

Protection of Badgers Act 1992

TB Area Supplementary Badger Control LICENCE



This licence authorises acts that would otherwise be offences under the above legislation

Any request for information in this licence will be considered under the Environmental Information Regulations 2004 and the Freedom of Information Act 2000 as appropriate.

Natural England
 BM 6283
 London
 WC1N 3XX
 Tel. 0300 060 0550

Natural England Ref:

Natural England hereby authorises under section 10(2) of the Protection of Badgers Act 1992¹:

Name (in full)

hereafter **'the Licensee'**

Address

and such additional persons as are specified in writing by Natural England in accordance with Condition 1b ('Additional Authorised Persons').

to take and kill badgers (*Meles meles*) for the purposes of carrying out a Supplementary Cull within the Control Area (as detailed in Annex 1) during each Open Season in which this licence is in force by the methods, and in the periods, specified below, for the purpose of preventing the spread of bovine tuberculosis (bTB), subject to the Conditions specified below.

Method(s) of taking and killing permitted by this licence	The Open Season (all dates are inclusive)
Live-capture cage-trapping and humane despatch of trapped badgers by shooting	1 June - 30 November
Controlled shooting of badgers	1 June - 31 January ²

Duration of Licence	25 August 2017 until 31 January 2022 (inclusive)
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Supplementary Cull	<p>The killing of no less than the specified minimum number of badgers, in the period(s) agreed by Natural England, in each year³ of this licence which may continue until such time as Natural England notifies the Licensee that the culling must cease in that year.</p> <p>The start of the period during which the Supplementary Cull may be undertaken will be specified in accordance with the provisions of condition 1.</p>
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¹ Natural England is authorised to exercise this power in accordance with an agreement made with the Secretary of State under section 78 of the Natural Environment and Rural Communities Act 2006

² The period January 1st to January 31st shall be treated as part of the Open Season for the previous year for the purpose of the Conditions subject to which this Licence is granted.

³ A year for this purpose runs from 1 February to 31 January in the following year.

Signature 	Date 25/08/2017	<i>(for Natural England on behalf of the Secretary of State, Department for Environment, Food and Rural Affairs)</i>
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LICENCE CONDITIONS

General Conditions

1. No badger may be taken or killed, and no trap may be set, in respect of each Open Season within the duration of this licence, until Natural England has specified in writing:
 - a. the start date during that Open Season;
 - b. the names of the persons authorised to take or kill badgers during that Open Season;
 - c. the minimum number of badgers required to be killed within the Control Area during that Open Season to maintain the reduction in the badger population in the Control Area for the purpose of preventing the spread of disease;
 - d. the maximum number of badgers to be taken and killed within the Control Area during that Open Season; and
 - e. that it is satisfied that the land accessible for action under this licence ('the Participating Land') is sufficient to enable the maintenance of the reduction in the badger population in the Control Area under this Licence.
2. The minimum and maximum numbers specified by Natural England in accordance with conditions 1c and 1d respectively may be subsequently revised in writing to the Licensee (but not so as to reduce the maximum number below the number of badgers which have been culled during the relevant Open Season before such notice is given to the Licensee).
3. In the event that the minimum number of badgers required to be killed has not been achieved in any year of this licence within the period(s) agreed by Natural England, the licensee must submit to Natural England as soon as reasonably practicable proposals for achieving the minimum number in that year and to implement those proposals if Natural England agrees to them, or such other proposals as Natural England may reasonably specify for that purpose, within such period as Natural England may reasonably specify.
4. No badger may be killed during any Open Season if that would result in the number of badgers killed within the Control Area exceeding the maximum number in relation to that Open Season which Natural England has specified in writing under condition 1d or such revised maximum number as specified under condition 2.
5. The Supplementary Cull shall only take place on those areas of land within the boundary of the Control Area where access has been agreed with the landowner or occupier.
6. All reasonable precautions must be taken to ensure that no badger is subjected to unnecessary suffering.
7. Traps may only be set, live badgers may only be handled, and badgers may only be killed by or on behalf of the Licensee by persons identified by Natural England as Additional Authorised Persons under this licence.
8. In relation to any Open Season, Additional Authorised Persons may not take or kill badgers (or cause or permit badgers to be taken or killed) in accordance with this Licence, after any date which may be specified by Natural England.
9. The Licensee must inform Natural England within 3 working days of becoming aware of any changes to the Firearm and/or Shotgun Certificates of Additional Authorised Persons (including revocation), which would prohibit them from operating lawfully under this licence.
10. Any carcasses of animals killed as a result of action under this licence must be disposed of in accordance with the provisions of the Animal By-Products Regulations as they apply to Category 1 waste.
11. Requests for additional land to be accepted by Natural England as Participating Land within the Control Area must be submitted to Natural England with an accompanying map/s no later than 60 days prior to the supplementary cull commencing in any year of the licence or such shorter period as agreed by Natural England.

12. The Licensee must inform Natural England in writing within 14 days of it becoming aware of land in the Control Area for which access for action under this licence is no longer permitted. Natural England will assess if it is satisfied that the remaining Participating Land is sufficient to ensure the maintenance of the reduction in the badger population in the Control Area under this licence.
13. The Licensee must comply with such operational readiness and data requirements as may be specified in writing by Natural England having consulted with the Licensee before the start of the supplementary cull in any year of the licence.
14. If, at any time, Natural England has significant concerns about the level of the badger population in the Control Area which cannot be resolved in discussions with the Licensee, it may require the Licensee to undertake a sett survey in any part of the Control Area before it specifies the matters set out in Condition 1 in respect of the next Open Season.

Trapping and Dispatch of Badgers

When undertaking control activity under this licence:

15. Cage-trapping must be carried out in accordance with the relevant Defra/Natural England Best Practice Guide (referred to in the Important Information section below).
16. Any traps in the field and not in use must be securely fixed open or closed in such a way as to ensure that they are incapable of catching animals.
17. No traps are to be placed and operated under this licence unless they are live-capture cage traps, which conform to the standards contained in the Agreement on International Humane Trapping Standards.
18. Traps which are set to catch must be checked as soon as practicable after dawn each morning and, in any event, not later than 12:00 noon.
19. Where trapped badgers are to be dispatched, they may only be dispatched using a smooth bore weapon (shotgun) of not less than 20 bore, firing a cartridge containing frangible ('reduced hazard') ammunition. All reasonable steps must be taken to ensure that such animals are dispatched swiftly and humanely.

Controlled Shooting of Badgers in the Field

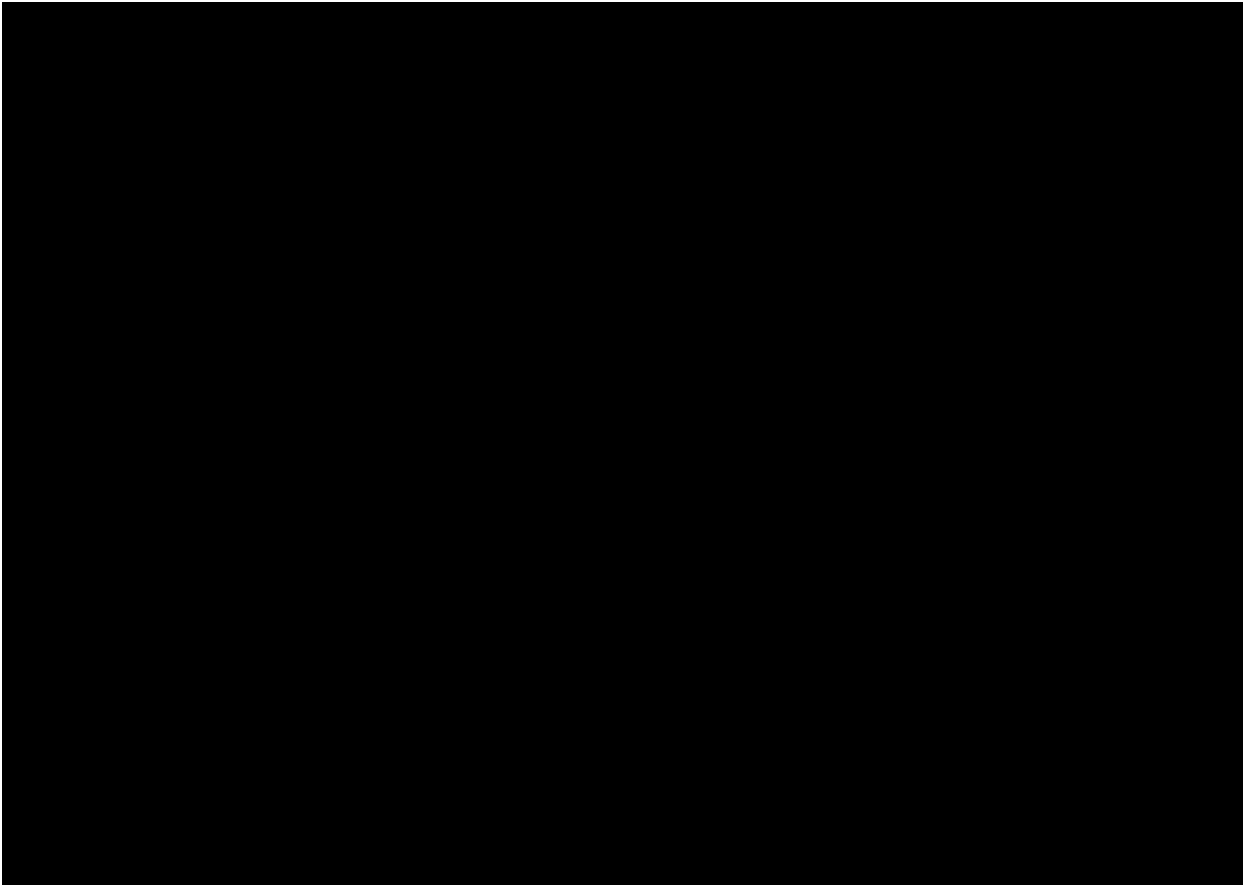
When undertaking control activity under this licence:

20. Controlled shooting must be carried out in accordance with the relevant Defra/Natural England Best Practice Guide (referred to in the Important Information section below).
21. Controlled shooting of badgers in the field must only be carried out with a centre-fire rifle of .22 calibre, or larger, firing ammunition with a muzzle energy of not less than 1000 foot pounds and bullet weight not less than 50 grains or with a 12-bore shotgun firing a cartridge loaded with BB or AAA shot size. All reasonable steps must be taken to ensure that badgers shot under this licence are dispatched swiftly and humanely.
22. No badger may be shot within 25 metres of a badger sett entrance, unless by a second shot intended to dispatch a wounded animal, and no bait location may be used which is less than 30 metres from the nearest badger sett entrance.

Recording and Reporting

23. The Licensee must keep a record of any activity undertaken in relation to the taking and killing of badgers within the area to which this licence applies and during the period it covers. These records must conform to the requirements specified in the Guidance to Applicants or such other reasonable requirements as may be specified by Natural England before the start date of each Supplementary Cull (following discussion and agreement between the Licence Holder and Natural England).

Licence Annex A: The Control Area is the land shown on the plan annexed hereto. The Annual Cull may only take place on areas of land within the boundary of the Control Area.



Licence Annex B: Restrictions relating to licensed actions on Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Sites of Special Scientific Interest (SSSIs) ⁴ and/or any other similarly protected areas.

In relation to a Supplementary Cull on any land within a Site of Special Scientific Interest, this licence is a consent for the purposes of Part 2 of the Wildlife and Countryside Act 1981 (as amended) subject to the following restrictions.

■ [Redacted text block]

■ [Redacted text block]

■ [Redacted text block]

■ [REDACTED]

■ [REDACTED]

IMPORTANT INFORMATION

- a) The Best Practice Guide referred to in conditions 16 & 21 is entitled '*Controlled shooting of badgers in the field under licence to prevent the spread of bovine TB in cattle*' or '*Cage-trapping and dispatch of badgers under licence to prevent the spread of bovine TB in cattle*' (the latest version at commencement of annual operations).
 - b) This licence authorises acts that would otherwise be offences under the Protection of Badgers Act 1992. Failure to comply with its terms and conditions:
 - i. may be an offence against that 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 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 this licence being revoked and/or the refusal to grant future licences
 - c) This Licence does not confer any right of entry upon land.
 - d) Access to Participating Land may be required from time to time by Natural England and the Secretary of State, their representatives, servants or agents and anyone authorised on their behalf to carry out monitoring of this Licence. The Licensee will, so far as reasonably practicable, facilitate access for these purposes.
 - e) Where firearms are used in connection with this licence, it is the firearm user's responsibility to ensure that all relevant legislation is complied with.
 - f) The Licensee and any authorised persons are expected to familiarise themselves with the latest list of species in Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) at the time that they are carrying out trapping. Currently, non-target animals that are listed, and must not be re-released into the wild, include Grey Squirrel (*Sciurus carolinensis*), Edible Dormouse (*Glis glis*) and American Mink (*Neovison/Mustela vison*). Some native species are also listed in Schedule 9 and these must be released unharmed. It is unlikely that any of these would be captured as non-target species; they are: Barn Owl (*Tyto alba*), White-tailed Eagle (*Haliaeetus albicilla*), Capercaillie (*Tetrao urogallus*), Northern Goshawk (*Accipiter gentilis*), Corncrake (*Crex crex*), Common Crane (*Grus grus*), Red Kite (*Milvus milvus*) and Red-billed Chough (*Pyrrhocorax pyrrhocorax*). If captured, these species must be released unharmed as permitted by Natural England General Licence WML-GL22. A full list of species in Schedule 9 of the Wildlife and Countryside Act can be found via the link to the Act on our website: <http://www.naturalengland.org.uk/ourwork/regulation/wildlife/policyandlegislation/legislation.aspx>.
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