

Summary of Licensing Decision: 2016-24189-SPM-WML

The decision maker considered all the evidence that had been provided by the applicant. They also took account of the recommendations made in the technical assessment and input received from other specialists within Natural England.

The technical assessment listed 3 options to be considered in respect of buzzards. These were:-

1. To issue a licence to control a smaller number buzzards (3 to 6) buzzards three of the five locations requested.
2. To issue a licence to control up to 10 buzzards as requested by the applicant.
3. To issue a licence to control 15 – 20 buzzards.

Option 3 was considered excessive in the technical assessment: not justified by the evidence provided by the applicant and disproportionate to the damage being done to the livestock. This was agreed. Option 3 was discounted from the final decision.

The author of the technical assessment considered 10 birds to be disproportionate to the scale of risk. This was based on the assumption that only three pens would be stocked with poults and the thought that this might increase the likelihood of the applicant seeking to carry on killing at the same level in following years. The technical assessor therefore did not favour option 2. Option 1 was therefore recommended in the technical assessment.

In relation to the options for buzzards considered in the technical assessment, the decision maker undertook further discussions internally, including taking advice from the technical assessor, SRO and project team, before reaching the following conclusions:

- Option 1 was based on the assumption that the request for 10 buzzards across five sites equates to one pair at each of the five sites. In fact the licence application does not state that the number of birds applied for by the applicant was reached, or apportioned between sites, in this way. Neither is it expressed in the application at which of the 5 sites applied for the poults will be released. Any licence granted should include a condition to prevent killing at a site where no poults have been released thereby avoiding killing at a site where there is no risk of serious damage.
- Natural England needs to ensure that any licence issued will be effective in preventing serious damage to livestock. A licence condition allowing killing only where the buzzards are in and around the vicinity of stocked pens and not allowing the killing of passing birds will ensure both targeted control and flexibility. The actual number of birds that may be controlled will be dependent on the number of individuals that meet the conditions of the licence, which cannot exceed 10 but may be less than that number.
- The effect on the local population does not feature in Natural England's revised Internal Guidance Note (IGN) save in circumstances where that might have an effect on conservation status more widely. There is no suggestion in the technical assessment that the conservation status of buzzards is threatened by this application. In fact the technical assessment has considered this and states: "buzzards are not considered to be of current conservation concern: BTO bird trends search online 14/07/2016".

All other findings in the technical assessment were accepted.

Conclusions:

Option 2 was most appropriate albeit the licence should allow the killing of up to 10 buzzards. The licence should also include stringent conditions, to allow a targeted approach that allows the killing of up to 10 buzzards where individual behaviour indicates a risk of serious damage to livestock. Any risk of a disproportionate number of buzzards being controlled as a result of the licence will be mitigated by the conditions imposed.

As regards sparrowhawks the decision maker concurred with the technical assessor that there was insufficient evidence to grant a licence.