



Department  
for Environment  
Food & Rural Affairs

**The Rt Hon Michael Gove MP**  
From the Secretary of State for Environment, Food  
and Rural Affairs

Seacole Building  
2 Marsham Street  
London  
SW1P 4DF

T 03459 335577  
defra.helpline@defra.gsi.gov.uk  
[www.gov.uk/defra](http://www.gov.uk/defra)

Tony Juniper  
Chair, Natural England  
17 Smith Square  
SW1P 3JJ

4th May 2019

Dear Tony,

I am grateful for your letter regarding decisions to issue general licences under the Wildlife and Countryside Act 1981.

As you know, I consider that it is appropriate for me to take over the functions to which you refer (and with reference to Annex A of this letter) for the time being. I do so recognising the scale of interest and concern that has been generated by the decision to revoke; and because my judgement is that the present situation needs to be considered with particular intensity and urgency.

I completely recognise that this situation is not one that Natural England wanted and am grateful for your assurance that Natural England will do everything it can to assist. This transfer of responsibility shall take effect from 09:00 today.

I have asked officials within my department to initiate a swift but formal evidence gathering exercise in order to capture information from all concerned parties about the recent withdrawal of the three general licences (GL04, GL05 & GL06). In particular I want to gain a clear understanding of the implications for the protection of wild birds, and the impacts on crops, livestock, wildlife, disease, human health and safety and wider nature conservation efforts.

All relevant evidence gathered from that exercise, alongside information that my department and Natural England have already received since 25 April, will inform my decisions and approach. As part of this, I look forward to receiving as urgently as possible any information you consider would be useful to my consideration of these issues; and the advice that I know you will be providing as part of your statutory role. I will then need to form my own views on the best way forward.

I have also asked my officials to consider what support the department can offer in order to assist with the individual applications that Natural England is continuing to deal with. Thank you again for your letter.

With every good wish,

**Michael Gove**



## **ANNEX A**

### **General Licences under section 16(1) of the Wildlife and Countryside Act 1981**

By exchange of letters, the Secretary of State and Natural England have agreed that as of the date set out in the accompanying letter that the function of granting licences under s16(1) of the Wildlife and Countryside Act 1981 will be exercised solely by the Secretary of State. The following paragraphs are relevant.

Section 16(1) paragraphs (c) conserving wild birds

(cb) conserving flora and fauna

(i) - preserving public health or public or air safety,

(j) - preventing the spread of disease and

(k) - preventing serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber, fisheries or inland waters

Under paragraphs 16(1) (c) and (cb) either the Secretary of State (after consulting an appropriate advisory body) or Natural England can grant a licence. The Secretary of State and Natural England have agreed that for the time being Natural England will not grant general licences under these provisions.

The granting of licences under paragraphs (i) to (k) of section 16(1) of the WCA is one of Natural England's functions authorised under section 78 of the Natural Environment and Rural Communities (NERC) Act 2006. The Secretary of State and Natural England have agreed that for the time being Natural England will not grant general licences under these provisions.

For the avoidance of doubt, this agreement does not affect Natural England's function of issuing individual licences under the above provisions.

The section 78 NERC Act Agreement made on 29 September 2006 as amended on 1<sup>st</sup> April 2010 by Amending Agreement (No. 4) should be read together with this exchange of letters.