

# GENERAL LICENCE

## To permit the sale of Black-headed gull eggs for human consumption



### OVERVIEW

This licence permits the sale of eggs of the Black-headed gull that have been collected under and in accordance with a licence granted by Natural England (but see Condition 1 and Information and Advice note b). The licence is intended to permit the sale of eggs by retailers and restaurants. Users must comply with licence terms and conditions.

Registration	Users do not need to register to use this licence
Recording & reporting	There is a data recording requirement
Reference	WML – GL23

### LICENCE TERMS and CONDITIONS

Legislation	Wildlife and Countryside Act 1981 (as amended) ('the 1981 Act')
Relevant section(s)	Section 16(4) and section 16(5)
Valid for the period	1 January 2018 to 31 December 2018 (inclusive)
Area valid in	All counties of England (landward of the mean low water mark)
Purpose(s) for which this licence is issued	<ul style="list-style-type: none"><li>To permit the sale or advertisement for sale of eggs for human consumption.</li></ul>
What this licence permits	Subject to all the terms and conditions of this licence and solely for the purpose(s) stated above, this licence permits: <ul style="list-style-type: none"><li>the sale (which in this licence includes hire, barter or exchange), offer or expose for sale, possession or transport for the purpose of sale; or</li><li>the publication or the causing to be published of any advertisement likely to be understood as conveying the buying or selling, or the intention of buying or selling;</li></ul> of eggs of the <b>Black-headed gull, <i>Chroicocephalus ridibundus</i></b> (formerly known as <i>Larus ridibundus</i> )
Who can use this licence	Retailers and restaurants (see Definitions), except persons with a recent conviction (see Information and Advice note e)
Definitions used in this licence	" <i>Wild bird</i> " has the same meaning as in <a href="#">section 27 of the 1981 Act</a> . " <i>Retailers and restaurants</i> " means any person(s) who sells goods, either whole or processed, for human consumption, but excludes the egg collector (or their representative) who will be authorised separately under a personal licence.

### LICENCE CONDITIONS

1. Only eggs collected under and in accordance with a licence issued by Natural England under section 16(2)(b) of the 1981 Act may be sold under this licence. Nothing in this licence operates to grant a licence or otherwise make lawful the taking of eggs of any wild bird (see Information and Advice note b).
2. Persons intending to rely on this licence must retain documentary evidence that the eggs were collected in accordance with a licence issued by Natural England (see Information and Advice note a).

3. Nothing in this licence permits the sale of eggs for any purpose other than human consumption.
4. No egg may be sold under this licence after 30 June in any year.

### **IMPORTANT**

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

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

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

Issued by and on behalf of Natural England on 31 December 2017

### **INFORMATION AND ADVICE specific to this licence**

#### **Documentary evidence**

- a. Persons intending to rely on this licence must be able to demonstrate that the eggs were legally collected and are advised to only purchase eggs from collectors or distributors who are able to satisfactorily demonstrate that they are complying with the relevant regulations. In most circumstances, the retention of an invoice, documenting the purchase of gull eggs and including the licence number of the person(s) who collected the eggs should provide sufficient documentary evidence. This information should be retained for a minimum period of two years.

#### **Sale of gull eggs**

- b. This licence only permits the sale of eggs collected by persons acting under a licence (issued under section 16(2)(b) of the 1981 Act) to collect gulls eggs specifically for human consumption. No other eggs, and this includes gulls eggs lawfully taken under other Natural England licences, for example, to preserve air safety, may be sold under this licence.

### **INFORMATION AND ADVICE for all Class and General Licences**

#### **General Information**

- c. Ordinarily, licences will be reissued on 1 January each year (*NB you do not need to re-register for those with registration requirements*). Please note, however, that they can be modified or revoked at any time by Natural England or the Secretary of State, but this will not be done unless there are good reasons for doing so. You are advised to check the terms and conditions of a licence prior to your first use of it each year in case of amendments.
- d. 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.
- e. No person convicted on or after 1 January 2010 of an offence under the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981, the Protection of Badgers Act 1992, the Deer Act 1991, the Hunting Act 2004, the Wild Mammals (Protection) Act 1996, the Animal Welfare Act 2006 or the Protection of Animals Act 1911 (all as amended) may use this licence without the permission of Natural England unless, in respect of that offence, either:
  - i. they are a rehabilitated person for the purposes of the Rehabilitation of Offenders Act 1974 and their conviction is treated as spent; or
  - ii. a court has made an order discharging them absolutely.Any request to use the licence by a person to whom this note applies will be considered on its merits.

#### **The limits of licences**

- f. Licences permit action only for the purposes specified on that licence.
- g. Licences do not permit actions prohibited under any other legislation, nor do they confer any right of entry upon land.

h. Unless otherwise stated the provisions of Natural England licences only apply landward of the mean low water mark in England. The Marine Management Organisation is responsible for all licensing seaward of the mean low water mark.

#### Contact details for Natural England

*For licensing enquiries:*

**Telephone** 020 802 61089

**Email** [wildlife@naturalengland.org.uk](mailto: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** 030 0 060 3900

**Email** [enquiries@naturalengland.org.uk](mailto:enquiries@naturalengland.org.uk)

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