



Sara Steele  
Democratic Services Officer  
Belfast City Council  
Legal and Civic Services Department  
City Hall  
Belfast  
BT1 5GS  
[steelesara@belfastcity.gov.uk](mailto:steelesara@belfastcity.gov.uk)

Room 438  
Dundonald House  
Upper Newtownards Road  
Ballymiscaw  
Belfast  
BT4 3SB  
Telephone: 028 9052 4140  
Email: [private.office@daera-ni.gov.uk](mailto:private.office@daera-ni.gov.uk)

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Dear Sara

## **AVIAN INFLUENZA WATERWORKS PARK**

Thank you for your e-mail of 09 February 2022, in relation to the ongoing outbreak of Highly Pathogenic Avian Influenza (HPAI) and the welfare of wildlife in Belfast Waterworks Park.

Since the first confirmed case in this current outbreak of Avian Influenza in Northern Ireland, my Department has been working closely with the Public Health Agency to communicate up to date and informed advice to the public and to veterinary practices. The Public Health Agency has advised that human infections with Avian Influenza are rare as the disease is primarily one of birds; and that the risk to the general public's health is very low.

DAERA officials have also been working closely with the local councils, in particular Belfast City Council (BCC), with whom we met on Thursday 9 December in relation to this matter and to discuss the ongoing Avian Influenza outbreak across Northern Ireland. A further meeting was held with all councils and a wide range of public bodies and in conjunction with the Public Health Agency, on Wednesday 15 December 2021 to discuss the advice and guidance on dealing with the issue of sick, dying or dead wild birds on their land.

Since then, a new Avian Influenza Hub has been developed including a section on wild birds and public advice. This can be found on the DAERA website at the following link:

<https://www.daera-ni.gov.uk/articles/wild-birds-and-advice-public>

My Department conducts Avian Influenza (AI) surveillance of dead wild birds submitted following reports from members of the public. Officials collect some of these birds and test them to help understand how the disease is distributed geographically and the species affected. Dead wild waterfowl (swans, geese or ducks) or other dead wild birds, such as gulls or birds of prey, should be reported to the DAERA Helpline (Tel: 0300 200 7840).



Where dead wild birds are not required for surveillance purposes it is the landowner's responsibility to safely dispose of their carcasses. In respect of dead wild birds, or indeed any dead wild animal on public land, it is the local authorities' responsibility to safely dispose of the carcasses, as animal by-products.

In order for the Welfare of Animals Act (Northern Ireland) 2011 to apply, animals must be deemed to be "protected animals" in line with section 2 of the Act. In this section, animals are defined as "protected" if they are of a kind which is commonly domesticated in Northern Ireland; or if they are under the control of man; or not living in a wild state. This means that all animals living in a wild state, including wild fowl, do not come under the auspices of the Act. The Northern Ireland legislation is comparable to welfare legislation elsewhere in the UK and in the Republic of Ireland, in that the respective protections under animal welfare legislation do not apply to wild animals.

It should be noted, however, that under the Wildlife (NI) Order 1985 it is an offence for people to kill, injure, or take birds and other animals. More information can be found on the DAERA website: <https://www.daera-ni.gov.uk/articles/wildlife-law>.

Yours sincerely



**EDWIN POOTS MLA**  
**Minister of Agriculture, Environment and Rural Affairs**



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