**Agriculture Act 1947 and Pests Act 1954**

**Control of Rabbits - Complaint form**

**Complaints about rabbit damage**

Enforcement and Appeals Team

Natural England
Worcestershire County Hall

Spetchley Road

Worcester

WR5 2NP

enforcement@naturalengland.org.uk

* This form should be used if you are suffering **significant** **crop** **damage** (e.g. agriculture, horticulture or forestry) that is caused by rabbits coming from neighbouring land, and your neighbour is refusing to control them.
* Please complete this form clearly using **dark ink**. Alternatively you can complete this form online and email it to us at enforcement@naturalengland.org.uk
* All questions must be answered and the form sent to enforcement@naturalengland.org.uk or posted to Enforcement and Appeals Team, Natural England, Worcestershire County Hall, Spetchley Road, Worcester, WR5 2NP.
* If you experience any difficulties completing this form, please contact the Enforcement and Appeals Team (see opposite).

**Responsibilities of occupiers to control rabbits**

* Section 1 of the Pests Act 1954 places a continuing obligation on occupiers of land in a rabbit clearance area (that is, the whole of England and Wales except the City of London, the Isles of Scilly and Skokholm Island), to kill or take any wild rabbits living on or resorting to their land, unless they can demonstrate that it is not reasonably practicable to do so. In the latter case they have an obligation to prevent the rabbits from causing damage elsewhere by, for example, fencing them in with rabbit-proof fencing. These obligations are continuing obligations and action to control rabbits should be taken whenever it becomes necessary to do so.

**Enforcement of the obligation to control rabbits**

* Occupiers who neglect a rabbit infestation on their land which causes serious damage to neighbouring land will be reminded of their obligation by Natural England and given reasonable time to put matters right. If this warning is ignored, the Secretary of State has discretionary powers, under Section 98 of the Agriculture Act 1947, to serve a Notice requiring an occupier to take specified action against the rabbits. If an occupier fails to take the specified action he/she would be liable for prosecution. In addition, the Secretary of State can also arrange for a third party to carry out the necessary control work on the occupier’s land and then recover the cost of this work from the occupier.

**1. Your details (complainant)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Title (e.g. Mr, Mrs, Miss) |  | Forename |  | Surname  |
|       |  |       |  |       |
|  |
| Business Title (if appropriate) |       |
|  |
| **(b)Address of applicant** |       |
|  |
|  |       |
|  |
|  |       |
|  |
| County |       | Postcode |       |
|  |

Daytime telephone no.(incl. National dialling code) Mobile No.

|  |  |  |
| --- | --- | --- |
|       |  |       |

Fax no. Email address

|  |  |  |
| --- | --- | --- |
|       |  |       |

If you would like us to acknowledge receipt of this application, please tick ONE of the following boxes to indicate your preferred method: Email [ ]  Telephone [ ]  Fax [ ]  Letter [ ]

**2. Details of complaint**

## Please provide a map showing the location of rabbit damage and harbourage described below

|  |  |
| --- | --- |
| **(a) Location of damage**Please provide full details e.g. address, field or compartment numbers |  |
| **In relation to this land are you:** (please tick as appropriate) The owner [ ]  The Tenant [ ]  Other (please state) [ ]   |
| **(b) Nature and extent of damage**Please give details including: - type of crop and area damaged - cost of damage (e.g. yield loss, cost of additional fertiliser or seed) - time of year damage occurs- length of time the damage has been occurring-whether damage is currently occurring. Continue on a separate sheet as necessaryPlease attach any supporting documentation (e.g. yield data, agronomist’s reports, photographs) as appropriate  |  |
|  |  |
| **(c) Source of rabbits**Please provide details of where the rabbits causing the damage are harboured (e.g. name of land, postal address, field or compartment numbers) |  |
|  |  |
| **(d) Are there any other causes of damage (e.g. other animals, disease, poor germination or drainage)?**If YES, please give details and state what (if any) action you have taken. |  |

**Section 3: Details of neighbour(s)**

1. Please provide the name(s), address(es) and contact details of the owner(s) or occupier(s) of the land where the rabbits causing the damage are harboured.

**Neighbour 1**

|  |  |
| --- | --- |
| Name |       |
| Address |       Postcode       |
| Tel No. |       |

**Neighbour 2**

|  |  |
| --- | --- |
| Name |       |
| Address |       Postcode       |
| Tel No. |       |

**Neighbour 3**

|  |  |
| --- | --- |
| Name |       |
| Address |       Postcode       |
| Tel No. |       |

**Neighbour 4**

|  |  |
| --- | --- |
| Name |       |
| Address |       Postcode       |
| Tel No. |       |

**Section 4: Details of action taken by complainant**

(a) Have you contacted the neighbour(s) listed above? Yes [ ]  No [ ]

If **YES,** please provide details of the contact made with the neighbour(s) including dates and responses. Please provide copies of any correspondence sent and/or received.

|  |
| --- |
|       |

If you answered **NO** at 4(a) above, please state why you have not made any contact with the neighbour(s).

**Please note: it is unlikely that a complaint will be taken forward when no attempt has been made to contact the neighbour to resolve the problem.**

|  |
| --- |
|       |

**Section 5:** **Further information**

(a) Do you have rabbits harboured on your land? Yes [ ]  No [ ]

If **YES** please provide details of rabbit harbourage and of any action you have taken to control the rabbits harboured on your land.

|  |
| --- |
|  |

**Section 6: Using and sharing Your Information**

The data controller is Natural England, Foss House, Kings Pool, 1-2 Peasholme Green, York, YO1 7PX.

Your information will be stored and processed in accordance with the Data Protection Act 1998. This Act gives you, as an individual, the right to know what data we hold on you, how we use it, with whom we share it and for it to be accurate.

It will be used for processing your complaint.

Natural England or its appointed agents may use the name, address and other details on this form to contact you in connection with occasional customer research aimed at improving the services that Natural England provides to you.

We will respect personal privacy, whilst complying with access to information requests to the extent necessary to enable Natural England to comply with its statutory obligations under the Environmental Information Regulations 2004, and the Freedom of Information Act 2000.

If you believe that any of the information we hold concerning you is incorrect or out of date, please provide us with the accurate information in writing together with supporting evidence (if appropriate). You should address your correspondence to: Enforcement and Appeals Team, Natural England, Worcestershire County Hall, Spetchley Road, Worcester, WR5 2NP or email: enforcement@naturalengland.org.uk

**Section 7: Declaration**

I have read and understand the guidance provided in this complaint form. I declare that the particulars given are correct to the best of my knowledge and belief, and I make a complaint in accordance with these particulars.

|  |  |
| --- | --- |
| Signature of complainant |  |

*For applications submitted via email, please insert an electronic signature above or tick this box to* *[ ]*

*confirm agreement with this declaration*

|  |  |
| --- | --- |
| Name (in BLOCK LETTERS) |       |

|  |  |  |
| --- | --- | --- |
| Date |       |  |

**What happens now?**

 If you requested an acknowledgement for your complaint (see page 1 of this form) you will receive this within 5 working days of receipt by Natural England. Your acknowledgement will provide information on the time that Natural England will take to process your complaint and to provide you with a decision.

* If we do not consider that the information provided on this form justifies further action by Natural England we will write to you explaining why.
* If the information provided on the form justifies further action you will be contacted by an Enforcement Lead Adviser who will discuss the problem with you and, if appropriate, arrange to make a site visit with you. During the site visit the Enforcement Lead Adviser will make an independent assessment of the damage and the rabbit infestation, and will provide advice on rabbit control as appropriate. The Enforcement Lead Adviser will also wish to speak with your neighbour(s) and to assess the rabbit infestation on their land. Where possible, a voluntary agreement to solve the problem between all parties will be encouraged.

**Please make sure you have:**

* completed all relevant sections of this form,
* attached relevant maps,
* attached relevant documents e.g. copies of correspondence,
* signed and dated the form