

# CLASS LICENCE

## To survey white-clawed crayfish



### OVERVIEW

This licence permits the **surveying of white-clawed (or Atlantic stream) crayfish** (*Austropotamobius pallipes*) by hand, net or trap. This licence may only be relied upon for surveying; it does not permit white-clawed crayfish to be translocated to other sites or to be held in captivity while works are carried out at a site. All non-surveying activities will require a separate licence.

If you wish to survey using hand, hand net or drop net techniques then this licence gives authorisation under both the Wildlife and Countryside Act 1981 (as amended) and the Salmon and Freshwater Fisheries Act 1975 (as amended) and you do not require a separate permit from the Environment Agency in respect of the 1975 Act.

However, if you wish to use traps to survey then this licence does not convey the necessary authority of the 1975 Act, therefore you will need to obtain a separate authorisation from the Environment Agency to undertake surveys using trapping under this licence.

Registration	Anyone wishing to use this licence that does not currently hold a personal survey licence for this species must first apply to Natural England to be registered. If you already hold a personal survey licence then you will be registered to use this licence when your end-of-licence report is received (we will notify you once registration is complete).
Recording & reporting	There are data recording and annual reporting requirements.
Reference	WML – CL11

### LICENCE TERMS and CONDITIONS

Legislation	Wildlife and Countryside Act 1981 (as amended) ('the 1981 Act') and Salmon and Freshwater Fisheries Act 1975 (as amended)
Relevant section(s)	Sections 16(3)(a), 16(3)(b) and 16(5) under the 1981 Act and section 27A of the Salmon and Freshwater Fisheries Act 1975 (as amended).
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	Science or education, ringing and marking or examining any mark on wild animals.
What this licence permits	Subject to all the terms and conditions of this licence and solely for the purposes stated above, Natural England and the Environment Agency authorise Registered Persons, their Accredited Agents and their Assistants to: <ul style="list-style-type: none"><li>• Fish for and take <b>white-clawed (or Atlantic stream) crayfish</b> (<i>Austropotamobius pallipes</i>) while surveying by means of the following three methods only:<ul style="list-style-type: none"><li>- hand</li><li>- hand net</li><li>- drop net (when fished in attendance)</li></ul></li></ul> Subject to all the terms and conditions of this licence and solely for the purposes stated above, Natural England authorise Registered Persons, their Accredited Agents and their Assistants to: <ul style="list-style-type: none"><li>• Take <b>white-clawed (or Atlantic stream) crayfish</b> (<i>Austropotamobius pallipes</i>) while surveying by means of:</li></ul>

- Crayfish trap **only**

**NB in order to operate traps lawfully you will need a separate permission from the Environment Agency as well as this licence.**

Who can use this licence

Persons registered to use this licence (Registered Persons) and Accredited Agents and Assistants of the Registered Person (see Definitions), except those with a recent conviction (see Information and Advice note r).

Definitions used in this licence

A "Registered Person" is a person who has successfully registered to use this licence.

An "Accredited Agent" is a suitably trained and experienced person who is able to carry out work under a licence without the personal supervision of the Registered Person. A Registered Person should only authorise an Accredited Agent if they can personally assure that the individual is appropriately experienced, skilled and competent to undertake activities under this licence. See Condition 6.

An "Assistant" is a person assisting a Registered Person or Accredited Agent. Assistants are only authorised to act under this licence whilst they are under the direct supervision of either the Registered Person or an Accredited Agent.

## LICENCE CONDITIONS

1. Licence users must follow the [Check-Clean-Dry](#) campaign actions and procedures:
  - Check - All clothing and equipment should be thoroughly inspected and any visible debris (mud, plant or animal matter) should be removed and left at the water body where it was found. Particular attention must be paid to the seams and seals of boots and waders. Any pockets of pooled water should be emptied.
  - Clean - All equipment and boots should be cleared of gross contamination prior to cleaning by hosing down or pressure-washing on site. If facilities are not available, equipment should be carefully contained, eg, in plastic bags, until they can be found. Washings should be left at the water body where the equipment was used, or contained and not allowed to enter any other watercourse or drainage system (ie, do not put them down the drain or sink). Where possible, clean equipment should be dipped in disinfectant solution to kill diseases, but note this is unlikely to kill non-native species (see Information and Advice note d).
  - Dry - Thoroughly drying is the best method for disinfecting clothing and equipment. Boots and nets should be hung-up to dry. Equipment should be thoroughly dry for 48 hours before it is used elsewhere. Some non-native species can survive for as many as 15 days in damp conditions and up to two days in dry conditions, so the drying process must be thorough.
2. Any person relying on this licence must carry a copy with them whilst undertaking any activities under this licence.
3. Traps may only be used under this licence when a separate permission from the Environment Agency has been granted. Any trap used must conform to specifications set by the Environment Agency.
4. All white-clawed crayfish taken under this licence must be liberated at the site of capture immediately after examination. Crayfish of other species caught under this licence must not be released into the wild (see Information and Advice notes b-c).
5. All relevant animal welfare legislation must be complied with at all times, including the Animal Welfare Act 2006 (see Information and Advice notes e-j).
6. To use this licence you must either:
  - a. be a Registered Person (see Information and Advice notes k-o for registration procedures and Definitions);
  - b. be authorised as an Accredited Agent (see Definitions) by a Registered Person, in which case you are only permitted to act under the authority of this licence if you are in possession of a letter signed by the Registered Person appointing you by name as a duly Accredited Agent for

the purpose of this licence. Agents shall carry a copy of the said letter when acting under the licence and shall produce it to any police or Natural England officer on request; or

- c. be authorised by a Registered Person or their Accredited Agent to act as an Assistant (see Definitions), in which case you may act under the authority of this licence so long as you are doing so under the direct supervision of a Registered Person or their Accredited Agent.

7. The Registered Person is responsible for all activities carried out under this licence, including activities carried out by their Accredited Agents and their Assistants.

### Recording and reporting requirements

8. The Registered Person must maintain a record, which must be kept for at least two years beyond the expiry date of this licence, in accordance with the requirements of Annex A. Records are to be made available for inspection at any reasonable time by Natural England.
9. The Registered Person must comply with the reporting requirements specified in Annex A. Reporting requirements must be met for the period from and including 1 January to 31 December by no later than 31 January the following year.
10. If Conditions 9 and 10 are not met then the Registered Person will, by default, no longer be considered registered to act under this licence.

### 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

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### INFORMATION AND ADVICE specific to this licence

#### Guidance on surveying

- a. Surveys should only be carried out during July to October (except where surveying is taking place post a de-watering exercise which may also be carried out in November to December). During the winter months crayfish show little activity spending long periods of time torpid in refuges, hence it would be difficult to locate crayfish or survey accurately. In the spring months females carry eggs and young during which time breeding success can be affected by handling. When completing the licence report form at the end of the licence period dates must be given for all licensable work. Please provide an explanation on the report form if crayfish have been handled outside the period July to October. This advice follows that given in '[Guidance on works affecting white-clawed crayfish](#)' Peay, 2000, English Nature FIN/CON/139.

#### Non-native species of crayfish

- b. There are six species of non-native crayfish in England and Wales and it is illegal to release any of these species into the wild. Under section 14 of the 1981 Act it is an offence to release or to allow to escape into the wild any crayfish of a kind which is not ordinarily resident in Great Britain in a wild state or which is included in Part 1 of Schedule 9 to the 1981 Act. The Schedule currently includes the following crayfish species: **noble crayfish** *Astacus astacus*, **signal crayfish** *Pacifastacus leniusculus*, and the **Turkish crayfish** *Astacus leptodactylus*; however it is illegal to release any non-native species. It is recommended that any non-native crayfish caught under this licence should be killed in a quick and humane manner as soon as reasonably practicable after discovery. Non-native species may only be released under an individual licence obtained from Natural England.
- c. To aid identification of crayfish species see the Environment Agency/Buglife [leaflet](#).

## Biosecurity - disinfection

- d. Disinfection of equipment and boots must be with a multipurpose virucidal disinfectant where the use will not damage the item being disinfected. Where a disinfectant cannot be used, an iodophor (at or above 100ppm available for iodine) can be used as a suitable alternative.

## General welfare considerations

- e. Persons acting under this licence may photograph white-clawed crayfish in connection with licensed work provided that this causes no additional disturbance.
- f. It is the responsibility of each person relying on this licence to use appropriate equipment (eg traps and nets) and to ensure that they are competent to use such equipment so as to avoid causing unnecessary suffering.
- 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 (2006 Act). 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’ \(TIN072\)](#).
- h. **Water voles** and **otters** can be caught and die in traps set for crayfish, which is why this licence imposes restrictions on the types of traps that may be used to only those permitted by the Environment Agency (see Condition 3).
- i. Sites with lots of water voles are unlikely to have many crayfish; they prefer different habitats. If there are water voles where crayfish are to be trapped then it is advisable to use baited drop nets. These are open traps which are safe for water voles, unlike the more traditional, funnelled, closed traps. The Environment Agency has issued the following additional advice:
- Do not put traps near water vole burrows (a water vole burrow must not be blocked with a crayfish trap);
  - If it is safe to do so, position traps away from the banks (traps in the middle of a stream or watercourse are less likely to catch voles);
  - If you do accidentally catch a water vole, stop trapping immediately and let your local Environment Agency Fisheries Officer know;
- j. You can modify your trap by restricting the entrance apertures to 50-55mm which will reduce the risk to water voles whilst still capturing and retaining white-clawed crayfish.
- k. Please note: an offence may be committed if you allow water voles or otters to drown in crayfish traps.

## Registering to use this licence

- k. Only Registered Persons, or persons authorised or supervised by a Registered Person (see Conditions 6-7), may act under this licence. Anyone seeking to become a Registered Person must apply to Natural England. Applications should be submitted using form [WML-A29](#). Forms are also available from Natural England Wildlife Licensing (contact details below). Applications require supporting evidence (including references) indicating appropriate knowledge and experience of the species covered by this licence and the survey techniques permitted (see [‘Reference guidance’](#)).

*Please note that any person issued with a personal survey licence before the first issue of this class licence will not normally be expected to provide additional evidence of experience to be registered to use this licence. Personal licence holders will become Registered Persons upon receipt of the end-of-licence report for their current personal survey licence.*

- l. Once registered, a person is entitled to use this licence so long as they satisfy the licence’s terms and conditions; annual re-registration is not required. Failure to comply by the terms and conditions, including the recording and reporting requirements, will, by default, render registration null and void. The annual reporting process is used to verify a person’s desire to remain registered.
- m. It is the responsibility of Registered Persons to maintain their expertise at an appropriate level to act under this licence and it is also their responsibility to ensure that Accredited Agents and Assistants have appropriate training, experience and instruction to act under this licence.
- n. Anyone seeking to confirm whether a person is registered to use this licence should contact Natural England Wildlife Licensing (contact details below).
- o. A person’s registration may be revoked by Natural England, for example, if that person breaches the conditions of this licence. In these circumstances Natural England will normally give 28 days’ notice of our intention to revoke a person’s registration.

## INFORMATION AND ADVICE for all Class and General Licences

### General Information

- p. Natural England checks compliance with licences and the attached conditions. Where breaches are identified, these may be subject to enforcement action.

- q. Ordinarily, this licence will be reissued on 1 January each year (*NB you do not need to re-register*). Please note, however, that it can be modified, extended, terminated 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 licences prior to your first use of the licence each year in case of amendments.
- r. 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.
- s. 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.

#### The limits of licences

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

- w. 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 1981 Act (as amended)) and this obligation applies even where the operations are carried out on land outside of the SSSI. See [Gov.uk](http://Gov.uk) for further information.
- x. 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.
- y. To identify SSSIs, European Sites and the features for which they are designated, refer to [www.magic.gov.uk](http://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>.

#### Using and Sharing Your Information

- z. There is significant public interest in wildlife licensing and in those who benefit from receiving a wildlife licence. We may make information publicly available, for more information, please see our [Privacy Notice](#).

#### Contact details for Natural England

For licensing enquiries:

**Telephone** 020 802 61089

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

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

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## ANNEX A – Recording and reporting requirements

### Records

Each Registered Person must maintain a record of the following minimum information for each survey undertaken using this licence (this also includes surveys conducted by Accredited Agents and Assistants acting under their authority):

- Date survey undertaken;
- Location (administrative area and a 6-figure (minimum) Ordinance Survey grid reference); and
- Number of crayfish trapped or handled during surveying conducted under the authority of this licence.

Records must be kept, and available for inspection, for at least two years beyond the expiry date of this licence.

### Reporting

Registered Persons are required to satisfy both of the following annual reporting requirements:

#### 1. Maintaining registration

To maintain your registration you are required to complete a report that will be emailed to you each year (normally in December). The report will ask you to confirm: if surveys have been carried out in the preceding 12 months; that any survey observations have been submitted (see 2 below), and whether you wish to continue to be registered.

#### 2. Submitting crayfish survey data

If you (or any Accredited Agents or Assistants) conduct any surveys during a reporting period then please enter details of each survey conducted online at: <https://www.brc.ac.uk/irecord/>. **Please make sure that you record your licence registration reference number in the 'Licence** Link does not work

**number' field on the 'Other information' page.**

The deadline for completing **both reporting requirements is 31 January** in the year which follows the calendar year to which the reports relate. In practice, you may find it easiest to submit survey records as and when surveys are carried out.

We would prefer reports to be submitted by email, but you may also post them. Please mark 'Licence Returns' and send to the Natural England Wildlife Licensing email or postal address given in the 'Contact details' section.

All licence report templates are available from: <https://www.gov.uk/wildlife-licences>

### Commercial confidentiality

If you encounter difficulties releasing data due to client confidentiality restrictions then you are advised to remind your client that it is a condition of using this licence that survey information is reported. Furthermore, the licence may only be used if this condition is met and withholding information may lead to a licence breach.

To help avoid such difficulties, it is recommended that your contractual terms and conditions make it clear that submitting records to Natural England and other bodies specified in licences is a legal requirement. If a client is not prepared to accept such terms and conditions then you may not use this licence without the prior permission of Natural England Wildlife Licensing (contact details above).