

GENERAL LICENCE

To kill or take Carrion Crows to prevent serious damage to livestock including poultry and reared gamebirds



OVERVIEW

This licence permits farmers and other keepers of vulnerable livestock, and people acting on their behalf to carry out activities that would otherwise be illegal against the following protected species of wild bird:

- **Carrion crow, *Corvus corone***

This licence may only be used:

1. for the purpose of preventing serious damage to certain specified livestock by this bird species,
2. if serious damage is occurring or is reasonably expected to occur in the absence of licensed action, and
3. where reasonable steps to prevent predation by lawful methods have been and continue to be taken.

Users of this licence must comply with all licence terms and conditions including those in 'Standard Licence Conditions for trapping wild birds and using decoys under a Natural England licence' (WML-GU01).

If you need to take action to prevent serious damage to a type of livestock, or in circumstances, not covered by this licence you will need to apply for a licence to do so from Natural England.

Registration	Users do not need to register to use this licence
Recording & reporting	Users are advised to keep a record of problems and the use of non-lethal methods, but do not need to submit records to Natural England.
Reference	WML – GL26

LEGISLATION

Statute(s)	Wildlife and Countryside Act 1981 (as amended) ('the 1981 Act')
Section(s)	This licence is issued under sections 16(1)(k) and 16(5) This licence permits, to the extent stated at 5 & 6 below, actions which may otherwise constitute in sections: 1(a), (b) & (c); 5(1)(b); 5(1)(c)(iii) and 8(1)

LICENCE TERMS and CONDITIONS

1. **Valid for the period** 25 April 2019 to 31 December 2019 (inclusive)
2. **Area valid in** All counties of England (landward of the mean low water mark)
3. **The purpose(s) for which this licence can be used** This licence can only be used to **prevent serious damage*** to the following types of **livestock***:
 - sheep (including lambs)
 - piglets
 - domestic poultry and waterfowl and
 - reared gamebirds and wildfowl (including released birds while they are **kept***)

*: see Definitions

4. **What species are covered by this licence** **Carrion crow, *Corvus corone***

5. What this licence permits

This licence permits:

- Killing or taking of the species listed above and
- Taking, damaging or destroying their nests while that nest is in use or being built, or taking or destroying their eggs

6. The methods of killing and taking permitted under this licence

The methods permitted are:

- Shooting with any firearm, including **semi-automatic*** firearms, shotguns or air guns
- Pricking of eggs
- Oiling of eggs using paraffin oil (also known as Liquid Paraffin BP or light/white mineral oil)
- Destruction of eggs and nests
- A **Larsen*** trap
- A **multi-catch*** cage trap
- Falconry
- Hand-held or hand-propelled nets
- By hand

*: see Definitions

7. Who can use this licence

- a) This licence can only be used by farmers and other keepers of the vulnerable livestock listed at '3' above, and by people acting on their behalf, except those convicted on or after 1 January 2010 of a **wildlife crime*** (unless, in respect of that offence, either:
- they are a rehabilitated person for the purposes of the Rehabilitation of Offenders Act 1974 and their conviction is treated as spent; or
 - a court has made an order discharging them absolutely.)
- Any application by a person to whom this exclusion applies for an individual licence will be considered on its merits.

*: see Definitions

8. When this licence can be used

- a) Only as a last resort to prevent **serious damage***.
- b) Before using the licence reasonable endeavours must have been made to resolve the problem using the lawful methods identified in Table 1 (unless their use would be impractical, without effect or disproportionate in the circumstances) and any other lawful methods that may be appropriate in the circumstances.
- c) Reasonable endeavours must continue to be made to resolve the problem using such appropriate lawful methods alongside use of the licence.
- d) Only undertake lethal control of birds during the breeding season if lethal control at other times or use of other licensed methods (e.g. egg destruction) would not provide a satisfactory solution.
- e) Any person using this licence must be able to show, if asked by an officer of Natural England or the Police:
- (i) what type of livestock any action under this licence is protecting;
 - (ii) what lawful methods have been, and are being, taken to prevent predation of such livestock by carrion crow or why the lawful methods have they have not been taken;

- (iii) what measures have been and are being taken to minimise losses to that livestock from other predators and causes; and
- (iv) why the threat of predation from carrion crows is sufficiently serious to merit action under this licence.

Licence users are advised to keep a record or log of predation and of efforts to address problems by legal methods.

*: see Definitions

9. Use of traps and decoys

- a) The use of traps and decoys under the authority of this licence must comply with the terms and conditions in document '*Standard Licence Conditions for trapping wild birds and using decoys under a Natural England licence*' (WML-GU01)
- b) This licence permits the use of the following species as a decoy in Larsen and multi-catch cage traps
 - Carrion crow, *Covus corone*
- c) A Larsen trap need not satisfy the dimension requirements of Section 8(1) of the 1981 Act.

10. Welfare requirements

- a) All reasonable precautions must be taken to avoid unnecessary suffering of birds killed or taken under this licence.
- b) Birds killed under this licence must be killed in a quick and humane manner.
- c) Wounded birds are to be pursued and humanely despatched where practicable.

It is an offence to cause any unnecessary suffering to an animal (including bird) under the control of man. 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.

The application of Animal Welfare Act 2006 to wildlife management activities is explained in Natural England leaflet Natural England leaflet '*Wildlife Management Advice Note: The Animal Welfare Act 2006: what it means for wildlife*'.

11. European and nationally protected sites

- a) For protected sites with interest features that include bird species, no action authorised by this licence is permitted to take place within those sites or within 300 metres of the boundary of such site. For the avoidance of doubt, this restriction applies to:
 - (i) all Special Protection Areas (SPAs);
 - (ii) any Ramsar site with Qualifying Features that include bird species; or
 - (iii) any Site of Special Scientific Interest (SSSI) for which a bird species is a feature of special interest.
- b) The restrictions in conditions 11(a) do not apply to:
 - (i) Ramsar sites with interest features that are solely animal species which are not birds (for example, only bat interest features); or
 - (ii) Any protected site identified on a list that Natural England may subsequently publish should it be satisfied that these restrictions can be removed.

If you need to carry out action that would otherwise be permitted by this licence on land excluded on account of the above conditions then you

will need to apply to Natural England for a licence.

In addition, as this licence is not a consent for the purposes of Part 2 of the Wildlife and Countryside Act 1981 (as amended) in respect to SSSIs it is your responsibility to get consent or assent if required before this licence can be used on any SSSI.

See Advice (v)–(viii) for further information, including where to find maps showing which protected sites are affected by these conditions.

12. Definitions used in this licence

“Good practice” means Natural England’s *‘Wildlife Management Advice Note: Legal measures to resolve conflict with wild birds’* and any other relevant good practice published by the British Association for Shooting and Conservation or the Game and Wildlife Conservation Trust. If there are conflicts between this good practice and the terms and conditions of this licence, the licence will prevail.

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

“Livestock” is as defined in [section 27\(1\) of the 1981 Act](#). *“Livestock includes any animal which is kept*

- (a) *for the provision of food, wool, skins or fur;*
- (b) *for the purpose of its use in the carrying on of any agricultural activity; or*
- (c) *for the provision or improvement of shooting or fishing.”*

The term *“kept”* is not defined in the 1981 Act. For the purposes of this licence animals that are either physically constrained (e.g. within fences or a pen), or which are unconstrained but remain significantly dependent on people, are *“kept”*. For example, where a gamebird remains in close proximity to a release pen and will often return to it for shelter or to roost at night, and is dependent of food put out by the gamekeeper then it is may be regarded as livestock even if it is free-living.

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

“Larsen trap” means a portable cage-trap which has a closed compartment for confining a live bird as a decoy and one or more spring or gravity activated trap-doors which are either top or side mounted.

“Multi-catch cage trap” means a cage large enough to be entered by the operator, which is covered in mesh and uses either a roof-funnel, ground-funnel or ladder/letterbox entry point for birds to gain access to the cage.

“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.

“Prevent serious damage”: The licence allows action to prevent damage which means the licence can be used if serious damaging is occurring or if there is a strong likelihood that it will occur in the absence of licensed action. Table 2 explains what amounts to *“serious damage”* for the purpose of this licence.

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

“Wildlife crime” means any 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 1911 (all as amended)

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;
- 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, and
- iii. may not be able to rely on this licence as a defence in respect to the prohibitions within the Animal Welfare Act 2006 or the Wild Mammals (Protection) Act 1996.

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 26 April 2019

Advice

Legal basis of this licence

- (i) 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. 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. Please note that the Marine Management Organisation are responsible for licensing seaward of the mean low water mark.
- (ii) This licence 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.
- (iii) 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.
- (iv) This licence does not confer any right of entry onto land and neither does it permit actions prohibited under any other legislation. In particular it does not reduce the protection afforded to:
 - a. Schedule 1 bird species. Care must be taken to avoid disturbance to Schedule 1 species during the breeding season.
 - b. Other protected species including European Protected Species, such as otter and bats.

Protected sites

- (v) You can use the MAGIC interactive mapping website www.magic.gov.uk to identify the location of SSSIs and European Sites. MAGIC includes map 'layers' to help identify the protected sites affected by Condition 11. The layers can be found by selecting the tabs for 'Designations' followed by 'Land Based Designations' and finally 'Statutory'. The layer is:
 - *Wild Bird General Licence Exclusion Zone* layer indicates the sites and buffers subject to Condition 11(a)

This layer may be revised periodically in accordance with the provisions of Condition 11(c)(ii).

- (vi) You can search for and view details about all SSSIs by using Natural England's [Designated Sites system](#). The notification documents for each SSSI contain a list of operations that require Natural England's prior consent. Owners and occupiers of land notified as SSSIs are required to give written notice to Natural England before either beginning any of these operations, or allowing someone else to carry out those operations. SSSI consent can only be given to a SSSI owner or occupier. It may be given with or without conditions, or in some cases, consent may not be granted. A similar process applies to 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.

- (vii) Please note that as the licensee you will not be able to undertake the licensed activity on a SSSI until the owner or occupier of the SSSI has applied for, and received, Natural England's written SSSI consent. If you do so, you may be at risk of committing an offence. As the licensee, if you wish to exercise this licence on a SSSI you must contact the relevant owners or occupiers of the SSSI and ensure they give written notice to Natural England of their proposal to permit you to carry out licensed activity on their SSSI. You should wait until a SSSI consent decision has been received by the SSSI owner/occupier before you begin to exercise this licence on a SSSI. See Gov.uk for further information on how to get SSSI consent from Natural England.
- (viii) In considering whether to issue consent or assent for activities likely to affect a SSSI that is a European Site, in other words a Special Protection Area (SPA) or Special Area of Conservation (SAC), Natural England will carry out a Habitats Regulations Assessment, as required by the Conservation of Habitats and Species Regulations 2017 (as amended) to ensure there will be no adverse effects on the European Site.

Severe weather

- (ix) 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 1981 Act](#). During a period of voluntary restraint and statutory suspension licence users are expected to only take action that is absolutely necessary, and to ensure that their activities do not disturb wildfowl.

Sales and consumption of birds

- (x) Birds killed or taken under a licence may be eaten, but may not be sold for human consumption.

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>

TABLE 1 - Appropriate lawful methods of resolving problems

Table 1 lists methods that are considered capable of reducing or resolving problems for each of the categories of vulnerable livestock covered by this licence. Many of the methods represent normal management practice and are common sense. They will be appropriate methods of resolving any problem unless their use would be impractical or disproportionate in the circumstances. The list of methods is not exhaustive. Use of other lawful methods may be required if appropriate in the circumstances to comply with the conditions of this licence.

An effective solution will typically comprise of a number of different methods. It is important that methods are employed effectively: at the right time, in the right way, and that methods are varied regularly. Birds commonly become habituated to a single technique if used continuously and in isolation. The expectation is that you use the methods that are reasonably expected to be effective in your circumstances and that you can justify the choice of methods used.

It is recommended that use of these methods complies with published **Good Practice*** and doing so will help demonstrate compliance with these requirements.

*: see Definitions

Preventing predation (serious damage) to sheep, lambs and piglets

Category	Advice on methods
Animal husbandry, management and physical protection	<ul style="list-style-type: none"> • Check stock regularly. Sick or poorly livestock, which are likely to be more vulnerable to predation, should be kept in safer areas, and checks on cast ewes (laying on their backs and unable to right themselves) conducted regularly. • Keep vulnerable stock indoors at critical times. If not possible, keep vulnerable stock in fields close to areas of greatest human activity (farms, houses, busy paths and roads). Fields and locations where regular corvid attacks occur should not be used to hold vulnerable stock. • Use tapes or wires to deter corvids from small penned areas.
Reducing attractiveness	<ul style="list-style-type: none"> • Remove potential sources of food that might attract corvids to your farm or sustain unnaturally high populations of birds. This can include: <ul style="list-style-type: none"> ○ afterbirths, fallen livestock or dead wild animals. Fallen livestock should, as a matter of good farming practice, be cleared away as soon as they are detected. This also helps prevent birds recognising livestock as a food source ○ Spilled animal feed should be cleaned up and any food source should be made as corvid proof as is practical. Make sure that corvids are not feeding from troughs and other sources of high quality livestock feed.
Scaring and deterring predators	<ul style="list-style-type: none"> • Use a wide range of devices and methods, varying them as often as possible, and use active human scaring. Random movement, sound, and unpredictability help prevent the birds getting used to scaring devices.

	<ul style="list-style-type: none"> • Shooting to scare is a highly effective method, especially when combined with other techniques. No licence is required for non-lethal shooting to scare birds. • If using scarecrows, make it look as real as possible, dress it in your old clothes, sit it on a chair and put a gun-like stick in its hand, move it regularly (ideally daily or more frequent). Occasionally change places with the scarecrow, and use this method to shoot to scare or to kill corvids (under licence). • Scaring and lethal shooting (under licence) typically work best if they are linked and corvids associate deterrents with lethal control and vice versa. • Scaring is most effective against large flocks of birds, since one bird that is particularly nervous and flies away, will often take the flock with it. <p>Information on scaring devices is available from: http://www.sasa.gov.uk/wildlife-management-publications</p>
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Preventing predation (serious damage) to domestic poultry and waterfowl	
Category	Advice on methods
Animal husbandry, management and physical protection	<ul style="list-style-type: none"> • Check stock regularly. Young birds and sick or poorly birds, which are likely to be more vulnerable to predation, should be kept in safer areas. • Provide ample places of shelter for birds to reduce their exposure to predation, including areas of denser or longer vegetation. • Feed/water/grit should be placed adjacent to cover so birds can quickly access cover if threatened. • If possible, keep free-range poultry in fields close to areas of greatest human activity (farms, houses, busy paths and roads). Fields and locations where regular corvid attacks occur should not be used to hold vulnerable poultry. • Use tapes or wires can be used to deter corvids from open penned areas and to disrupt flight-lines of predatory birds.
Reducing attractiveness	<ul style="list-style-type: none"> • Remove potential sources of food that might attract corvids to your farm or sustain unnaturally high populations of birds. This can include: <ul style="list-style-type: none"> ○ Eggs, fallen livestock or dead wild animals. Fallen livestock should, as a matter of good farming practice, be cleared away as soon as they are detected. This also helps prevent birds recognising livestock as a food source ○ Spilled animal feed should be cleaned up and any food source should be made as corvid proof as is practical. Make sure that corvids are not feeding from troughs and other sources of high quality livestock feed.
Scaring and deterring predators	<ul style="list-style-type: none"> • Use a wide range of devices and methods, varying them as often as possible, and use active human scaring. Random movement, sound, and unpredictability help prevent the birds getting used to scaring devices.

	<ul style="list-style-type: none"> • If using scarecrows, make it look as real as possible, dress it in your old clothes, sit it on a chair and put a gun-like stick in its hand, move it regularly (ideally daily or more frequent). Occasionally change places with the scarecrow, and use this method to shoot at or kill corvids (under licence). • Scaring and lethal shooting (under licence) typically work best if they are linked and corvids associate deterrents with lethal control and vice versa. • Scaring is most effective against large flocks of birds, since one bird that is particularly nervous and flies away, will often take the flock with it. <p>Information on scaring devices is available from: http://www.sasa.gov.uk/wildlife-management-publications</p>
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Preventing predation (serious damage) reared gamebirds and wildfowl	
Category	Advice on methods
Animal husbandry, management and physical protection	<ul style="list-style-type: none"> • Check birds regularly. • Provide ample places of shelter and cover for birds to reduce their exposure to predation, including areas of denser or longer vegetation. In the case of release pens, manage the habitat to provide cover and places of shelter outside as well as within pens. • Feed/water/grit should be placed adjacent to cover so birds can quickly access cover if threatened. • Use tapes or wires can be used to deter corvids from open penned areas and to disrupt flight-lines of predatory birds.
Reducing attractiveness	<ul style="list-style-type: none"> • Remove potential sources of food that might attract corvids or sustain unnaturally high populations of birds. This can include: <ul style="list-style-type: none"> ○ Eggs, dead birds or dead wild animals. Dead birds in pens should, as a matter of good practice, be cleared away as soon as they are detected. This also helps prevent birds recognising pen locations as a food source ○ Spilled animal feed should be cleaned up and any food source should be made as corvid proof as is practical.
Scaring and deterring predators	<ul style="list-style-type: none"> • Use a wide range of devices and methods, varying them as often as possible, and use active human scaring. Random movement, sound, and unpredictability help prevent the birds getting used to scaring devices. • If using scarecrows, make it look as real as possible, dress it in your old clothes, sit it on a chair and put a gun-like stick in its hand, move it regularly (ideally daily or more frequent). Occasionally change places with the scarecrow, and use this method to shoot at or kill corvids (under licence). • Scaring and lethal shooting (under licence) typically work best if they are linked and corvids associate deterrents with lethal control and vice versa.

	<ul style="list-style-type: none"> Scaring is most effective against large flocks of birds, since one bird that is particularly nervous and flies away, will often take the flock with it. <p>Information on scaring devices is available from: http://www.sasa.gov.uk/wildlife-management-publications</p>
Diversionsary feeding	<ul style="list-style-type: none"> This method seeks to attract corvids away from release pens by providing food in another area. This is most successful when used in combination with scaring techniques where pens are located. If used, the food MUST be put out well away from release pens. Food should be put out early in the morning onto a raised fencepost or platform, where predatory mammals can't reach it. If several pairs of territorial birds are causing problems, a feeding post within the territory of each pair is recommended. Only use this method during times when birds are most at risk. Do not continue for prolonged periods, as you may encourage a larger corvid population than would normally exist in the area and risk attracting more birds onto your land. Animal by-products legislation does not allow food to be used that would otherwise be used for human consumption, and therefore excludes any animal that has been kept by man, including any fallen stock. Wild animals such as rabbits, game birds, grey squirrels or deer can be used (unless any have been reared for human consumption).

TABLE 2 – ‘serious damage’ for the purpose of this licence

“What amounts to “serious damage” for the purpose of the livestock covered by this licence is explained below. (There may be other cases of “*Serious damage*”, that is to say is damage to an economic interest which livestock represents that exceeds mere nuisance, minor damage or normal business risk¹, for which a licence may be granted if an application for it is made.)

Reared gamebirds and wildfowl

Reared gamebirds are regarded as livestock while they remain in the release pen and while they remain significantly dependent on people. During their transition to wild living it is expected that some birds will be predated. The goal is for these birds to live as wild birds alongside native wildlife which – naturally – includes predators, so this is to be expected. Shoots typically expect to recover about 40% of released birds – which means about 60% are predated, die of other causes or survive beyond the end of their first shooting season. Evidence suggests that typically about half this number will have been predated. This is ‘normal business risk’. The loss of some released game birds to crow predation is therefore not ‘serious damage’, it is an element of the normal business risk. Where other causes of losses are being effectively minimised (e.g. through good husbandry and control of other predators), then if crow predation were to reduce, or to threaten to reduce, the number of birds recovered by shoots to below 35%, then that would constitute serious damage.

Domestic poultry and waterfowl

Free-range farmed domestic poultry typically live in more protected environments and are less vulnerable to predation. Studies suggest that on average chicken farmers lose about 2% of birds to all predators, and this is mostly to foxes. Where other causes of losses are being effectively minimised (e.g. through good husbandry and control of other predators), then if crow predation were to cause, or to threaten to cause, losses over this level, that would constitute serious damage.

Lambs, ewes, piglets

Crow attacks on ewes and lambs can lead to serious injuries, and well as deaths. These attacks have welfare implications for the sheep, as well as a financial cost in veterinary bills and potentially losses of relatively high value livestock. Such attacks of this nature would constitute ‘serious damage’.

Evidence

As explained in condition 8 of the licence, any person using this licence must be able to show, if asked by an officer of Natural England or the Police, what type of livestock licensed action is protecting and why the threat of predation is sufficiently serious to merit action under the licence, notwithstanding the use of appropriate lawful methods to contain the threat. Relevant evidence will include examples of actual or attempted predation during the present year or in recent years.

¹ For further guidance on defining ‘serious damage’ see ‘Guide to sustainable hunting under the Birds Directive’. 2008 edition (paragraphs 3.5.7 to 3.5.11), available at: http://ec.europa.eu/environment/nature/conservation/wildbirds/hunting/guide_en.htm