Wildlife and Countryside Act 1981 (as amended)

Licences to kill/take birds/mammals (non-piscivorous)

Note: This report may be disclosed in response to Freedom of Information requests.

NATURAL ENGLAND

Technical Assessment of Application

Summary of Application and Decision

Case reference	2016/24189/SPM/CWM	**Purpose**	Preventing damage to livestock

Species
Common buzzard
Eurasian Sparrowhawk

Brief Description of Application

This application is in relation to an application from a gamekeeper to undertake lethal control of buzzards and sparrowhawks which are associated with predation of pheasant poults both in and around a number of release pens.
The applicant is seeking a licence to undertake lethal control of 10 buzzards and 5 sparrowhawks as a means to both removing problem birds and reducing the damage being caused to [redacted] released gamebirds.

Recommendation	Action Permitted: To shoot birds (to aid scaring)
Recommend Licence	Reason for refusal: N/A
	Date for reconsideration: N/A

Adviser Name: [redacted] Date of Report: 18/07/2016

Application Details

1. Applicant

Title	[redacted]	Forename/ Initials	[redacted]	Surname	[redacted]

2. Site Details

Address

[redacted]

Grid Reference see right.

Describe precise location

[redacted]

Ownership of Site

[redacted]

Technical Assessment

3. Assessment Details

Type of Assessment	Site Visit	Date of Assessment	05/07/2016
Risk Level	High	Sensitivity Level	3

Risk Assessment

Site visit was undertaken to gain a better knowledge of the problems being experienced and to discuss with the applicant the non-lethal methods that are available to [redacted]

Persons Interviewed (if other than applicant)

Name	Address (if not as 2 or on application)	Role	Telephone Number
[redacted]	[redacted]	[redacted]	[redacted]

4. Background Information

[redacted]

[redacted] new internal guidance ("Licensing lethal control of birds to prevent serious damage"- SD/IGN/2016/001, 04/05/2016, v1.0) for advisors assessing damage applications for lethal control of birds causing serious damage to livestock (which pheasant poults are classed as when in and around their respective release pens and are reliant on the gamekeeper to provide food, shelter water and to some degree protection from the elements). This guidance was issued in May 2016, and clarified the principals contained within DEFRA's Wildlife Management Policy and how these principles (which include taking into account what can reasonably be expected to be undertaken by the applicant and also the level of proportionality of what the applicant can actually deliver) should be used, along with the assessors own knowledge and experience of assessing similar types of applications This guidance was used to assist in the assessment of this [redacted]

5. Evaluation

A site visit was undertaken on 5 July 2016 by wildlife advisor [redacted] and land use team member [redacted]

[redacted]; we were met by the applicant and [redacted] who was going to join us on the site visit. The woods and their related release pens were visited on a day with overcast weather conditions with sunny spells and light winds. These conditions allowed a good level of information to be gathered and the discussions between all present at each pen helped to build an even better picture.
This assessment has taken into account details provided in the [redacted] input from both the applicant and the [redacted] representative, the appropriate internal guidance (referred to above), industry guidance and scientific literature including:

The Game and Wildlife Conservation Trust (GWCT) guidelines-

- Guidelines for sustainable gamebird release
- Pheasant release pen construction
- The importance of providing hoppers for gamebirds
- Woodland conservation and pheasants
- Woodland creation and management for pheasants- a best practice guide.

A report published within the European Journal of Wildlife Research (Parrot, D. 2015 61; 181-197) Impacts and management of common buzzards *Buteo buteo* at pheasant *phasianus colchicus* release pens in the UK: a review.

None of the woods/pens visited would reach the standards within the GWCT guidance, and although most woods would be close, one wood ([redacted] would notably fail.

The evaluation has taken into account the practicalities [redacted] and coming to a conclusion as to what can be deemed reasonable. The applicant [redacted]. There are concerns that [redacted] is having a detrimental impact on management of these sites, as for example, whether it is possible to introduce effective predator and vermin control for only a very short time (a week or fortnight) before the poults are put out. However, the applicant has also said that [redacted] undertakes fox control throughout the year at these sites.

The applicant reported that the financial costs of undertaking the shoots last year were identical to previous years, returns were still below 40% and costs per bird shot remained well above the industry standards.

The below table shows the pen stocking levels in 2015 and the overall returns for both shoots during that season.

[redacted]	Date poults into pens	Birds in pen	Birds on shoot	Birds shot	Percentage shot
	01/09/2015	[redacted]			
	01/09/2015				26%
	01/09/2015				
	01/09/2015				41%
	01/09/2015				
Totals					30%
N.B. [redacted] pen is used by both shoots.					

Habitat assessment around release pens included in the application:

This application and assessment are in relation to 5 wooded areas, each of which contains a pheasant release pen. [redacted] descriptions for all 5 woods have been included [redacted] The applicant informed us that [redacted] had no direct control or influence in the past 12 months on any woodland management that can be undertaken, what management that has taken place has been done so by the relevant landowners [redacted]

[redacted] The pen and surrounding area is dominated by conifer type trees planted in straight lines as is expected for woodland that is to be harvested at a later date. The only clearly defined open area within the pen at the time of the site visit was a path that ran across the pen between two access gates. Low level ground cover was present across approx 20% of the pen at varying levels of quality, it was only noticeably absent around the areas immediately under the trees which is believe would have been due to dense needle debris cover of the ground below the trees.
Bramble and bracken were present in the pen and provided a degree of cover for birds to seek cover under. Above the bramble and bracken level there were good numbers of what was believed to be self-seeded sycamore growth which were between 5-10 feet in height, where these were tightly packed they would provide both cover from avian predators and also assistance to poults seeking to gain access to the taller trees to roost. Corrugated iron dusting and shelter structures were present within the pen and the applicant informed us that these structures also served as covered feeding points. The amount of light entering the pen was considered good, which would account for the varying levels of growth and re generation that was present within the pen. Brashing "wigwams" were seen in the pen, but their exact number could not be estimated due to the level of mid-level cover. The applicant did not say that [redacted] had input into the management of the wood. I am of the opinion that the quality of cover within the pen, although not meeting the preferred percentages within the GWCT guidance, was sufficient to provide any poults released into the pen with a good chance of evading aerial raptors when combined with good deterrent and scaring activities. The crops planted in the arable fields closest to the pen were wheat and oats, both of which were approximately 4 weeks away from being considered ready to harvest.

[redacted] This pen is located on a slope into a valley bottom and is also predominantly straight lined conifer type trees. The first thing that was noticeable upon approaching the pen was that the level of light entering through the canopy within the pen area appeared higher than the areas immediately surrounding the pen, the applicant stated that this is just the way it was, no management has been undertaken specifically to open up the canopy above the pen and the applicant did not state that [redacted] had any input into the management of the wood. This pen had a considerable amount of mid/upper-level cover in its upper two thirds, which included bramble, nettles, bracken and self-seeded sycamore; it was not possible to confirm if brash wigwams were present within these upper levels due to the density of the undergrowth present. This feature, as with [redacted] would give good cover from avian predators and also provide poults with assistance to gain height to roost. The ground level cover was broken up across the lower section of the pen with interspersed nettle and bramble growth to about knee height. Corrugated iron shelters for both dust bathing and cover were present within the pen as well. Brashing "wigwams" were present within the pen; the only ones that could be clearly seen were 3 in the low section of the pen. The crops within the arable fields at the top of the wood were oats and peas and as with the crops elsewhere on the farms are still a fair time away from harvest. I am of the opinion that the quality of cover within the pen, although not meeting the preferred percentages within the GWCT guidance, was sufficient to provide any poults released into the pen with a good chance of evading aerial raptors when combined with good deterrent and scaring activities.

[redacted] This pen is located in a spinney that has a small ditch with a low level of moving water within it on one side of, but not within, the pen. This pen is bordered on one side by a grass field (farm side) which contained cattle at the time of the site visit; the field on the other side of the ditch was wheat. The farm side of the pen has its perimeter fence within about 6 feet of the stock fencing to exclude cattle from the spinney, but this fencing had recently been breached by cattle and a considerable amount of trampling had occurred on the ditch side of the pen that had destroyed all vegetation between the pen fencing and the ditch, a width of approx 8 feet. This spinney is a mixture of conifer type and deciduous trees which in places were around 25 feet in height. Within the pen it appeared that some of the self-seeding growth had been removed some time in the past, and the remaining stands were up to about 10 feet in height. The tree canopy cover was predominately on the grass field side of the pen, with the shorter re growth across the remained of the pen. Nettle growth in the open areas was up to about chest height and was present across approx 30% of the pen. Mid-level cover was spread throughout the pen and was present in scattered denser stands along the field side of the pen and towards the top of the pen towards the farm. As with the other pens, corrugated iron dusting and cover shelters were present and brashing "wigwams" could be seen against the bases of some of the conifer trees where nettle height was not to excessive to restrict our view. I am of the opinion that the quality of cover within the pen, although not meeting the preferred percentages within the GWCT guidance, was sufficient to provide any poults released into the pen with a good chance of evading aerial raptors when combined with good deterrent and scaring activities.

[redacted] This wood had been subject to thinning in 2014/15 and as can be expected following these types of forestry operations, was still in the process of developing regeneration and re growth at ground and mid-level within the pen and surrounding woodland. The level of ground cover via various types of grasses was expansive and was evident across more than 75% of the pen, the height of this was anywhere between 12-24 inches and was fairly uniform with these heights. Low-middle cover was present via broken up areas of bramble, bracken and nettle re growth with some evidence of sycamore and other shrubby species also present within these pockets of

cover. What was noticeably absent was higher level cover at 8-12 feet, this was patchy and was the result of mainly sycamore re growth. The canopy was, as can be expected; considerably more open that all the other pens. The applicant has made good use of the thinning's from the previous forestry operations and numerous wig wams to provide extra cover were evident throughout the pen, as was recommended by NE staff during the last visit. Corrugated iron dusting and cover shelters were also present within the pen. Having compared the current conditions within the pen and wood and compared them with photos taken [redacted] am of the opinion that a marked improvement in ground and mid-level cover has occurred as part of the regeneration within the pen and mid to upper regeneration, although patchy, was also occurring. The level of deterrent and scaring activities required within this pen will be considerably higher than the previously described woods/pens (due to the more open aspects of the pen) but the applicant appeared to realise this during conversations about the structure of the wood.

[redacted] This wood and pen is the one that has drawn more comment from previous advisors due to concerns regarding its quality of cover. One of the long sides of this pen (which contains one of the points of entry into the pen) is adjacent to agricultural fields with half the pen having barley close to it and the other edge having beans nearby, the closeness of these crops will be important to any poults within this pen as they will provide valuable cover for them to move into as no ground cover is available within the wood. At the time of the site visit the barley was at least a month away from harvest with the beans being even longer than that.
The pen sits within an established block of conifer trees. The applicant stated that [redacted] currently has no input into the management of this wood although indicated previously that [redacted] may be able to influence the management of this site to make it more suitable for use as a release site for pheasant poults. The lack of management (via thinning) of this block of woodland has resulted in a fairly thick level of canopy cover being present which has resulted in poor ground and mid-level cover with little re growth within the pen and surrounding woodland floor. Several corrugated iron dusting and cover shelters are present within the pen and the applicant has provided additional cover for poults via forming brashing wigwams around the bases of a lot of the trees and there is evidence that cut smaller 10-12 feet long saplings have been placed within the pen to enhance the amount of cover for poults. Nettle growth to between waist and chest height was present across approx 30% of the pen, but this was mainly in the areas closer to the open side of the pen adjacent to the agricultural fields. There was very limited grass and bracken growth within the pen and this was present mainly in the areas of the pen that receives most light. The rest of the ground within the pen was bare earth and the entire woodland outside the pen was devoid of any ground cover. The very limited ground cover which is currently present would be severely damaged and/or destroyed by the poults within the pen within a relatively short period of time which raises further concern as to its suitability for use as a release pen. Despite the limitations of the mid-level cover, the placing of brashing and the metal shelters within the pen will assist the poults in gaining access to roost locations within the trees, although published research has found that this alone will not make up for the shortcomings in habitat quality.

The applicant stated that the poults from this pen are "fed out" once they have matured by about 3 weeks from being put in the pen to a more suitable block of woodland (but not one that [redacted] has permission to put a pen in) that is approx 300 yards from the location of this pen.

The anticipated stocking levels for the 2016/17 season are as below:

Name of wood/pen	Number of poults
[redacted]	[redacted]
Total birds to be released (excluding [redacted])	
Expected release date	12/08/2016

Have all other reasonable non-lethal solutions been tried and/or shown to be ineffective?
No non-lethal or scaring instruments or activities were in place or had been carried out by the applicant in the months preceding the site visit, as would be expected for some of the activities, because the predators would become habituated and the measures become less effective. The applicant is continuing to provide improved ground cover via use of brash wigwams.
The applicant stated that [redacted] had used a wide range of visual and restrictive non-lethal methods during the previous season; these included hanging CD's from branches, reflective barrier tape, mannequins and playing

radios around pen locations. In previous years [redacted] has also used, with varying degrees of success and implementation, diversionary feeding, gas guns, flashing lights around pens, leaving kills in situ, reducing obvious perches, releasing older poults and nest destruction under licence.
This season the applicant has confirmed that the use of radios within the pens, hanging CD's and mannequins will all be used. The applicant stated that [redacted] was not intending to release ex layer birds this year.
The applicant has taken on board advice received [redacted] with varying levels of effort/implementation and varying success. Despite undertaking deterrent and scaring activities, the applicant reports that it has not reduced the level of damage [redacted] is suffering. The applicant will need to continue to use a variety of deterrent methods this season and [redacted] will need to consider the necessity to try new, or methods that have not been used for several years, to ensure that habituation does not occur.

Is there a genuine need/problem?
The applicant has claimed [redacted] that wild raptors were responsible for having a significant impact, via predation, on [redacted] ability to produce the necessary number of pheasants for shooting.
This Wildlife Advisor agrees that serious damage is being caused and taking into account that all other factors that could cause losses (predation by other species, straying and disease) being well controlled or non-existent, that there is another factor causing the losses. Neither the applicant nor Natural England can prove beyond reasonable doubt that common buzzards and/or sparrowhawks are responsible for the damage, however, on the balance of probabilities it is likely to be so as there are no other apparent factors for the loses.

The applicant has not been able to supply up to-date information as to the locations of the current resident pairs of buzzards and sparrowhawks on the affected farms due to lack of time to do so, this is not ideal, but [redacted] believes, based on last year's observations during the time that poults were in the pens, that predation is caused by the resident pair of birds within each section of woodland and their dependant young.

In relation to buzzards causing serious problems the applicant has [redacted] that [redacted] believes that individual or resident pairs of birds are responsible for the serious damage being caused. [redacted] stated that when one of a pair was killed on the road a few years ago, the level of predation in that vicinity did drop off so this anecdotal evidence does provide some insight as to the potential effectiveness of removing one problem bird. The applicant stated during the site visit (and has provided a photo of that specific location with a buzzard sitting in the identified tree) that [redacted] has observed what [redacted] believes to be the same individual buzzard taking up position in a large tree, located about 50 yards from the pen, so the bird is hidden within the canopy, and as poults have moved about within the adjacent woodland ([redacted] the bird has entered the woodland.
In order to illustrate that there is a genuine problem and need for a licence, applicants should provide evidence of damage attributed to the species (e.g. photographic evidence, numbers of livestock lost, yield of crop damage and the value of these to the enterprise). The internal guidance also explains that "observations of the bird's behaviour including numbers and frequency of damage should be maintained. Simple diary entries can often be very effective to depict the scale of any damage. This data may also be useful under analysis to determine any patterns of damage and to more effectively target action".
In relation to the provision of information to demonstrate that serious damage is occurring, this year's application referred to extensive evidence having been provided in previous years by the applicant, during the site visit this advisor was able to glean recent observations and comments from the applicant based on what had happened the previous season. The advisor was provided with a series of photographs showing predated poults, observations on locations and behaviour of buzzards and sparrowhawks the previous season, direct observations of hunting activities of what are believed to be individual buzzards, the breakdown of shoot returns from the previous season and an explanation that costs had stayed the same as during 2015/16 season.

In relation to sparrowhawks, specialist advice was sought with regard to published evidence on sparrowhawk predation of pheasant poults and there is a dearth of evidence to support this. However, anecdotal reports are noted and the comments made by the applicant during [redacted] suggest that whilst sparrowhawks may predate on pheasant poults, this species only causes a problem within the first few weeks of the poults going into opens and once poults have increased in size and weight in that time period, the sparrowhawks interest in those pens drops off. This, and the published evidence, does not indicate that sparrowhawks are likely to be responsible for serious damage. The internal guidance explains that "the applicant needs to provide evidence to show that damage caused by birds is, or is likely to be, serious, licences are not permitted to prevent the threat of minor damage". Taking the above into account, this advisor does not consider that licensing the lethal control of sparrowhawks is a proportionate response to evidence that does not appear to clearly identify serious damage being caused.

Are there any satisfactory alternatives?
There would appear to be a limited number of satisfactory alternatives- non lethal methods explored are listed

above. Possible alternatives to lethal control of fledged birds is limited to taking birds alive and either taking them into captivity or releasing the birds elsewhere (translocation). Whilst we were at [redacted] pen, the applicant stated that [redacted] believe sparrowhawks were the main culprit for predation at this pen. We had a discussion as to the potential for falconers being given any birds trapped and the applicant said [redacted] would rather do this than shoot the sparrowhawks. Trapping of birds as currently proposed is not a suitable method and there are welfare concerns, and so this option would be entirely reliant on the availability and commitment of a falconer (at very short notice if a licence was issued) to capture these birds. Taking the above comments into account I consider that the extra burden this would place on the applicant to be excessive and therefore impracticable to be considered in this application. However, this is an option that can be considered at a later time if the applicant is able to give us more time to research and make contact with potential recipients in the falconry community.
Relocation of problem birds has its own limitations: the common buzzard is normally territorial and widespread over the UK and finding vacant territory will be difficult to achieve. There is also the risk of merely moving the problem birds elsewhere in an exercise that will be disproportionately time consuming, costly and serve no conservation benefit.
The option to undertake licensed destruction of nest and eggs has been previously undertaken by the applicant and it was reported back by the applicant as having no effect at all on the levels of predation that year. In addition, it is too late in the season to licence egg and next destruction.

Will the licensed action be effective in resolving the problems and is the actions proposed proportionate to the problem?
The licensed removal of a small number of common buzzards will be likely to be effective and reduce damage caused by common buzzards predating on poults. If as the applicant states individual birds are responsible for the damage being sustained, their removal should result in a reduction of that damage. This, along with the earlier observation concerning the death of a single buzzard and the resulting reduction in predation serves as a good indicator of the potential outcome to any licensed control. This action will not remove the problem or provide long term solution as the birds will likely be replaced by other birds and the threat of predation will continue. In relation to damage caused by sparrowhawks, the applicant stated that the time period within which they are a danger to poults is limited to the first week or two when they are first released in the pens, once the poults put on a bit of weight and increase in size the alleged predation by sparrowhawks drops off. As such it appears that whilst sparrowhawks might predate on poults and contribute to the overall predation levels for a short period of time, predation by this species may cause damage but there is no evidence to suggest that this damage is serious. Published literature also does not suggest that sparrowhawks are a major predator of pheasant poults.

Cage trapping ahead of euthanasia of trapped birds. The applicant has requested the ability for him to be able to undertake cage trapping of problem birds to assist with [redacted] control of problem raptors. However, the time involved in undertaking this action and the requirement for the traps to be checked on a regular basis (we have to take animal welfare legislation into consideration even if the birds are eventually going to be destroyed) will be an extra burden on the applicants time that will affect [redacted] ability to commit time to the welfare of [redacted] poults. The potential for the trapped birds to damage themselves whilst contained within an unsupervised trap (I do not think that a comparison can be drawn between a magpie within a Larsen trap, the times within which they have to be checked is laid down within their specific general licences) is also a concern: when we have issued licences in the past to re capture escaped falconers hawks, we have required that the traps are not left un attended and that they are only deployed for a certain length of time (2-4 hours). Therefore I do not consider this to be appropriate.

Implications for the conservation of the species to be licensed:

Sparrowhawk: BTO bird trends search online 14/07/2016- The species is currently showing a continued step decline in relative abundance in the UK, more markedly in the west and north. Whilst there is not a current concern for this species the 10 year trend is markedly down and options other than killing this species might be more appropriate
http://blx1.bto.org/birdtrends/species.jsp?&s=sparr

Buzzards are not considered to be of current conservation concern: BTO bird trends search online 14/07/2016
http://blx1.bto.org/birdtrends/species.jsp?year=2015&s=buzza

6. Consultations

Is the proposed site on or near a designated site (NNR, SSSI, SPA, SAC etc)? No Where the proposal might impact on a designated site, have you consulted Natural England colleagues? N/A For SPAs and SACs, is an Appropriate Assessment necessary? N/A
Reason for Consultation and Summary of Response
N/A

Colleague/body Consulted	Date of Consultation	Date Response Received
N/a		

7. Consideration of Conservation Factors

See "Implications for the conservation of the species to be licensed" above

8. Disease Considerations

Is the proposed action likely to present a disease risk to wildlife, domestic animals or people? No *If "yes", a Disease Risk Assessment (DRA) is required for this case. Consult the SOP for guidance.*
Consideration of Disease Risk:
N/A

9. Licensing Criteria

Is there clear evidence that the species in question is causing or is likely to cause serious damage?	Yes
Are there other evident causes of the serious damage?	No
Where appropriate • have non-lethal methods been used? • have they been found to be ineffective or impractical and not just difficult to implement?	 Yes Yes
Is there any other satisfactory solution?	No
Will the proposed action contribute to preventing the damage?	Yes
For birds on Sch 2, Part 1 of the Wildlife and Countryside Act 1981 (the quarry list) only, are there good reasons why action could not have been taken in the open season?	N/A

Conclusion

10. Conclusions and Justification for Recommendation

The application has been assessed in line with the Internal Guidance Note SD/2016/001. In terms of the tests set out in the Defra wildlife management policy it is suggested that the following applies:

Have all other reasonable non-lethal solutions been tried and/or shown to be ineffective?

The applicant claims to undertake the normal range of predator control and husbandry measures associated with releasing pheasants poults for shooting. In addition to this [redacted] has undertaken various non-lethal measures in an effort to reduce the perceived predation of the poults. Whilst it can be said that in some instances these have not been applied to the extent and manner which would have been recommended or would be seen as exemplar, they have been tried and this effort is proportionate to the amount of time available to the applicant.

Additionally the habitat within the release pens and surrounding woods does not match the proportions for vegetation cover given by GWCT. However within the woods there is limited ability, due to woodland agreements, to manage the canopy cover any further and in one wood [redacted] there appears to be inconsistency between what the applicant has told assessors about being able to fell trees to create open spaces, which will allow ground and eventually shrub layer vegetation to establish. [redacted] pen could show considerable improvement if the canopy could be opened.

Although the woodland structure is not as defined, the applicant has made efforts to provide cover in the form of brash piles to compensate in the short term for lack of shrub cover. The review of the non-lethal techniques reported in the European Journal of Wildlife Research (Parrott D, 2015 21:181-197) is relevant to this application and in the technical assessment of the 2015 application for this site states “the lack of ground and shrub layers in several pens and poor roosting potential is considered a limiting factor most notably in the [redacted] pen. Parrott (2015) states that the “presence of sufficient vegetation cover” is a principal factor in reducing raptor predation with the herb layer being the most important. Parrott goes on to say the provision of supplementary cover e.g. brash wigwams is unlikely to compensate for extreme cases where pens are in unsuitable locations with respect to natural vegetation type” .

I consider that this is particularly relevant in the assessment of the [redacted] pen and it is not recommended that [redacted] site is licensed.

If any licence was to be granted it would be necessary to ensure that the licence contains suitable conditions regarding the continued and expanded application of non-lethal measures in all pens and surrounding woods and be specific about the amount and manner in which they are to be used.

Is there a genuine need/problem?

[redacted] NE have accepted that there is damage occurring at the site, it is serious and although not beyond doubt it is highly likely to be being caused by high levels of avian predation- mostly common buzzards. With the same standards of husbandry, management and habitat [redacted] continuing extremely low shoot returns it is likely that this will occur again this season. Whilst the applicant cannot give an estimate of bird numbers this year it is unlikely that they will have changed considerably from those claimed by the applicant [redacted] NE staff have witnessed common buzzards in numbers in the area confirmed 3 nest sites and accept that the others were likely to be where claimed. As such it is reasonable to conclude that there may be at least 5 nesting pairs in the vicinity of this small area, along with associated young from this year [redacted] However, research (Kenward 2001) has shown that the presence of a nest does not directly relate to levels of predation and so the presence of nests alone in not enough to demonstrate there is a genuine problem. Although the numbers of birds in a small area and the evidence provided by the applicant in terms of shoot returns, examples of predation by buzzard on site [redacted] does lead to the conclusion that buzzards are likely to be causing serious damage.

The number of sparrowhawks cannot be corroborated in the same way as for common buzzard, most owing to the more elusive nature of the species. However bird numbers are likely to be much lower and any impact of predation only apparent for short periods of time, the first 2-3 weeks after release. The likely lower number of birds and shorter duration of predation leads to a conclusion that whilst this species may cause damage, it is not of the extent and duration to be classed as serious. As such a licence for this species is not recommended.

With respect to [redacted] the applicant has said that [redacted] cannot confirm whether [redacted] will be releasing poults into that wood this year, and therefore it is not evident that there will be serious (or any) damage at that site.

Are there any satisfactory alternatives?

The applicant has undertaken non-lethal measures as set out above. However the proposed methods of control require further consideration. The applicants’ proposal is to either shoot to kill buzzards or to trap and kill buzzards. As an option to killing fledged birds, nest destruction, taking into captivity or taking and translocating to another

area can be considered. Either of the latter methods has the same net effect of removing birds from the wild environment at this location.

[redacted]

Trapping the birds at the site will require a high level of both competency with trapping wild raptors and would require the applicant to spend considerable time in the woods attending traps, to avoid welfare issues associated with raptors. This in itself may be seen as a disproportionate requirement.

Translocating wild birds is also likely to be expensive, time consuming and requiring specialist support and also impractical to find a vacant territory for common buzzard. For a common and widespread species with an increasing population this action would serve no conservation benefit and is again disproportionate.

The common buzzard is not a commonly kept bird in modern falconry, and whilst it may be possible to find some keepers willing to take on, train and house a wild bird, these will likely be limited in number. Again this option may be possible for some situations, but the necessary trapping and keepers are not readily available at this time.

As such the proposed action of shooting free flying birds is the most suitable option. In order to maximise the likelihood of killing birds which are causing the problem, shooting should be restricted to within the woods housing the release pen. Either a shotgun or where noise scaring poults is an issue, a moderated rifle of a suitable calibre may be used. Any licence should not permit the shooting of buzzards on open land or coming onto a carcass placed as bait. Whilst this will be time efficient for the applicant, it will not guarantee the removal of the problem birds, but any passing buzzard may drop onto the bait. Whilst shooting birds in the woods will require time to be spent by the applicant in the woods, this is proportionate as it is the only way of ensuring problem birds are taken.

The applicant has raised concerns on several occasions concerning the use of shooting to scare and its effect on poults in pens, there is no reason apparent to this advisor why shooting to scare cannot still be used in locations away from pens containing released poults.

Will the licensed action be effective in resolving the problems and is the actions proposed proportionate to the problem?

It is likely that killing common buzzards will be effective at reducing predation at this site. Killing will remove birds and lower numbers and correctly targeted by killing in the location where buzzards are foraging or hunting, and problem birds are targeted or birds shot in the presence of other buzzards, it is likely to be effective.

The applicant has previously stated the a single parent buzzard was killed by accident by a vehicle on a road near the wood, and on that occasion shoot returns were much improved. Additionally in a case regarding a free range chicken farm suffering predation targeted trapping removed the adult female bird and a juvenile and this completely resolved the predation issue.

In terms of numbers, several options or approaches may be taken:

1. To take a smaller number of birds than that requested by the applicant, in the areas where there is serious damage occurring and there are no other non-lethal means of managing the problem – i.e. [redacted] This would mean either 3 buzzard or 6 buzzard in total permitted to be shot (on the basis of 1 or 2 buzzard on average, per wood respectively). This would allow the applicant to shoot the birds where the problem is occurring and [redacted] is experiencing the most predation at that time. This is taking a step-wise approach to a novel licensing situation and is likely to be the lowest number of birds likely to have an impact on predation and is recommended as a suitable starting point to see if predation can be limited to acceptable levels by taking this small number of birds (and taking into account previous mentioned effects of one bird being removed having a marked impact on levels of predation). This is considered proportionate to the evidence provided. It will only remove a small number of birds when it is possible that larger numbers of adult and sub adult birds have become accustomed to pheasant poult as a source of feed. As a result the applicant may request further action in the next year, but considering that it is likely new birds will move in to replace any birds lost, this may be the case even if more birds are licensed.
2. To licence the full amount (10 birds) requested by the applicant. Whilst there are no current figures to support the numbers of common buzzard in the area, [redacted] numbers of 25+ birds could reasonably be expected (although numbers may not be so high this year). This amount is a high proportion of the local birds (circa 40%) but targeted may have a greater and longer lasting effect, by removing more birds. Licensing this number of birds would be disproportionate to the scale of the problem, particularly considering that poults will not be released into one of the woods, and at another of the woods the habitat is considered so unsuitable that it is unlikely that licensing control of buzzard at that site would resolve or reduce the problem. There is also still the risk that the applicant will [redacted] apply each year for the same number of birds.
3. Another option could be to licence more birds than that requested by the applicant with a view to removing all of the problem birds from the location. This may involve a licence for 15-20 birds, to remove the breeding adults and juvenile/ young birds. Whilst this is highly likely to be effective as the local population will be reduced severely, reducing a local population by this amount has implications that need considering

under the international obligations (Bern Convention). However even at this extreme level of killing it is likely other birds will remain in the area and the vacant territories rapidly recolonised by new birds- but ones not necessarily accustomed to poults as a food source on site.

Although an option that can be considered it is felt that option 3 is excessive. Option 2 is also risky, based on the evidence provided, the novel nature of this application and that we have no evidence to be confident about what is proportionate or necessary to reduce the problem. Option 1 is therefore recommended.

As well as any conditions relating to the types and actual deployment of non-lethal measures (suspended tapes of varying heights and suitable density, use of mannequin scarecrows moved regularly and more standard measures and ongoing habitat management and predator control), any licence issued should be conditioned to restrict shooting to within the three named woods which have me the licensing test, and wherever possible to shoot a buzzard in sight of other buzzards present – to maximise the scaring effect. Whilst in reality it may not be possible to target shooting in this way for this species (unlike it is for gulls, geese and cormorants) if the opportunity arises it should be taken and encouraged. In relation to the use of a centre fire rifle, this advisor considers their use inappropriate at this time due to the conditions relating to where and how buzzards may be controlled not being suitable for a firearm to be discharged.

11. Attachments

Power point showing photos of pens and woods that are included in the application.