of the plants that are banned from sale in the UK (you can find aquatic plants on the OATA website). We commend the Invasive Species Ireland website which is much more up to date and the GB Non Native Species Secretariat could certainly learn from this website about how to provide this information in an easier to find way. Consumers who are not well versed in invasive species issues or jargon badly need information that is not just written for and by ecologists.

To ensure the effectiveness of the management measures in Appendix B a key element will be good quality, easy-to-find and easy-to-follow information with a clear ‘call to action’ message on how to safely get rid of plants taken out of the ground/pond over time. This way the well-intentioned gardeners will not inadvertently spread the plants further. For example, how many gardeners would know that plant material for plants such as Japanese Knotweed and Ragwort must not be disposed of via Local Authority kerbside green waste bins/council recycling centres but can only be disposed of as ‘controlled waste’?

We do not support the ‘use of approved, humanely conducted, lethal control measures’ with regard to *Trachemys scripta* (terrapins). *Trachemys scripta* is the only species on the animal list that are

pets, all the other animals covered by this consultation are wild animals. So the issues are very different for these animals because the 'audience' for these management measures are largely owners. If euthanasia or lethal control is the only option then we believe the likelihood of releases will increase because realistically owners are unlikely to want to kill a much-loved pet. We believe this species on the list needs a different approach to management (see below). We note that elsewhere in the consultation of the example of licensable activity including the removal of *Trachemys scripta* population and their keeping in activity as part of a population control activity and we are glad to see this specific example.

Q7. Are there any additional actions you think should be used as general management measures for particular widely spread species?

- Please indicate if your answer relates to a specific species, a number of specific species, or is a response relating to general management measures more widely.
- This consultation paper (Appendix B) sets out our proposals for effective general management measures. You may be aware of other potential measures, which we haven't proposed here, that you consider should be allowed. Please be as detailed as possible in your response, including reasoning and evidence.
- It is helpful if you specify how any suggested actions are justifiably aimed at one or more of the three management purposes of eradication, population control and containment (see section entitled "Management measures" on page 4 of main consultation document for clarification).
- An example could be "I would like to see management measure X included for this species. Measure X would contribute to the management of the species because..."

It refers to general measures about research and how new introductions of plants occur and we would point out that our industry has members who hold a significant depth of knowledge on the conditions that such plants are likely to require for growth and as such they may be able to fill in any current knowledge gaps or suggest ways in which such knowledge gaps could be addressed given their international networks. If such measures were to initially take advantage of industry knowledge transfer, any such resulting measures could be more effectively targeted to achieve the specific outcomes of management and eradication. We would also hope that this research looks at the role of online sales into this continuing issue.

Q8. Are there any actions that you think should not be used as part of a general management measure for a particular widely spread species?

A.

Q9. What are your views on the proposed licensable management measures set out in Appendix C?

- Please indicate if your answer relates to a specific species, a number of specific species, or is a response relating to licensable management measures more widely.
- It is helpful if you include reasoning as to why you hold your opinion. If you do not agree with the proposed licensable management measures, please explain why and provide evidence as to why you feel alternative licensable management measures should be adopted. Please remember, management measures need to be focused towards achieving eradication, population control or containment of widely spread species.
- As well as proposing licensable management measures, we have included examples of actions which we propose could be undertaken. Please be as detailed as possible in your response, including reasoning and evidence.
- For example you could say: “I do not agree with measure X for species Y, I feel that instead we should apply measure Z in relation to this species. I provide the following reasoning/evidence to support my argument ...”

We note your comments on pg 12 about the ‘temporary commercial use of plant specimens as part of work aimed at eradication, population control or containment’. We are not clear what this is suggesting but would be interested in exploring ideas further and industry of course does have a lot of knowledge about how these plants grow that could prove useful in this circumstance.

Our main concern is the advice to be given to terrapin owners who have continued to keep these animals (as opposed to populations which have already been released into the wild and become established). This consultation does not seem to cover this aspect. *Trachemys scripta* is the only species on the animal list that are pets, all the other animals covered by this consultation are wild animals. So the issues are very different for these animals because the ‘audience’ for these management measures are largely owners.

These are creatures that can live for 30 years so advice needs to be clear and simple and offer solutions to people who can no longer care for their pet and wish to give them up. Where can they take these animals if they can no longer offer a home? If euthanasia is the only option then we believe the likelihood of releases will actually increase because realistically owners are unlikely to want to kill a much-loved pet.

We believe this species on the list needs a different approach to management, other than just eradication. We therefore welcome the acknowledgement that keeping terrapins in captivity could become a licensable activity (pg 13).

One example put forward in the consultation document mentions about animals being taken into captivity to prevent their release back into the environment. Hadlow College and the National Centre for Reptile Welfare (based at the college) developed a citizen science project called Turtle Tally which could provide invaluable information as to where known populations of sliders in the wild actually are in the UK and also to raise awareness of where new sightings occur, allowing for effective intervention and eradication from any new sites.

We would urge the Government to work with both OATA and the Reptile and Exotic Pet Trade Association (REPTA) to investigate alternative methods that would allow these animals to be handed on to licensed rescue centres or keepers. REPTA has an interesting idea on how these could be looked after by volunteers who could create enclosed systems within their homes or gardens to house these animals during their lifetime. The NCRW or another facility could become a licensed place which could vet potential rehomingers who could offer secure, escape proof housing for sliders for the duration of their natural lives, with any such vetting procedures being approved by the Competent Authority and rehomingers working 'under licence'. But we would urge that this is made possible under a general licence to encourage adoption licence paperwork for this to be as simple as possible.

This would also be a dual aspect approach as the NCRW would act in raising public awareness on IAS and act in preventing inappropriate releases to the wild if owners were to consider that release to the wild is 'kinder' than euthanising a healthy animal. The NCRW/REPTA approach would also likely generate favourable responses from the public in offering a viable and effective alternative to culling/euthanasia, whilst also offering an opportunity for research at a licensed facility.

We believe that the approach taken to this species is an important blueprint for the future as more and more species that are kept within domestic settings are listed (eg raccoon dogs). It is therefore vital that whatever management measures that are agreed here can be replicated easily for other species kept as companion animals in domestic settings or as part of private collections.

Q10. Are there any additional actions you think should be allowed as a licensable management measure for a particular widely spread species?

A.

Q11. Are there any actions that you think should not be allowed to be used as part of a licensable management measure for a particular widely spread species?

- Please indicate if your answer relates to a specific species, a number of specific species, or is a response relating to licensable management measures more widely.
- This consultation paper (Appendix C) sets out our proposals for effective management measures. You may be aware of other potential measures, which we haven't proposed here, that you consider should not be allowed. This might include measures which you think may be proposed by other respondents to this consultation. We would like to know if you feel that certain actions should not be considered to legitimately contribute towards management of widely spread species, or particular widely spread species.
- Please clarify why you feel the measure should not be used, for example if you do not believe it would work towards one or more of the three management purposes (please see section entitled "management measures")

on page 5 of main consultation document for clarification). Please be as detailed as possible in your response, including reasoning and evidence.

- An example could be: “I would not like to see management measure X included for this species. I feel that it would not contribute to the management of the species for the following reasons...”

A.

No, other than to state that increased public awareness campaigns are needed to avoid potential social conflict, given that the controlled capture and translocation of IAS to a secure, licensed facility is likely to be more favourable to the public, for animal species, than culling/euthanasia.