

GENERAL LICENCE

To kill or take certain species of wild birds to preserve public health or public safety



OVERVIEW

This licence permits landowners, occupiers and other Authorised Persons to carry out a range of otherwise prohibited activities against the species of wild birds listed on the licence. This licence may **only** be relied upon where the activities are carried out for the purpose of preserving public health or public safety, and users must comply with licence terms and conditions. These Conditions include the requirement that the user must be satisfied that legal (including non-lethal) methods of resolving the problem are ineffective or impracticable.

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| Registration | Users do not need to register to use this licence |
| Recording & reporting | None required |
| Reference | WML – GL05 |

LICENCE TERMS and CONDITIONS

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| Legislation | Wildlife and Countryside Act 1981 (as amended) ('the 1981 Act') |
| Relevant section(s) | Sections 16(1)(i) and 16(5) |
| Valid for the period | 1 January 2019 to 31 December 2019 (inclusive) |
| Area valid in | All counties of England (landward of the mean low water mark) |
| Purpose(s) for which this licence is issued | <ul style="list-style-type: none">• Preserve public health or public safety. |
| What this licence permits | <p>Subject to all the terms and conditions of this licence and solely for the purpose stated above, this licence permits Authorised Persons:</p> <ol style="list-style-type: none">to kill or take any of the wild birds listed at (a) and (b) below, to take, damage or destroy their nests or to take or destroy their eggs:<ol style="list-style-type: none">Crow <i>Corvus corone</i>Dove, Collared <i>Streptopelia decaocto</i>Gull, Lesser Black-backed <i>Larus fuscus</i>Jackdaw <i>Corvus monedula</i>Jay <i>Garrulus glandarius</i>Magpie <i>Pica pica</i>Pigeon, Feral <i>Columba livia</i>Rook <i>Corvus frugilegus</i>Woodpigeon <i>Columba palumbus</i>Goose, Canada <i>Branta canadensis</i>Parakeet, Monk <i>Myiopsitta monachus</i>to take, damage or destroy the nests, or to take or destroy the eggs of Herring Gull (<i>Larus argentatus</i>)and when acting under 'i' above to use any otherwise lawful methods and any of the following methods prohibited by Section 5 of the 1981 Act:<ol style="list-style-type: none">a semi-automatic weapon;a cage trap, the dimensions of which do not satisfy the requirements of section 8(1) of the 1981 Act;any hand held or hand propelled net to take birds whilst not in |

flight; and

(d) in relation to the killing or taking of **Feral Pigeon (*Columba livia*)** only:

- any device for illuminating a target or any sighting device for night shooting;
- any form of artificial lighting or any mirror or other dazzling device.

Who can use this licence

This licence can only be used by Authorised Persons (see Definitions), except those with a recent conviction (see Information and Advice note i).

Definitions used in this licence

“Authorised Person” is as defined in [section 27\(1\) of the 1981 Act](#).

“*To kill*” includes accidentally to wound whilst attempting to kill in accordance with this licence.

“*Humane*” means taking all reasonable precautions to ensure that any killing of birds under this licence is carried out by a single, swift action.

“*Semi-automatic weapon*” is as defined in [section 27\(1\) of the 1981 Act](#).

It is any weapon which is not prohibited by section 5 of the Firearms Act 1968 (as amended) and which has a magazine capable of holding more than two rounds of ammunition, where the depression of the trigger discharges a single shot and reloads the next, each subsequent shot requiring a further depression of the trigger, for example Firearms Act Section 1 shotguns.

“*Wild bird*” has the same meaning as in [section 27 of the 1981 Act](#)

LICENCE CONDITIONS

1. In respect to the species listed at “What this licence permits” (a), this licence can only be relied on in circumstances where the Authorised Person is satisfied that appropriate legal methods of resolving the problem such as scaring and proofing are either ineffective or impracticable (see Information and Advice note d).
2. This licence does not authorise the use of any method of killing or taking which is prohibited by section 5 or section 8 of the 1981 Act except those listed under “What this licence permits” above.
3. Any birds killed in accordance with this licence must be killed in a quick and humane manner. Canada Geese held captive prior to being killed must be killed out of sight of other captive birds of the same species.
4. Where any cage trap is used, then only these bird species may be used as decoys:

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| Crow | <i>Corvus corone</i> |
| Jackdaw | <i>Corvus monedula</i> |
| Jay | <i>Garrulus glandarius</i> |
| Magpie | <i>Pica pica</i> |
| Parakeet, Monk | <i>Myiopsitta monachus</i> |
| Rook | <i>Corvus frugilegus</i> |
5. All relevant animal welfare legislation must be complied with at all times, including the Animal Welfare Act 2006. This includes providing decoy birds with adequate food, water at all times, appropriate shelter and a suitable perch that does not cause discomfort to the birds’ feet (see Information and Advice note b).
6. Where any live animal not listed at “What this licence permits” above has become confined in a cage trap, if fit to be released, it must be released immediately upon discovery at the point of capture (or as close as it is safe to do so). See Information and Advice note c regarding any animals that are listed on Schedule 9.
7. When in use, every cage trap used in accordance with this licence must be physically inspected at least once every day at intervals of no more than 24 hours except where this is not possible

because of severe weather conditions. In such cases, every effort must be made to inspect the cage trap as soon as possible. Such an inspection must be sufficient to determine whether there are any live or dead birds or other animals in the trap (see Information and Advice note a).

8. At each inspection any dead animal, including any dead bird, caught in the trap must be removed from it.
9. Where a cage trap is not in use, it must be rendered incapable of holding or catching birds or other animals. Any bait, food, water or decoy birds must also be removed (see Information and Advice note a).

IMPORTANT

This licence authorises acts that would otherwise be offences under the legislation referred to above. Failure to comply with its terms and conditions:

- i. may be an offence against the 1981 Act or mean that the licence cannot be relied upon and an offence could therefore be committed. The maximum penalty available for an offence under the 1981 Act is, at the time of the issue of this licence, an unlimited fine and/or a six month custodial sentence; and
- ii. may result in your permission to use this licence being withdrawn. Natural England will inform any person or organisation whose permission to use this licence is withdrawn in writing. This sanction may be applied to other similar licences

If the activity that you wish to undertake is not covered by this licence, or if you are unable to comply with any of the terms and conditions which apply to the use of this licence, then you will need to apply to Natural England for an individual licence.

Issued by and on behalf of Natural England on 1 January 2019

INFORMATION AND ADVICE specific to this licence

Use of traps

- a. The Authorised Person should have regard to the inspection requirements contained in Condition 7 when considering the use of a cage trap under this licence. Cage traps should be used in accordance with appropriate good practice, including:
 - Where cage traps used under the terms of a licence consistently capture birds or other animals not included in the licence, the trap should be moved to a different location in order to minimise the risk of non-target species being caught again.
 - Cage traps should not be used during severe hot or cold weather conditions, or when such conditions are reasonably anticipated.
 - It is necessary to either secure the door in a fully open or closed position or to remove the door completely in order to render any cage trap incapable of holding or catching birds or other animals.
- b. Where a decoy bird is used, under Section 9 of the Animal Welfare Act 2006 the person setting and operating a trap is responsible for the welfare of the decoy bird, ensuring that it has sufficient food, water and shelter, and protection from pain, suffering, injury and disease.
 - *Adequate food*: means sufficient, palatable food, which is of a type suitable for the decoy species, to meet the needs of the bird(s). Food provision will not be considered “adequate” if the decoy bird(s) cannot readily access it, or if other birds or mammals could deprive the bird of its food.
 - *Water at all times*: water must always be available to decoy birds and drinkable; it should be free from chemical additives and changed regularly to ensure that it is clean. The water needs to be kept ice-free during day-light hours. If this is not possible, then the conditions are not suitable for using a decoy bird in a trap.
 - *Appropriate shelter*: decoy birds are to be provided with shelter that provides effective protection from rain and direct sunlight under the prevailing and anticipated weather conditions. The perch should be sheltered. Such provision will be influenced by the location of the trap and its exposure to the elements.

Non-native species

- c. Under section 14 of the 1981 Act, it is an offence to release into the wild any animal included in Part 1 of Schedule 9 to the 1981 Act. Any animals of species listed on Schedule 9 accidentally caught by licensed trapping should be treated as follows:
 - Animals of the following species, which are considered native to Great Britain, must be released immediately upon discovery. This is permitted under General Licence WML- GL22.

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| Barn Owl | <i>Tyto alba</i> |
| Capercaillie | <i>Tetrao urogallus</i> |
| Corncrake | <i>Crex crex</i> |
| Common crane | <i>Grus grus</i> |
| Northern goshawk | <i>Accipiter gentilis</i> |
| Red-billed chough | <i>Pyrrhocorax pyrrhocorax</i> |
| Red kite | <i>Milvus milvus</i> |
| White-tailed eagle | <i>Haliaeetus albicilla</i> (also known as <i>Haliaeetus albicilla</i>) |

- Animals of other species listed on Schedule 9 (this includes: the Canada Goose *Branta canadensis*, Monk parakeet *Myiopsitta monachus*, Ring-necked Parakeet *Psittacula krameri*, Grey Squirrel *Sciurus carolinensis*, Edible Dormouse *Glis glis*; also known as *Myoxus glis*, and North American Mink *Neovison vison*; also known as *Mustela vison*) must not be released or allowed to escape into the wild. It is preferable that these animals are killed in a quick and humane manner as soon as reasonably practicable after discovery. These animals may only be released under an individual licence obtained from Natural England.
- d. Condition 1 of this licence applies **only** to bird species that Natural England considers to be native to Great Britain (these are listed at “What this licence permits” (a)); it does not apply to non-native species (listed at “What this licence permits” (b)). People may use non-lethal methods, such as scaring and proofing, for non-natives and are encouraged to do so where this is the best solution to a problem, but these methods do not need to be shown to be ineffective or impracticable before this licence can be relied upon.

Consumption of birds

- e. Birds killed or taken under a licence may be eaten, but, with the exception of the woodpigeon (*Columba palumbus*), may not be sold for human consumption.

Schedule 1 birds

- f. This licence does not derogate protection afforded to Schedule 1 species. Care must be taken to avoid disturbance to Schedule 1 species during the breeding season.

INFORMATION AND ADVICE for all Class and General Licences

General Information

- g. Ordinarily, licences will be reissued on 1 January each year (*NB you do not need to re-register for those with registration requirements*). Please note, however, that they can be modified or revoked at any time by Natural England or the Secretary of State, but this will not be done unless there are good reasons for doing so. You are advised to check the terms and conditions of a licence prior to your first use of it each year in case of amendments.
- h. The common name of the species given in a licence is included by way of guidance only; in the event of any dispute or proceedings, it is the scientific name of a species only that will be taken into account.
- i. No person convicted on or after 1 January 2010 of an offence under the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981, the Protection of Badgers Act 1992, the Deer Act 1991, the Hunting Act 2004, the Wild Mammals (Protection) Act 1996, the Animal Welfare Act 2006 or the Protection of Animals Act 1914 (all as amended) may use this licence without the permission of Natural England unless, in respect of that offence, either:
 - i. they are a rehabilitated person for the purposes of the Rehabilitation of Offenders Act 1974 and their conviction is treated as spent; or
 - ii. a court has made an order discharging them absolutely.

Any request to use the licence by a person to whom this note applies will be considered on its merits.

The limits of licences

- j. This licence permits action only for the purposes specified in “*What this licence permits*”. You may not use it to prevent nuisance (such as excessive noise). If you are unsure you should seek independent legal advice before using this licence.
- k. Licences do not permit actions prohibited under any other legislation, nor do they confer any right of entry upon land.
- l. Unless otherwise stated the provisions of Natural England licences only apply landward of the mean low water mark in England. The Marine Management Organisation is responsible for all licensing seaward of the mean low water mark.

Protected sites

- m. With the exception of WML-CL25 (*To permit the diversionary feeding of hen harrier (*Circus cyaneus*) on grouse moors in northern England*), a licence is not permission from Natural England for an activity that could damage a Site of Special Scientific Interest (SSSI). The notification documents for each SSSI contain a list of operations that could damage its special features and for which prior permission from Natural England

is required. Owners and occupiers of sites notified as SSSIs are required to give written notice to Natural England before beginning any of these operations, or allowing someone else to carry out these activities. A similar process applies for public bodies and statutory undertakers (as defined under Section 28G of the Wildlife and Countryside Act 1981 (as amended)) and this obligation applies even where the operations are carried out on land outside of the SSSI. See [Gov.uk](http://www.gov.uk) for further information.

- n. In considering whether to issue consent or assent for activities on a SSSI that is a European Site, in other words a Special Protection Area (SPA) or Special Area of Conservation (SAC), Natural England will consider whether there is likely to be a significant effect on features of European importance (alone or in combination) and carry out a Habitats Regulations Assessment, as required.
- o. To identify SSSIs, European Sites and the features for which they are designated, refer to www.magic.gov.uk. Consult the SSSI citation for details of 'operations likely to damage', and consider whether your activity is likely to have an impact. Advice may be sought from the local adviser for the SSSI: <https://www.gov.uk/government/organisations/natural-england>.

Relevant legislation and good practice

- p. Persons acting under a licence should have regard to legislation and good practice relevant to the action(s) undertaken including:
- Animal welfare, including the Animal Welfare Act 2006. It is an offence to cause any unnecessary suffering to an animal (including birds) under the control of man (section 4 of the 2006 Act). This applies to the humane despatch of captured animals and the treatment of animals held in traps or nets, including decoy birds and non-target animals. For advice on the relevance of the 2006 Act to wildlife management please refer to the Natural England leaflet '[The Animal Welfare Act 2006: what it means for wildlife](#)' (TIN072).
 - The disposal of the carcase(s) of any animal killed in accordance with a licence.
 - The use of cage traps and the use of decoy birds (see Information and Advice notes a and b).
 - The use of licences during prolonged periods of severe weather. Users of this licence are requested to exercise restraint when undertaking shooting or scaring activities during periods of prolonged severe weather and to extend the requirements of voluntary restraint and statutory suspension of wildfowling to activities undertaken under this licence. For more information on these requirements please see the [JNCC website](#). This website and that of the British Association for Shooting and Conservation will indicate when periods of voluntary restraint and statutory suspension apply. A statutory suspension temporarily prohibits the shooting of any bird on [Schedule 2 Part 1 of the Wildlife and Countryside Act 1981](#). Please note that although Canada goose is listed on Part 1 of Schedule 2, relevant licences may still be used to take or kill this species during periods subject to a statutory suspension of shooting. However licence users are expected to only take action that is absolutely necessary, and to ensure that activities do not disturb other species of wildfowl.
 - The use of lead shot. Users of this licence must comply with the [Environmental Protection \(Restriction on Use of Lead Shot\) \(England\) Regulations 1999 \(SI 1999/2170\)](#). These Regulations prohibit the use of lead shot for the purpose of shooting species of wildfowl (as defined in Schedule 2 of the 1999 Regulations) with a shot gun anywhere in the country and all use of lead shot for shotgun shooting on most wetlands important for waterbirds (Sites of Special Scientific Interest included in Schedule 1 of the 1999 Regulations).

The law

- q. Natural England has issued this licence in exercise of the powers conferred by the 1981 Act. Visit [Legislation.gov.uk](http://legislation.gov.uk) to view the full text of this legislation.
- r. Section 16 of the 1981 Act provides that the offences in Part 1 of the 1981 Act shall not apply to anything done under and in accordance with the terms of a licence granted by the appropriate authority, which is, in England, Natural England.

Contact details for Natural England

For licensing enquiries:

Telephone 020 802 61089

Email wildlife@naturalengland.org.uk

Postal address Wildlife Licensing, Operations Delivery,
Natural England, Horizon House, Deanery Road, Bristol, BS1
5AH

For other enquiries use the Enquiry Service:

Telephone 0300 060 3900

Email enquiries@naturalengland.org.uk

Web <https://www.gov.uk/government/organisations/natural-england>