

GENERAL LICENCE

To remove abandoned or unsuccessful eggs from the nests of wild birds



OVERVIEW

This licence permits the removal of abandoned or unsuccessful eggs from birds' nests between 1 September and 31 January. Licence users must comply with licence terms and conditions.

Registration	Users do not need to register to use this licence
Recording & reporting	None required
Reference	WML – GL12

LICENCE TERMS and CONDITIONS

Legislation	Wildlife and Countryside Act 1981 (as amended) ('the 1981 Act')
Relevant section(s)	Section 16(1)(c) and section 16(5)
Valid for the period	1 January 2019 to 31 December 2019 (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">Conserve wild birds by allowing the removal and immediate destruction of abandoned eggs from nest boxes before the next breeding season.
What this licence permits	Subject to all the terms and conditions of this licence and solely for the purpose stated above, this licence permits Authorised Persons to: <ul style="list-style-type: none">take and destroy the egg of a wild bird or any part of such an egg.
Who can use this licence	This licence can only be used by Authorised Persons (see Definitions), except those with a recent conviction (see Information and Advice note b).
Definitions used in this licence	"Authorised Person" is as defined in section 27(1) of the 1981 Act .

LICENCE CONDITIONS

- Eggs (or parts of eggs) may only be removed from nest boxes not currently in use by birds, during the period 1 September to 31 January.
- All eggs removed from nest boxes under this licence must be destroyed at the first available opportunity.
- Nothing in this licence permits the:
 - sale, hire, barter or exchange of an egg of a wild bird or any part of such an egg, or
 - retention, keeping or possession of an egg of a wild bird or part of such an egg.
- All relevant animal welfare legislation must be complied with at all times, including the Animal Welfare Act 2006.

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 1 January 2019

INFORMATION AND ADVICE for all Class and General Licences

General Information

- a. 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.
- b. 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.
- c. 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).

The limits of licences

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

Protected sites

- g. 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](#) for further information.

- h. 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.
- i. 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>.

The law

- j. Natural England has issued this licence in exercise of the powers conferred by the 1981 Act. Visit Legislation.gov.uk to view the full text of this legislation.
- k. 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.

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>