

Consultation on:

- (1) The Review of schedule 9 to the Wildlife and Countryside Act 1981;
and
(2) The Ban on Sale of Certain Non-native Species**

Response form

The closing date for the submission of responses is: **31 January 2008**.

- Please complete this response form electronically (text boxes will expand), or
- Print a copy and mark all supplementary pages with your name and organisation, indicating clearly which questions your answers relate to.
- Send completed response forms to: nns.consultations@defra.gsi.gov.uk or post a hardcopy to: Matt Ashton, Protected Species and Non-native Species Team
Wildlife Species Conservation, Defra, 1/09 Temple Quay House, 2 The Square,
Temple Quay, Bristol, BS1 6EB

In order to help us analyse responses, please provide details of your organisation below (Defra's confidentiality statement: in line with Defra's policy of openness, at the end of the consultation period copies of the responses we receive may be made publicly available through the Defra Information Resource Centre, Lower Ground Floor, Ergon House, 17 Smith Square, London SW1P 3JR. The information they contain may also be published in a summary of responses. Please see section: **Publication of results**).

You should also be aware that there may be circumstances in which Defra will be required to communicate information to third parties on request, in order to comply with its obligations under the Freedom of Information Act 2000 and the Environmental Information Regulations.

- Further information: <http://www.defra.gov.uk/corporate/.opengov/index.htm>.

Name: Mr P.Watson
Organisation: The Deer Initiative

Please indicate which category of organisation you represent: Select **ONE** option from the list below by clicking on the relevant box

Government (incl. Agency)
 Transport
 Conservation/NGO
 Developers
 Trade organisation
 Academic/Research
 Private individual
 Professional body/individual
 Land/Water management
 Other

Other category (*Please specify*):

Address details: PO Box 2196 Wrexham,	Phone number: 0870 774 3677
	Mobile number: 07811 326518
	Email: director@thedeerinitiative.co.uk
Post code: LL14 6YH	Website: www.thedeerinitiative.co.uk

Publication of Results	
Are you responding: a) As an individual (<i>Please go to c</i>)	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
b) On behalf of a group/organisation (<i>go to e</i>)	Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>
Individuals	
c) Do you agree to your response being made available to the public in the Defra library and on the Defra website? (Responses from consultees in Wales will also be copied to the Welsh Assembly Government.) If Yes, please go to d. If your answer is No we will treat your response as confidential.	Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>
d) Where confidentiality is not requested, we will make your response available to the public on the following basis (please tick one of the following boxes)	
Yes, make my response, name and address all available.	<input checked="" type="checkbox"/>
Yes, make my response available, but not my name or address.	<input type="checkbox"/>
Yes, make my response and name available, but not my address.	<input type="checkbox"/>
Response on behalf of groups or organisations	
e) The name and address of your organisation will be made available to the public in the Defra library and on the Defra website. (Responses from consultees in Wales will also be copied to the Welsh Assembly Government.) Are you also content for your response to be made available? If your answer is No we will treat your response as confidential.	Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>

Sharing responsibilities/future engagement – all respondents	
We may share your response internally with other policy teams in GB Administrations who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content to be contacted again in relation to this consultation response?	
	Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>

The Review of schedule 9 to the Wildlife and Countryside Act 1981 and the ban on sale of certain non-native species – Consultation Response Form - 2

The questions in the consultation documents are reproduced under each part heading below. Please tick where appropriate and include any comments in the spaces provided. (Expand comments boxes as necessary.)

Consultation document part 2.1: Animal species proposed for addition to schedule 9, part I

1) Do you agree with the proposal to add these animal species proposed for addition to schedule 9, part I to the Wildlife and Countryside Act 1981?

Yes: **No:**

Comments: Our comments relate only to Chinese water deer (CWD), we have no view on the other animal species listed. We are aware that our Partners have differing views on the current status of CWD. The view of the staff of DI Ltd is that, although this species currently appears to be restricted in range, this might not be the case if released elsewhere. In addition one reason cited for it's restricted range is high winter mortality, in the light of climate changes this may no longer be the case. Whilst we accept that it is not certain that CWD are an invasive species, however we would recommend adherence to the precautionary principle. In general, impacts by deer (including CWD in some areas) especially on woodland environments, are of increasing concern. There is at least one species of deer present in every county in England and Wales, the introduction of a new species is unlikely to improve matters. The status of CWD as an endangered animal elsewhere in the world is not relevant in this context. We would therefore support the addition of CWD to Schedule 9 Part 1, subject to our comments in Para 5) below.

2) Are there any species in the list above that you think should not be added? Please give your reasons in detail.

Yes: **No:**

Comments: We take no view on species other than the species listed in in 1) above

3) Are there any species missing from the list above that you think should be added? Please refer to the JNCC checklist and guidance at Annex B for assistance in proposing additional species.

Yes: **No:**

Comments:	

4) Do you have any comments on the checklist and guidance provided?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
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Comments:	

5) Do you have any other comments about the addition of animal species to schedule 9?	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
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Comments: The lack of a requirement for movement licenses for wild deer that are not on Schedule 9 of the WCA highlights the need to follow the precautionary principle. There are currently no constraints on individuals moving wild deer (other than those species on Schedule to areas where that species has been absent for hundreds of years eg moving roe deer to Wales. We would strongly recommend that licenced release of Schedule 9 animals is discussed as an outcome of this consultation. We would not oppose the release of rehabilitated animals providing such releases take place within a short distance of where they were found. When muntjac were added to Schedule 9 it was agreed that the licensed release of rehabilitated animals would only take place within the 12 counties forming their 'core' area. We understand that licenses are being issued to allow release outside this area (though within 1 km of the collection point).	
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Consultation document part 2.2: Animal species proposed for removal from schedule 9, part 1

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6) Do you agree with the proposal to remove these animal species from schedule 9 to the Wildlife and Countryside Act 1981? If not, please explain in detail.	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
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Comments:	

<p>7) Are there any other species that you think should be removed from schedule 9 to the Wildlife and Countryside Act 1981? Please refer to the JNCC checklist and guidance at Annex B for assistance in proposing species for removal from schedule 9 and use the form supplied.</p>	<p>Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/></p>
<p>Comments:</p>	
<p>8) Do you have any other comments about the removal of animal species from schedule 9?</p>	<p>Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/></p>
<p>Comments:</p>	

The Review of schedule 9 to the Wildlife and Countryside Act 1981 and the ban on sale of certain non-native species – Consultation Response Form – 3

Consultation document part 2.3: Plant species proposed for addition to schedule 9, part II

<p>9) Do you agree with the proposal to add these plant species to schedule 9, part II to the Wildlife and Countryside Act 1981?</p>	<p>Yes: <input type="checkbox"/> No: <input type="checkbox"/></p>
<p>Comments: We have no view on this section</p>	

10) Are there any species on the list above that you think should not be added? Please give your reasons in detail.	Yes: <input type="checkbox"/> No: <input type="checkbox"/>
Comments: We have no view on this section	
11) Are there any species missing from the list above that you think should be added? Please refer to the JNCC checklist and guidance at Annex B for assistance in proposing additional species.	Yes: <input type="checkbox"/> No: <input type="checkbox"/>
Comments: We have no view on this section	
12) Do you have any comments on the checklist and guidance provided?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>
Comments: We have no view on this section	
13) In scheduling Sea Buckthorn, it is proposed that the prohibition in section 14 should apply only in defined areas where it is non-native and causing ecological damage to native biodiversity. Do you agree with this approach? How should these areas be defined?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>

Comments: We have no view on this section	
14) Do you have any other comments about the addition of plant species to schedule 9?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>
Comments: We have no view on this section	

Consultation document part 2.4: Costs and benefits of adding species to, or removing species from, schedule 9	
15) What costs or benefits might there be to your sector or business from prohibiting introduction of these species to the wild?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>
Comments: We believe that adding Chinese Water Deer and Wild boar to schedule 9 will have no significant impact in our sector. The addition of CWD might bring long term benefit by helping to prevent their spread and thus preventing a potential cause of increased deer impact on certain habitats. The recreational opportunities for watching and culling CWD are presently limited geographically and make up very small proportion of such recreation for all species. In our view limiting the spread of CWD will not significantly deny recreational or business opportunities.	
16) If adding certain species to schedule 9 will have an impact on your business, what alternative action might you take or what alternative species might you use?	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>

Comments: see 15 above	
17) Would the addition to, or removal from, schedule 9 of any of the proposed species have beneficial or detrimental environmental impacts other than those identified in the tables in the consultation document?	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
Comments: see 15 above	
18) Would the addition to, or removal from, schedule 9 of any of the proposed species have beneficial or detrimental social impacts?	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
Comments: see 15 above	
19) Are there any relevant business areas not yet identified in this consultation paper or the Impact Assessment?	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>

Comments: see 15 above

20) Do you have any other comments about the costs and benefits?

Yes:

No:

Comments:

The Review of schedule 9 to the Wildlife and Countryside Act 1981 and the ban on sale of certain non-native species – Consultation Response Form – 4

Consultation document part 3.1: Japanese knotweed

21) Do you agree that in respect of Japanese knotweed, which is currently listed on part II of schedule 9, *Fallopia japonica*, should be included under the scientific names as a synonym for *Polygonum cuspidatum*?

Yes:

No:

Comments: We have no view on this section

Consultation document part 3.2: Hybrids of schedule 9, part I species (animals)

22) Do you agree to the introduction of a provision that makes it clear that all hybrids of those animals listed on part I of schedule 9 are caught within the scope of section 14(1)?

Yes:

No:

Comments: Currently, for deer, this only has significance for species of the genus *Cervus*, but we support the principle even though a practical application might be difficult. For Wild boar there may be similar difficulties.

23) Do you have any other comments about the issue of including animal hybrids in schedule 9?

Yes:

No:

Comments:

Consultation document part 3.3: Hybrids of schedule 9, part II species (plants)

24) Do you agree to the introduction of a provision that makes it clear that all hybrids of those plants listed on part II of schedule 9 are caught within the scope of section 14(2)?

Yes:

No:

Comments: We have no view on this section

25) Do you have any other comments about the issue of including plant hybrids in schedule 9?

Yes:

No:

Comments: We have no view on this section

The Review of schedule 9 to the Wildlife and Countryside Act 1981 and the ban on sale of certain non-native species – Consultation Response Form - 5

Consultation document part 4.2: Non-native animal species proposed for listing on an Order to ban their sale

26) Do you agree with the proposal to ban the sale of these animal species under section 14ZA of the Wildlife and Countryside Act 1981?

Yes:

No:

Comments: We support the principle but take no view on individual species

27) Are there any species on the list above that you think should not be included? Please refer to the 'criteria for listing' and give your reasons in detail.

Yes:

No:

Comments:

28) Are there any species missing from the list above that you think should be included? Please give your reasons in detail.

Yes:

No:

Comments:

29) Do you have any other comments about the proposed ban on sale of certain non-native species?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
Comments:		

Consultation document part 4.3: Non-native plant species proposed for listing on an Order to ban their sale

30) Do you agree with the proposal to ban the sale of these plant species under section 14ZA of the Wildlife and Countryside Act 1981?	Yes: <input type="checkbox"/>	No: <input type="checkbox"/>
Comments: We have no view on this section		

31) Are there any species on the list above that you think should not be included? Please refer to the 'criteria for listing' and give your reasons in detail.	Yes: <input type="checkbox"/>	No: <input type="checkbox"/>
Comments: We have no view on this section		

32) Are there any species missing from the list above that you think should be included? Please give your reasons in detail.	Yes: <input type="checkbox"/>	No: <input type="checkbox"/>
Comments: We have no view on this section		
33) Do you have any other comments about the proposed ban on sale of certain non-native plant species?	Yes: <input type="checkbox"/>	No: <input type="checkbox"/>
Comments: We have no view on this section		

Consultation document part 4.4: Costs and benefits of a ban on the sale of the proposed species

34) What costs or benefits might there be to your sector or business from banning the sale of these species? How much of an impact might there be in terms of cost to your business and those you employ?	Yes: <input type="checkbox"/>	No: <input type="checkbox"/>
Comments: We can envisage no costs or benefits to our sector. Except the cost/benefit that might arise from the spread of an animal that compromises deer welfare e.g. through predation or disease.		
35) If banning the sale of certain species will have an impact on your business, what alternative action might you take or what alternative species might you use?	Yes: <input type="checkbox"/>	No: <input type="checkbox"/>
Comments: We have no view on this section		

36) If alternative species are available, what would be the cost to your business in making the adjustment?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>
Comments: We have no view on this section	
37) Would a ban on sale of any of the proposed species have beneficial or detrimental environmental impacts other than those identified in the tables above?	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
Comments:	
38) Would a ban on sale of any of the proposed species have beneficial or detrimental social impacts other than those identified in the tables above?	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
Comments:	
39) How might a ban on sale of one or more of the proposed species impact on keepers and collectors?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>
Comments: We have no view on this section	

40) Do you have any other comments about the costs and benefits of a ban on sale of certain non-native species?

Yes:

No:

Comments:

Thank you for completing this response form.