

From: [REDACTED]
To: [Wildlife, Bristol \(NE\):](#)
cc: [REDACTED]
Subject: Further Licence Application
Date: 23 July 2013 09:27:21
Attachments: [REDACTED] [doc](#)

To: NE Wildlife Licensing [REDACTED]

Further to ongoing applications WLM/2013/1750-1762, I attach on behalf of our member, [REDACTED], a further application for licences to control buzzards and sparrowhawks at [REDACTED]. We had hoped this would not be necessary this year but with pheasant poults arriving in a fortnight for release there, [REDACTED] currently has five sparrowhawks and four adult buzzards, plus young, all living in [REDACTED], within a couple of hundred of yards of his pheasant release pen. Non-lethal deterrents have proved ineffective and, not unreasonably, he anticipates serious damage from the moment the pheasants are released.

Determination of [REDACTED] earlier applications for his other shoots (numbered above) must now be well-advanced and I would be grateful, in view of the imminent arrival of the young pheasants at [REDACTED], if the attached application could be fast-tracked under your emergency procedure and determined with the others within the next two weeks.

With thanks.

[REDACTED]
National Gamekeepers' Organisation
Dir Line: [REDACTED]

Licence Application Form

Use this form if you want a licence to:

- **kill or take wild birds,**
- **use a method that is prohibited by this Act, or**
- **disturb wild birds listed on Schedule 1 of this Act**

- Please complete this application form using **dark ink** and BLOCK CAPITALS
- All questions must be answered. The completed application should be sent to Natural England at the address given opposite. Note you can complete this form electronically and email it to us.
- Natural England will aim to determine whether a licence should be issued within 30 working days of receipt of the completed application.

If you experience any problems completing this application, please contact the Wildlife Licensing Unit (details opposite).

Wildlife Licensing Unit
Natural England
First Floor
Temple Quay House
2 The Square
Bristol BS1 6EB
T. 0845 601 4523
F. 0845 601 3438

For Office Use Only

WILD Ref No:

Charter Deadline:

Useful Links

Website: www.naturalengland.org.uk/ourwork/regulation/wildlife/licences/applicationforms.aspx

Email the Wildlife Licensing Unit: wildlife@naturalengland.org.uk

Explanatory Notes:

Section 1 of the Wildlife and Countryside Act 1981 **protects all wild birds as well as their eggs and nests**. It also gives extra protection to the rare bird species listed on Schedule 1 of the Act.

Section 5 of the Wildlife and Countryside Act 1981 **prohibits the use of the following methods of killing or taking wild birds**: traps, nets, snares, hooks, bird-lime or similar substance, gas or smoke, chemical wetting agents, electrical devices for killing, stunning or frightening, bows, crossbows, explosives (other than ammunition for a firearm), automatic or semi-automatic weapons, shot guns with an internal diameter at the muzzle of more than 44 mm (1¾ inches), devices for illuminating a target or sighting device for night shooting, artificial lights, mirrors or other dazzling devices, sound recordings, live birds or other animals as a decoy where the decoy is tethered or secured by braces or a similar device or is blind, maimed or injured, and mechanically propelled vehicles in immediate pursuit.

Natural England, under powers conferred by the Secretary of State, has authority under section 16(1) of the Act to grant licences to permit the killing or taking of wild birds, viable eggs, and nests under construction or in use, to disturb Specially Protected birds listed on Schedule 1 of the Act, and to permit the use of prohibited methods of killing or taking, for the following purposes:

- preventing serious damage to livestock, food for livestock, crops, vegetables, fruit, growing timber, fisheries or inland waters,
- preventing the spread of disease,
- preserving public health or public or air safety,
- conservation of wild birds.

For licences to **prevent serious damage**, applicants should be able to demonstrate that:

- evidence that serious damage caused by a bird species is occurring or is likely to occur,
- non-lethal methods of preventing damage have been tried but have proved to be either ineffective or impracticable,
- the proposed licensed action will reduce, or prevent from increasing, the level of damage.

Applications will not be considered without the required supporting information. Advice on the information required to apply for a licence is given in Natural England's advisory leaflets:

1. Name of Applicant

Title (e.g. Mr, Mrs, Miss, Ms)	Forename	Surname
<input type="text"/>	<input type="text"/>	<input type="text"/>
Business Title (if appropriate)	<input type="text"/>	
Address of applicant	<input type="text"/>	
	<input type="text"/>	
	<input type="text"/>	
County	<input type="text"/>	Postcode <input type="text"/>
Daytime telephone N ^o . (incl. national dialling code)	Mobile N ^o .	
<input type="text"/>	<input type="text"/>	
Fax no.	Email address	
<input type="text"/>	<input type="text"/>	

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 ☐

Please tick here if you are content to receive all communications (including any licence) by email ☐

2. Previous Applications

⁴

(a) Have you applied for a licence affecting birds, nests or eggs before? Yes ☒ No ☐

(b) Date of most recent application

(c) Was a licence granted? Yes ☒ No ☐

(d) Please give the case reference number:

3. Location where you wish to take action

⁴

Please give the full postal address.

County Postcode

OS Grid Reference

Is the location covered by a Natural England Environmental Stewardship agreement? Yes ☐ No ☒

If yes, please provide agreement number

NOTE. If this is a new application or the location of previously licensed action has changed, please attach a map of suitable scale indicating where the problem is occurring. A map is NOT normally required for applications relating to domestic, commercial or industrial premises.

4. Licences will normally only be granted to the owner or occupier or a person authorised by the owner or occupier

(a) Are you the owner or occupier of the land referred to in questions 3 and 4 above? Yes ☐ No ☒ N/A ☐

(b) If NO or N/A, give the position you hold in relation to this land (e.g. Highways Authority)

Gamekeeper - Consents from the owners/occupiers have been forwarded to you with my earlier applications for [REDACTED] and remain valid. No change of owner/occupier.

N.B. Where you are not the owner or occupier you should attach the owner or occupier's written consent for you to make this application using the format of the proforma at page 8.

5. Conservation considerations

Under the Wildlife and Countryside Act 1981, Natural England is obliged to take conservation factors into account when considering your application.

Designated Areas: National Nature Reserves (NNR), Sites of Special Scientific Interest (SSSI), Special Protection Area (SPA), Special Areas of Conservation (SAC), Ramsar sites.

For help, try this website: <http://www.magic.gov.uk/>

(a) Will any part of the proposed activity fall to a designated site? Yes ☐ No ☒

☐ NNR ☐ SSSI ☐ SAC ☐ SPA
☐ Ramsar ☐ Ancient Monument ☐ Ancient Woodland

(b) Will any part of the proposed activity fall adjacent to a designated site? Yes ☐ No ☒ Don't Know ☐

☐ NNR ☐ SSSI ☐ SAC ☐ SPA
☐ Ramsar ☐ Ancient Monument ☐ Ancient Woodland

If the activity falls within a designated site, have you consulted with your Natural England Local Conservation Team for advice on the implications of your application on the protected site? Yes ☐ No ☐

Please give either the outcome of your consultations or the reason why you have not consulted. Please enclose any relevant correspondence and the name of the local Natural England officer or reserve manager consulted.

6. Nature of the problem

(a) Species of bird causing or likely to cause the problem	Number
Sparrowhawks (female)	3
Buzzards (adult)	2
Note: This is the number I want to control. The populations locally would be much higher.	

- (b) Please give details of the nature and extent of the problem; e.g. damage to 5 ha of a growing crop; fouling of public area; bird in food premises fouling fresh foods; bird nest in a ventilation flue.

This application follows from my earlier ones of [REDACTED] to control buzzards and sparrowhaks threatening serious damage to my pheasant poultts during and after their release in [REDACTED]. This wood is about [REDACTED] and has long been a principal pheasant release site on [REDACTED] shoot.

NE's Technical Assessment of my [REDACTED] applications found that the pheasant bag at [REDACTED] showed "A constant decline in returns from 2004/5 and although a slight increase (3%) in the [REDACTED] season to 32% it is below the expected industry return and considerably below the returns it [the shoot] has historically experienced." NE attributed this decline, as I do, to unusually high numbers of raptors in the area. Buzzards and sparrowhawks have both increased dramatically here area over the last ten years.

Last year (2012/13) was better for this shoot, with a 45% return, principally because no sparrowhawks nested in the wood and although there was one buzzard nest at the northern end, one of the adult birds was killed by a car whilst feeding on a road casualty hare carcasse to the south of the wood. NE's [REDACTED], commented when visiting this wood last Autumn how much more relaxed the pheasants were with fewer raptors about. We then had a successful shooting season.

I had hoped this year would be the same and so had not applied earlier for control licences at [REDACTED] but recently, whilst preparing the release pens I have found that I have a sparrowhawk nest with two adults and three young within 50 yards of the release site, and one buzzard nest with two adults and young (number uncertain) within 70 yards to the south of the pen, and another - not yet confirmed but deduced by the presence of alarmed adult buzzards - near the northern tip of the wood. This is a higher density of raptors, closer to this pen, than I have ever known.

My pheasant poultts for [REDACTED] are due to arrive in two weeks (c. 5 August) and I know from previous years that if they go into the pen with this number of raptors so close, the carnage and stress on the birds will be horrendous. I therefore urgently need to reduce the raptor pressure here by trapping/shooting the adult buzzards and the hen sparrowhawks, which are the ones I know will do the most damage.

- (c) Time of year when the problem occurs.

August - October

7. Preventative measures taken

- (a) Have you taken any action to prevent the problems outlined at Question 6 above? Yes ☒ No ☐
- (b) If **YES**, provide details of the methods already tried (e.g. scaring, proofing, shooting in the Open Season) and explain why you do not consider them sufficient.

I have been in regular contact with NE's licensing team about non-lethal solutions over the past three years and have done everything they have suggested at [REDACTED]

Scaring methods used have included my physical presence at/near the release pen at least twice a day, radios, flashing lights, reflective tape and gas guns. Experience has shown that the raptors rapidly learn to ignore them all and there is no discernable beneficial outcome in my case.

I have improved the habitat for my poults to escape into by tree felling where possible to assist scrub development, and the creation of artificial refuges in the form of brash wigwams, as per specific instructions from NE. This habitat work appears to have had little if any beneficial effect at [REDACTED]. The losses to raptors here were very high despite the non-lethal efforts in [REDACTED]. Last year was better but that was due to there being fewer raptors in the immediate vicinity.

In 2012 I put a massive effort into diversionary feeding, constructing feed stations and locating them to NE's instructions, including at [REDACTED], and supplying them daily with fresh alternative feed in the form of dead wildlife killed by me elsewhere for pest and predator control. This was hugely time-consuming, coming near to doubling my overall workload, and although some of the food was taken by buzzards and sparrowhawks, there was no discernable reduction of predation on my pheasant poults. The main effect of the diversionary feeding was to concentrate and keep raptors in the areas where the pheasants were.

I will keep up the habitat improvement work but the scaring and diversionary feeding have simply not worked.

Nest destruction was not applied for or carried out at [REDACTED] earlier this year because I hoped last year's improvement would continue but now the raptors are back and nesting in greater numbers and closer to the release pen than ever, I know I am on the verge of experiencing serious losses to poults through direct predation and stress. You already have all the shoot costs for the [REDACTED] shoot and know that my main livelihood - [REDACTED] - is dependent on the shoot there going ahead successfully.

In the circumstances I find myself in today, the only way to prevent serious damage to my pheasants and my livelihood is to reduce the raptor pressure at [REDACTED] by trapping/shooting the birds that will cause the greatest problem (adult buzzards and hen sparrowhawks). I need this licence to be determined ASAP, please. In 30 working days it will be too late.

(c) If **NO**, explain why preventative measures have not been taken.

8. Proposed licensed action

(a) Bird species

Sparrowhawk

Buzzard

(b) Proposed action (please tick)

Shooting	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Egg destruction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nest destruction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Relocation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cage trapping	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mist netting ¹	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stupefying bait ¹ or CO ₂ ¹	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lethal injection ² ,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Disturbance (Schedule 1 only) ☐ ☐ ☐
Other (please specify)

(c) Period of proposed action (which months)

Aug to Oct

Aug to Oct

NOTES

¹ Mist netting and the use of CO₂ or stupefying baits (alphachloralose) may only be undertaken by suitably qualified or experienced persons. Please complete Question 9 below if you wish to use any of these methods.

²The administration of a lethal injection will normally only be permitted if it is to be carried out by a veterinary surgeon or similarly qualified or experienced person.

9. Mist netting and use of CO₂ or stupefying baits (alphachloralose)

(If you do not wish to use these methods please go to Section 10.)

NOTES:

- Licences to use these methods can only be issued if you are able to reply **YES** to either Question 9(b) or 9(c).
- **Carbon dioxide** may **only** be used for house sparrows using the Rentokil CO₂ Dispatch System. Approval for the use of CO₂ against any other species will require evidence of humaneness, efficacy & methodology.
- **Alphachloralose** may **only** be used for **feral pigeon** and **house sparrow**, and only for the purpose of preserving public health and safety.

(a) Which method do you wish to use?

(b) Have you within the past two years passed a formal training course on the above prohibited method that included a practical content? Yes ☐ No ☐

If **YES** please state the date and title of the course and the trainer (company or individual as appropriate)

(c) If you have *not passed a training course* within the last two years, have you previously held a licence and undertaken at least one treatment using the method stated in (a) above within the past two years Yes ☐ No ☐

If **YES** What was the date of the most recent treatment?

In which county was it carried out?

10. Authority to shoot – For applications to shoot birds

Up to ten people per species (including the licensee) may be authorised to shoot birds under a licence.

It is your responsibility to ensure that you have the right to shoot



Please list below the names and contact telephone numbers of all persons other than the licensee who are authorised to shoot. No-one under the age of 18 may be authorised by the licensee without specific written permission from Natural England.

The licensee and anyone acting under the licence are responsible for their actions and for complying with the licence conditions. Any proposed changes to this list must be notified in writing

to Natural England at the address at the top of this form.

Name of authorised person

Contact telephone number

Licensee	
	
	

11.

Have you, or any persons listed above, been convicted of any wildlife-related or animal welfare offence?

Yes

No

If **YES**, please give details including dates

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12. Using and sharing your information

The data controller is Natural England, 1 East Parade, Sheffield, S1 2ET.

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 application.

Natural England or its appointed agents may use the name, address and other details on your application 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: Natural England, Wildlife Licensing Unit, First Floor, Temple Quay House, 2 The Square, Bristol, BS1 6EB. Tel. 0845 601 4523; Fax. 0845 601 3438; Email: wildlife@naturalengland.org.uk

13. Declaration

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

Signature of applicant (person named at Q.1).

For electronic applications, please insert an electronic signature above or tick this box to confirm agreement with this declaration



Name in BLOCK LETTERS

Date

██████████

23/07/2013

IMPORTANT ADVICE

Natural England or the Secretary of State can modify or revoke at any time any licence that may be issued but this will not be done unless there are good reasons for doing so. Any licence that is issued is likely to be revoked immediately if it is discovered that false information had been provided which resulted in the issue of a licence.

Where a licence is issued to permit a method of killing or taking wild mammals that would otherwise be an offence under the Wildlife and Countryside Act 1981, any person who in order to obtain such a licence knowingly or recklessly makes a statement or representation, or furnishes a document or information which is false in a material particular, shall be guilty of an offence and may be liable to criminal prosecution. Any person found guilty of such an offence may be liable to a fine not exceeding level 5 on the standard scale (currently £5000).

Authority to act on behalf of a landowner or occupier in respect of a licence to kill/take birds or use Prohibited Methods under the Wildlife & Countryside Act 1981.

NATURAL
ENGLAND

- Please complete this application form using **dark ink** and BLOCK CAPITALS. Note you can complete this form electronically and email it to us.
- The declaration on this part of the form **only** needs to be completed if this application is for a licence to cover a site owned/occupied by another person. If this is the case, please ask that person to complete and sign this declaration. You should submit the declaration with the rest of your application. All questions must be answered.

Wildlife Licensing Unit
Natural England
First Floor
Temple Quay House
2 The Square
Bristol, BS1 6EB.
T. 0845 601 4523
F. 0845 601 3438
wildlife@naturalengland.org.uk

1. Declaration

I hereby give permission for (name of applicant)
to make the enclosed application for a licence to kill/take birds under the Wildlife & Countryside Act 1981 in relation to my land/property.

Signature of land owner

Date

If submitting via email, please insert an electronic signature or tick here to confirm acceptance of the declaration

☐

Title (e.g. Mr, Mrs, Miss, Ms)

Forename

Surname

Business Title (if appropriate)

Address of land
owner/occupier

County

Postcode

Daytime telephone no. (incl. national dialling code)

Mobile no.

Fax no.

Email address

2. Location of proposed licensed action

OS Grid Reference

I also give my permission for any employee or representative of Natural England to enter the above land /property in order to monitor or inspect the work described in this application.

Please ensure that you have:

- Answered all questions fully and have signed the declaration
- Included a completed owner/occupier consent form (if applicable)

What happens now?

If you requested an acknowledgement for your application (see page 2 of this form), we will send this within 5 working days of receipt by Natural England. Your acknowledgement will explain how long Natural England will take to process your application and to provide you with a decision.

In most cases you will also be contacted by a Natural England Wildlife Adviser. The Adviser will discuss your application with you and, if necessary to determine your application, will arrange to visit you at a mutually convenient time. The purpose of the visit is to enable the Adviser to assess the situation on site and provide you with the most appropriate advice on the options available.

Natural England will notify you of the outcome of your application normally within 30 working days of receiving this application. You will receive either a licence or a letter explaining why a licence will not be issued.

The Licence

Your licence will state:

- who is authorised to act under the licence,
- the action(s) which are permitted under the licence,
- where the licensed activity(ies) may be undertaken, and
- when you may carry out the activity(ies).

Activities carried out under licence are subject to a number of legally binding conditions. These are stated clearly on the licence, and **must be adhered to or the licence is invalid**. Conditions vary according to the activity licensed.

Monitoring

Natural England monitors a sample of licensed operations to assess the success of licences as well as checking compliance with licence conditions. Usually, we will contact you to arrange a site visit in advance. However, we reserve the right to visit whenever it is considered necessary to fully discharge our statutory duties under this legislation.

Licence Returns

A return of all activity carried out under licence, including nil returns, must be sent to Natural England to arrive within two weeks (14 days) of the expiry of the licence.

Information on the number of birds killed, taken or disturbed under licence is required under European legislation. Licensees who fail to make a return as required within the licence period will be reminded by telephone, followed by a written warning.

Continued failure to provide a return may result in the revocation of that licence and refusal to grant a licence in future.