

# CLASS LICENCE

To permit the maintenance of ditches and other water bodies inhabited by the Little Whirlpool Ramshorn Snail, *Anisus vorticulus*



## OVERVIEW

This licence and a companion [management protocol](#) allow necessary maintenance of drainage ditches and other water-bodies inhabited by *Anisus vorticulus*, the little whirlpool ramshorn snail (which is also known as the lesser whirlpool ramshorn snail).

It is accepted that some snails will be killed and some habitat destroyed by maintenance activities, but through adherence to the management protocol we expect populations on managed sites to re-colonise cleared sections of ditches and channels and the conservation status of the local population of the snails to be maintained in the long-term.

Registration	Anyone wishing to use this licence must first apply to Natural England to be registered.
Recording & reporting	There are data recording and annual reporting requirements.
Reference	WML – CL14

## LICENCE TERMS and CONDITIONS

Legislation	Conservation of Habitats and Species Regulations 2017('the 2017 Regulations')
Relevant section(s)	Regulation 55(2) (c), (e) and (g)
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"><li>• Conserving wild animals;</li><li>• preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment; or</li><li>• preventing serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber or any other form of property.</li></ul>
What this licence permits	Subject to all the terms and conditions of this licence and solely for the purpose stated above, this licence permits Registered Persons, their Accredited Agents and Assistants to: <ul style="list-style-type: none"><li>• injure or kill</li><li>• disturb</li><li>• destroy the eggs of, or</li><li>• damage or destroy a breeding site or resting place of <i>Anisus vorticulus</i>, the little (or lesser) whirlpool ramshorn snail, while engaged in clearing and maintaining drainage ditches.</li></ul>
Who can use this licence	Registered Persons and Accredited Agents and Assistants of the Registered Person (see 'Definitions used in this licence'), except those with a recent conviction (see Information and Advice note h).
Definitions used in this licence	A " <i>Registered Person</i> " is a person who has successfully registered to use this licence in accordance with Condition 2. An " <i>Accredited Agent</i> " 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 in accordance with Condition 2. An “Assistant” is a person assisting a Registered Person or Accredited Agent in accordance with Condition 2.

## LICENCE CONDITIONS

1. Persons acting under this licence must abide by the [Management Protocol included at Annex B](#).
2. To use this licence you must either:
  - a. be a Registered Person (see Information and Advice notes a - e 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 show this letter 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.
3. 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

4. The Registered Person must maintain a record in accordance with the requirements of Annex A. Records must be kept for a minimum of ten years after the date that any ditch or channel maintenance operations are carried out using this licence. Records are to be made available for inspection at any reasonable time by Natural England.
5. The Registered Person must comply with the reporting requirements specified in Annex A. Reports must be submitted by 31 December each year that the licence is used.
6. If Conditions 4 and 5 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 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 1 January 2019

## INFORMATION AND ADVICE specific to this licence

### Registering to use this licence

- a. Only Registered Persons, or persons authorised or supervised by a Registered Person (see Condition 2), may act under this licence. Anyone seeking to become a Registered Person must apply to Natural England. You can [register online](#) to use this licence. Alternatively applications can be submitted by email or post (contact details below). Applications require supporting evidence (including references) indicating appropriate knowledge and experience of the species covered by this licence and the management techniques permitted (see '[Reference guidance](#)').
- b. 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.
- c. 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.
- d. Anyone seeking to confirm whether a person is registered to use this licence should contact Natural England Wildlife Licensing (contact details below).
- e. 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

- f. Natural England checks compliance with licences and the attached conditions. Where breaches are identified, these may be subject to enforcement action.
- g. 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.
- h. 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.
- i. 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. NOTE: *Anisus vorticulus* is commonly referred to as the 'Little Whirlpool Ramshorn Snail', but in Annex II of the Conservation of Habitats and Species Regulations 2017 it is referred to as the 'Lesser Whirlpool Ramshorn Snail'.

### The limits of licences

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

### Biosecurity

- m. Users of this licence should consider the risks of activities to biosecurity and take relevant precautions when visiting sites with freshwater to avoid the spread of amphibian and fish diseases, as well as invasive non-native species. General biosecurity advice can be found on the GB Non-Native Species Secretariat (NNSS) [website](#). Specific biosecurity guidance for water users on the GB NNSS [Check, Clean, Dry](#) pages.

### Protected Sites

- n. 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](http://Gov.uk) for further information.
- o. 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.
- p. 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

- q. 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>

## ANNEX A - Recording and reporting requirements

### Records

Each Registered Person is required to maintain a record, which must be kept for a minimum of ten years after the date that any ditch or channel maintenance operations are carried out using this licence (this also includes maintenance works conducted by Accredited Agents and Assistants acting under their authority).

The record should include:

- Date(s) ditch or channel maintenance undertaken;
- Length of ditch or channel cleared;
- Method(s) of ditch maintenance used (eg, staggered clearance, clearing one-side of channel, etc);
- Location (eg, farm name and field number, and a 6-figure (minimum) Ordinance Survey grid reference).

An Ordinance Survey, or equivalent, map marking sections of ditches or other water bodies where drainage works have been undertaken may be used in place of recording grid reference details.

### Reporting

Each Registered Person is required to submit a report to Natural England Wildlife Licensing each year that drainage works are conducted under this licence. Information on reporting including the relevant form is available at: <https://www.gov.uk/government/publications/little-whirlpool-ramshorn-snails-licence-for-ditch-maintenance>.

The deadline for submitting your complete report is **31 January** (covering works carried out in the preceding 1 January to 31 December period), but you may find it easier to submit reports as soon as drainage works are completed each year.

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## ANNEX B – A management protocol for the maintenance of drainage ditches and other water-bodies inhabited by the Little Whirlpool Ramshorn Snail, *Anisus vorticulus*

*Please note that the protocol is a separate document available from Gov.uk:*

<https://www.gov.uk/government/publications/little-whirlpool-ramshorn-snails-licence-for-ditch-maintenance>

### Important Note

**If you encounter significant problems complying with the protocol then please contact Natural England Wildlife Licensing (contact details above) for advice. In certain circumstances variations from the protocol may be permitted on a site by site basis.**

**You are advised to keep a written record of any variations that are permitted by Natural England.**