

GENERAL LICENCE

Capture, temporary holding and euthanasia of LIVE bats for the purpose of testing for European Bat Lyssavirus (EBLV)



OVERVIEW

This licence allows certain Authorised Persons (specified below) to take, temporarily keep in captivity and, if appropriate, euthanize live bats whose behaviour or condition is consistent with potential infection with EBLV (a type of rabies virus), or which are suspected of having arrived in the UK with human assistance (eg they are found in a sealed lorry or on a cargo ship).

Members of the public finding a bat that is grounded or in a distressed state should **not handle** the bat but are advised to seek advice from the Bat Conservation Trust (BCT) Helpline on 0345 1300 228 or from their local [Animal and Plant Health Agency office](#).

*Advice on what to do if you find a **dead bat** is provided with General Licence WML-GL03.*

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| Registration | There is no registration requirement |
| Recording & reporting | None required |
| Reference | WML – GL25 |

LICENCE TERMS and CONDITIONS

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| Legislation | Conservation of Habitats and Species Regulations 2017 ('the 2017 Regulations') |
| Relevant section(s) | Regulations 55(2) (e) and (f) |
| 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">• Preserving public health or public safety, and preventing the spread of disease. |
| What this licence permits | <p>Subject to all the terms and conditions of this licence and solely for the purposes stated above, this licence permits Authorised Persons to:</p> <ul style="list-style-type: none">• Capture• Possess• Transport• Kill <p>any bat of a species listed in Schedule 2 of the 2017 Regulations, which is:</p> <ul style="list-style-type: none">• Horseshoe bats (all species belonging to the family Rhinolophidae)• Typical bats (all species belonging to the family Vespertilionidae) |
| Who can use this licence | <p>This licence can only be used by Authorised Persons, except persons with a recent conviction (see Information and Advice note j)).</p> <p>For the purposes of this licence Authorised Persons are defined as:</p> <ul style="list-style-type: none">• Bat Workers registered or working with the Bat Conservation Trust (see Condition 2)• Employees of approved quarantine facilities while engaged in official business (see Condition 2)• Employees of the Animal and Plant Health Agency (APHA) acting under the direction of APHA Veterinary Inspectors while engaged in official business, and• Members or Fellows of the Royal College of Veterinary Surgeons. |

LICENCE CONDITIONS

1. The activities authorised by this licence are only permitted where:
 - a. a bat's behaviour or condition is consistent with potential infection with EBLV, or
 - b. a bat is suspected of having arrived in the UK with human assistance (eg they are found in a sealed lorry or on a cargo ship), and
 - c. the bat is taken into captivity so it can be examined by a veterinarian or APHA Veterinary Inspector, or it can be held in quarantine.
2. Only Members or Fellows of the Royal College of Veterinary Surgeons or APHA Veterinary Inspectors are permitted to kill bats under the authority of this licence and then only where there are clinical signs consistent with EBLV or there are valid grounds to justify euthanizing the bat so it can be tested for EBLV (see Information and Advice note c).
3. Dead bats must be sent to the Chief Diagnostician, Animal and Plant Health Agency, Woodham Lane, Addlestone, Surrey, KT15 3NB (01932 341111) within ten days of the dead bat(s) coming into their possession (see Information and Advice note b).
4. In the event that EBLV is ruled out following examination and / or quarantine:
 - a. A bat of a species **present** naturally in the wild in the UK must be released into the wild at the location of its original capture, or if this is not possible, at a suitable location, when it is fit to do so (see Information and Advice note c).
 - b. A bat of a species **not present** naturally in the wild in the UK must not be released in the UK. If the bat cannot be returned to its place of origin or elsewhere in its natural range then the advice of Natural England must be obtained (see Information and Advice note c).
5. Any person using this licence must be appropriately trained and experienced in handling bats and is responsible for making sure that they use appropriate equipment (eg trap or net) and that they are competent to use such equipment so as to avoid unnecessary suffering (see Information and Advice note g).
6. No activities shall be carried out under this licence on a National Nature Reserve or a Marine Nature Reserve except with the prior written permission of Natural England's 'Responsible Officer' for the relevant site(s).

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 2017 Regulations 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 2017 Regulations 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

Bats and rabies

- a. For advice on European bat lyssavirus, including the health implications for people, please visit the GOV.UK website (<https://www.gov.uk/rabies-in-bats>).

- b. The BCT can provide copies of form BAT 1 for you to complete and enclose with any dead bat as well as appropriate packaging to send it to the APHA. The form is also available online at: <https://www.gov.uk/government/publications/bats-submission-for-rabies-screening>

Caring for and euthanizing sick or injured bats

- c. Although all bats are strictly protected you do not require a licence to care for an injured or sick bat and neither do you need a licence to humanely euthanize a bat that has no reasonable chance of recovering. If the bat is so disabled that it cannot be released and you do not intend to euthanize it then you will need to apply for a licence from Natural England to keep the bat permanently in captivity.

Protected sites

- d. With the exception of WML-CL25 (*To permit the diversionary feeding of hen harrier (Circus cyaneus) on grouse moors in northern England*), a licence is not permission from Natural England for an activity that could damage a Site of Special Scientific Interest (SSSI). The notification documents for each SSSI contain a list of operations that could damage its special features and for which prior permission from Natural England is required. Owners and occupiers of sites notified as SSSIs are required to give written notice to Natural England before beginning any of these operations, or allowing someone else to carry out these activities. A similar process applies for 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. See [Gov.uk](https://www.gov.uk) for further information.
- e. In considering whether to issue consent or assent for activities on a SSSI that is a European Site, in other words a Special Protection Area (SPA) or Special Area of Conservation (SAC), Natural England will consider whether there is likely to be a significant effect on features of European importance (alone or in combination) and carry out a Habitats Regulations Assessment, as required.
- f. To identify SSSIs, European Sites and the features for which they are designated, refer to www.magic.gov.uk. Consult the SSSI citation for details of 'operations likely to damage', and consider whether your activity is likely to have an impact. Advice may be sought from the local adviser for the SSSI: <https://www.gov.uk/government/organisations/natural-england>.

Relevant legislation and good practice

- g. Persons acting under a licence should have regard to legislation and good practice relevant to the action(s) undertaken, including animal welfare and the Animal Welfare Act 2006. It is an offence to cause any unnecessary suffering to an animal (including birds) under the control of man (section 4 of the 2006 Act). 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. For advice on the relevance of the 2006 Act to wildlife management please refer to the Natural England leaflet '[The Animal Welfare Act 2006: what it means for wildlife](#)' (TIN072).

Biosecurity

- h. Users of this licence should consider the risks of activities to biosecurity and take relevant precautions when visiting heathland and woodland sites to avoid the spread of tree and plant pests and diseases, including [Phytophthora](#) and Ash dieback [Chalara](#). Further information on plant biosecurity is available on the Animal and Plant Health Agency's [website](#).

INFORMATION AND ADVICE for all Class and General Licences

General Information

- i. 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.
- j. 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:
- 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 request to use the licence by a person to whom this note applies will be considered on its merits.

The limits of licences

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

m. 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.scicons@naturalengland.org.uk

Postal address Technical Services (Wildlife Licensing),
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>