

**From:**

**To:**

**cc:**

**Subject:**

**Date:**

RE: Licensing of raptor predation cases

08 May 2012 14:50:00

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**From:** [REDACTED] (ERG-BIO)

**Sent:** 04 May 2012 13:38

**To:** [REDACTED] (NE)

**Cc:** [REDACTED] (ERG-BIO); [REDACTED] (ERG-WAC); [REDACTED]


[REDACTED] (NE); [REDACTED] (NE); [REDACTED] (ERG-BIO); [REDACTED]  
(SEG-PRO); [REDACTED] (ERG-BIO); [REDACTED] (LCS-LEG)

**Subject:** RE: Licensing of raptor predation cases

**Sensitivity:** Confidential



Thanks for this summary, it's very helpful. To go through your points:

1. The Minister has said that he is not persuaded that the current licensing policy needs to be revised.
2. The current guidance is as you've set out below, and buzzard would fall within "b) other Protected species" in the overarching wildlife management policy.
3. It is for NE to be able to show that it is applying the policies consistently if challenged. Point 1 refers.
4. Yes, we have delegated the decision making process to you, but we need to be aware and working with you to handle messaging for stakeholders when NE grants such licences.
5. We understand that if NE follows the current policy it expects to issue some licences.
6. We have been made aware of the circs of this case, and  and I have both commented.
7. I've flagged my concerns on this in my comments (email of 2 May). My main one being that from the evidence in the case papers it is unknown whether removal of the buzzards will deliver the results needed. Therefore NE needs to consider whether it can be satisfied that point 4) in b) in the overarching policy will be met by licensing this action?

On the comms plan, I intend to begin our work on this today. My initial discussions with Press Office in Defra have focussed on ensuring that messages are crystal clear on why wildlife management is justified, particularly in the context of other actions which are currently ongoing regarding badgers, snares, cormorants and the buzzards research. I think your timetable is helpful, and should give us all sufficient time to get some robust messages co-ordinated. Can you emphasise to everyone involved in this case that confidentiality on this is absolutely essential if we are to manage this through together.

Many thanks

[REDACTED]

[REDACTED]

[REDACTED]

Defra

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

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[REDACTED]

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**From:** [REDACTED] (NE)  
**Sent:** 03 May 2012 21:39  
**To:** [REDACTED] (ERG-BIO)  
**Cc:** [REDACTED] (ERG-BIO); [REDACTED] (ERG-WAC); [REDACTED] (NE); [REDACTED] (NE)  
**Subject:** Licensing of raptor predation cases  
**Importance:** High

[REDACTED]

Thanks for the guidance yesterday regarding this case. I would like to confirm a couple of key points from our conversation and also the next steps for the current buzzard case involving the predation of chickens so we are crystal clear where we stand.

General

Please will you confirm that:

1. The Minister, Richard Benyon, wishes Natural England to make its decision on raptor predation cases (including this application to control buzzards) on the basis of the current policy guidance. This means the guidance given in:

a. Overarching wildlife management policy statement: <http://archive.defra.gov.uk/wildlife-pets/wildlife/management/documents/overarch-policy.pdf> and

b. Policy Statement – Species licensing under Part 1 (excluding section 14) Wildlife and Countryside Act 1981 for WCA 1981: <http://archive.defra.gov.uk/wildlife-pets/wildlife/management/documents/section16excludingrelease.pdf>

2. In respect to the Overarching statement (1, above), the Common Buzzard is to be treated as within species category *(b) ‘other protected species’*.

3. In respect to the Policy statement (2, above), that the Minister expects raptor cases to be judged on the same basis as other applications for species categorised as *‘(b) other protected species’*, for example, in terms of the threshold of evidence required to demonstrate the occurrence of serious damage and extent to which use of satisfactory alternatives needs to be demonstrated. In other words, the fact a problem species is a raptor is to have no bearing on how the policy is applied to the licensing decision process.

4. The Department wishes to be aware of any applications likely to result in a licence to kill raptors being issued, but it the decision on each application is a matter for Natural England as the licensing authority on a case by case basis.

5. Natural England has advised the Department that by following this approach it would expect to issue licences to undertaken lethal control of raptors in predation some cases, including in the case referred to below.

#### Case specific

In respect to the current case (reference WML-11-1801 - buzzards predating on free-range chickens), please confirm:

6. You have been made aware of the case and the reasoning for our “in principle” decision by Natural England, and that

7. You are content that the handling on this case is consistent with the policy and handling advice given at 1-4 (inclusive) above. *(if this is not the case, please advise what further information you required)*

We discussed timelines and next steps, and I thought it would be useful to summarise the how

I expect the case to proceed from here (*please note that this needs to be confirmed with NE directors and Communications team*)

- Owing to the onset of buzzard breeding season it is unlikely now that we will sanction lethal licensed action targeting the adult birds until the buzzard pair's young are sufficiently independent (i.e. late summer), although that position will remain open to review.
- In view of the need to take the breeding season into account, I expect to finalise our decision on this case by early June
- Natural England will inform Defra of the decision once made and Natural England Press Office will liaise with Defra regarding lines to take etc
- Natural England will inform the Applicant
- Natural England will then brief members of the Defra Working Group on game bird predation by buzzards of the case and its decision. The exceptional decision to inform the Group of this case has been taken due to the interest of the Group in raptor predation licensing.

I hope this covers the main issues following from our conservation. I would be grateful for an early confirmation. Thanks.

Regards

[Redacted]

[Redacted]

Wildlife Management and Licensing

Natural England

Address:

[Redacted]

[Redacted]

Tel: [Redacted] [Redacted]

[www.naturalengland.org.uk](http://www.naturalengland.org.uk)

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.