

GENERAL LICENCE

To kill or take Carrion Crows to prevent serious damage to livestock including poultry and reared gamebirds



OVERVIEW

This licence permits farmers and other keepers of vulnerable livestock, and people acting on their behalf to carry out activities that would otherwise be illegal against the following protected species of wild bird:

- **Carrion crow, *Corvus corone***

This licence may only be used:

1. for the purpose of preventing serious damage to certain specified livestock by this bird species,
2. if serious damage is occurring or is reasonably expected to occur in the absence of licensed action, and
3. where reasonable steps to prevent predation by lawful methods have been and continue to be taken.

Users of this licence must comply with all licence terms and conditions including those in 'Standard Licence Conditions for trapping wild birds and using decoys under a Natural England licence' (GL33).

If you need to take action to prevent serious damage to a type of livestock, or in circumstances, not covered by this licence you will need to apply for a licence to do so from Natural England.

Registration	Users do not need to register to use this licence
Recording & reporting	Users are advised to keep a record of problems and the use of non-lethal methods, but do not need to submit records to Natural England.
Reference	WML – GL26

LEGISLATION

Statute(s)	Wildlife and Countryside Act 1981 (as amended) ('the 1981 Act')
Section(s)	This licence is issued under sections 16(1)(k) and 16(5) This licence permits, to the extent stated at 5 & 6 below, actions which may otherwise constitute offences in sections: 1(a), (b) & (c); 5(1)(b); 5(1)(c)(iii) and 8(1)

LICENCE TERMS and CONDITIONS

1. Valid for the period	25 April 2019 to 31 December 2019 (inclusive)
2. Area valid in	All counties of England (landward of the mean low water mark)
3. The purpose(s) for which this licence can be used	This licence can only be used to prevent serious damage* to the following types of livestock* : <ul style="list-style-type: none">• sheep (including lambs)• piglets• domestic poultry and waterfowl and• reared gamebirds and wildfowl (including released birds while they are kept*)
	*: see Definitions
4. What species are covered by this licence	Carrion crow, <i>Corvus corone</i>
5. What this licence	This licence permits:

permits

- Killing or taking of the species listed above and
- Taking, damaging or destroying their nests while that nest is in use or being built, or taking or destroying their eggs

6. The methods of killing and taking permitted under this licence

The methods permitted are:

- Shooting with any firearm, including **semi-automatic*** firearms, shotguns or air guns
- Pricking of eggs
- Oiling of eggs using paraffin oil (also known as Liquid Paraffin BP or light/white mineral oil)
- Destruction of eggs and nests
- A **Larsen*** trap
- A **multi-catch*** cage trap
- Falconry
- Hand-held or hand-propelled nets
- By hand

*: see Definitions

7. Who can use this licence

- a) This licence can only be used by farmers and other keepers of the vulnerable livestock listed at '3' above, and by people acting on their behalf, except those convicted on or after 1 January 2010 of a **wildlife crime*** (unless, in respect of that offence, either:
- they are a rehabilitated person for the purposes of the Rehabilitation of Offenders Act 1974 and their conviction is treated as spent; or
 - a court has made an order discharging them absolutely.)
- Any application by a person to whom this exclusion applies for an individual licence will be considered on its merits.

*: see Definitions

8. When this licence can be used

- a) Only as a last resort to prevent **serious damage***.
- b) Before using the licence reasonable endeavours must have been made to resolve the problem using the lawful methods identified in Table 1 (unless their use would be impractical, without effect or disproportionate in the circumstances) and any other lawful methods that may be appropriate in the circumstances.
- c) Reasonable endeavours must continue to be made to resolve the problem using such appropriate lawful methods alongside use of the licence.
- d) Only undertake lethal control of birds during the breeding season if lethal control at other times or use of other licensed methods (e.g. egg destruction) would not provide a satisfactory solution.
- e) Any person using this licence must be able to show, if asked by an officer of Natural England or the Police:
- (i) what type of livestock any action under this licence is protecting;
 - (ii) what lawful methods have been, and are being, taken to prevent predation of such livestock by carrion crow or why the lawful methods have not been taken;
 - (iii) what measures have been and are being taken to minimise

losses to that livestock from other predators and causes; and

- (iv) why the threat of predation from carrion crows is sufficiently serious to merit action under this licence.

Licence users are advised to keep a record or log of predation and of efforts to address problems by legal methods.

*: see Definitions

9. Use of traps and decoys

- a) The use of traps and decoys under the authority of this licence must comply with the terms and conditions in document '*Standard Licence Conditions for trapping wild birds and using decoys under a Natural England licence*' (GL33)
- b) This licence permits the use of the following species as a decoy in Larsen and multi-catch cage traps
 - Carrion crow, *Corvus corone*
- c) A Larsen trap need not satisfy the dimension requirements of section 8(1) of the 1981 Act.

10. Welfare requirements

- a) All reasonable precautions must be taken to avoid unnecessary suffering of birds killed or taken under this licence.
- b) Birds killed under this licence must be killed in a quick and humane manner.
- c) Wounded birds are to be pursued and humanely despatched where practicable.

It is an offence to cause any unnecessary suffering to an animal (including bird) under the control of man. 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.

The application of Animal Welfare Act 2006 to wildlife management activities is explained in Natural England leaflet '*Wildlife Management Advice Note: The Animal Welfare Act 2006: what it means for wildlife*' (WML-GU02).

11. European and nationally protected sites

- a) For protected sites with interest features that include bird species, no action authorised by this licence is permitted to take place within those sites or within 300 metres of the boundary of such site. For the avoidance of doubt, this restriction applies to:
 - (i) all Special Protection Areas (SPAs);
 - (ii) any Ramsar site with Qualifying Features that include bird species; or
 - (iii) any Site of Special Scientific Interest (SSSI) for which a bird species is a feature of special interest.
- b) The restrictions in condition 11(a) do not apply to:
 - (i) Ramsar sites with interest features that are solely animal species which are not birds (for example, only bat interest features); or
 - (ii) any protected site identified on a list that Natural England may subsequently publish should it be satisfied that these restrictions can be removed.

If you need to carry out action that would otherwise be permitted by this licence on land excluded on account of the above conditions then you will need to apply to Natural England for a licence.

12. Definitions used in this licence

In addition, as this licence is not a consent for the purposes of Part 2 of the Wildlife and Countryside Act 1981 (as amended) in respect to SSSIs it is your responsibility to get consent or assent if required before this licence can be used on any SSSI.

See Advice (v)–(viii) for further information, including where to find maps showing which protected sites are affected by these conditions.

“*Good practice*” means Natural England’s ‘*Wildlife Management Advice Note: Legal measures to resolve conflict with wild birds*’ (WML-GU01) and any other relevant good practice published by the British Association for Shooting and Conservation or the Game and Wildlife Conservation Trust. If there are conflicts between this good practice and the terms and conditions of this licence, the licence will prevail.

“*Humane*” means taking all reasonable precautions to ensure that any killing of birds under this licence is carried out by a single, swift action.

“*Livestock*” is as defined in [section 27\(1\) of the 1981 Act](#). “*Livestock includes any animal which is kept*

- (a) *for the provision of food, wool, skins or fur;*
- (b) *for the purpose of its use in the carrying on of any agricultural activity; or*
- (c) *for the provision or improvement of shooting or fishing.”*

The term “*kept*” is not defined in the 1981 Act. For the purposes of this licence animals that are either physically constrained (e.g. within fences or a pen), or which are unconstrained but remain significantly dependent on people, are “*kept*”. For example, where a gamebird remains in close proximity to a release pen and will often return to it for shelter or to roost at night, and is dependent of food put out by the gamekeeper then it is may be regarded as livestock even if it is free-living.

“*To kill*” includes accidentally to wound whilst attempting to kill in accordance with this licence.

“*Larsen trap*” means a portable cage-trap which has a closed compartment for confining a live bird as a decoy and one or more spring or gravity activated trap-doors which are either top or side mounted.

“*Multi-catch cage trap*” means a cage large enough to be entered by the operator, which is covered in mesh and uses either a roof-funnel, ground-funnel or ladder/letterbox entry point for birds to gain access to the cage.

“*Semi-automatic weapon*” is as defined in [section 27\(1\) of the 1981 Act](#). It is any weapon which is not prohibited by section 5 of the Firearms Act 1968 (as amended) and which has a magazine capable of holding more than two rounds of ammunition, where the depression of the trigger discharges a single shot and reloads the next, each subsequent shot requiring a further depression of the trigger, for example Firearms Act Section 1 shotguns.

“*Prevent serious damage*”: The licence allows action to *prevent* damage which means the licence can be used if serious damaging is occurring or if there is a strong likelihood that it will occur in the absence of licensed action. Table 2 explains what amounts to “serious damage” for the purpose of this licence.

“*Wild bird*” has the same meaning as in [section 27 of the 1981 Act](#)

“*Wildlife crime*” means any 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

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;
- 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, and
- iii. may not be able to rely on this licence as a defence in respect to the prohibitions within the Animal Welfare Act 2006 or the Wild Mammals (Protection) Act 1996.

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

26 April 2019

Advice

Legal basis of this licence

- (i) 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. 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. Please note that the Marine Management Organisation are responsible for licensing seaward of the mean low water mark.
- (ii) This licence 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.
- (iii) 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.
- (iv) This licence does not confer any right of entry onto land and neither does it permit actions prohibited under any other legislation. In particular it does not reduce the protection afforded to:
 - a. Schedule 1 bird species. Care must be taken to avoid disturbance to Schedule 1 species during the breeding season.
 - b. Other protected species including European Protected Species, such as otter and bats.

Protected sites

- (v) You can use the MAGIC interactive mapping website <https://magic.defra.gov.uk/> to identify the location of SSSIs and European Sites. MAGIC includes a map 'layer' to help identify the protected sites affected by Condition 11. The layer can be found by selecting the tabs for 'Designations' followed by 'Land Based Designations' and finally 'Statutory'. The layer is:
 - *Wild Bird General Licence Exclusion Zone* layer indicates the sites and buffers subject to Condition 11(a).This layer may be revised periodically in accordance with the provisions of Condition 11(b)(ii).
- (vi) You can search for and view details about all SSSIs by using Natural England's [Designated Sites system](#). The notification documents for each SSSI contain a list of operations that require Natural England's prior consent. Owners and occupiers of land notified as SSSIs are required to give written notice to Natural England before either beginning any of these operations, or allowing someone else to carry out those operations. SSSI consent can only be given to a SSSI owner or occupier. It may be given with or without conditions, or in some cases, consent may not be granted. A similar process applies to 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.

- (vii) Please note that as the licensee you will not be able to undertake the licensed activity on a SSSI until the owner or occupier of the SSSI has applied for, and received, Natural England's written SSSI consent. If you do so, you may be at risk of committing an offence. As the licensee, if you wish to exercise this licence on a SSSI you must contact the relevant owners or occupiers of the SSSI and ensure they give written notice to Natural England of their proposal to permit you to carry out licensed activity on their SSSI. You should wait until a SSSI consent decision has been received by the SSSI owner/occupier before you begin to exercise this licence on a SSSI. See Gov.uk for further information on how to get SSSI consent from Natural England.
- (viii) In considering whether to issue consent or assent for activities likely to affect a SSSI that is a European Site, in other words a Special Protection Area (SPA) or Special Area of Conservation (SAC), Natural England will carry out a Habitats Regulations Assessment, as required by the Conservation of Habitats and Species Regulations 2017 (as amended) to ensure there will be no adverse effects on the European Site.

Severe weather

- (ix) Users of this licence are requested to exercise restraint when undertaking shooting or soaring activities during periods of prolonged severe weather and to extend the requirements of voluntary restraint and statutory suspension of wildfowling to activities undertaken under this licence. For more information on these requirements please see the [JNCC website](#). This website and that of the British Association for Shooting and Conservation will indicate when periods of voluntary restraint and statutory suspension apply. A statutory suspension temporarily prohibits the shooting of any bird on [Schedule 2 Part 1 of the 1981 Act](#). During a period of voluntary restraint and statutory suspension licence users are expected to only take action that is absolutely necessary, and to ensure that their activities do not disturb wildfowl.

Sales and consumption of birds

- (x) Birds killed or taken under a licence may be eaten, but may not be sold for human consumption.

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>

TABLE 1 - Appropriate lawful methods of resolving problems

Table 1 lists methods that are considered capable of reducing or resolving problems for each of the categories of vulnerable livestock covered by this licence. Many of the methods represent normal management practice and are common sense. They will be appropriate methods of resolving any problem unless their use would be impractical or disproportionate in the circumstances. The list of methods is not exhaustive. Use of other lawful methods may be required if appropriate in the circumstances to comply with the conditions of this licence.

An effective solution will typically comprise of a number of different methods. It is important that methods are employed effectively: at the right time, in the right way, and that methods are varied regularly. Birds commonly become habituated to a single technique if used continuously and in isolation. The expectation is that you use the methods that are reasonably expected to be effective in your circumstances and that you can justify the choice of methods used.

It is recommended that use of these methods complies with published **Good Practice*** and doing so will help demonstrate compliance with these requirements.

*: see Definitions

Preventing predation (serious damage) to sheep, lambs and piglets

Category	Advice on methods
<p>Animal husbandry, management and physical protection</p>	<ul style="list-style-type: none"> • Check stock regularly. Sick or poorly livestock, which are likely to be more vulnerable to predation, should be kept in safer areas, and checks on cast ewes (laying on their backs and unable to right themselves) conducted regularly. • Keep vulnerable stock indoors at critical times. If not possible, keep vulnerable stock in fields close to areas of greatest human activity (farms, houses, busy paths and roads). Fields and locations where regular corvid attacks occur should not be used to hold vulnerable stock. • Use tapes or wires to deter corvids from small penned areas.
<p>Reducing attractiveness</p>	<ul style="list-style-type: none"> • Remove potential sources of food that might attract corvids to your farm or sustain unnaturally high populations of birds. This can include: <ul style="list-style-type: none"> ○ afterbirths, fallen livestock or dead wild animals. Fallen livestock should, as a matter of good farming practice, be cleared away as soon as they are detected. This also helps prevent birds recognising livestock as a food source ○ Spilled animal feed should be cleaned up and any food source should be made as corvid proof as is practical. Make sure that corvids are not feeding from troughs and other sources of high quality livestock feed.
<p>Scaring and deterring predators</p>	<ul style="list-style-type: none"> • Use a wide range of devices and methods, varying them as often as possible, and use active human scaring. Random movement, sound, and unpredictability help prevent the birds getting used to scaring devices.

	<ul style="list-style-type: none"> • Shooting to scare is a highly effective method, especially when combined with other techniques. No licence is required for non-lethal shooting to scare birds. • If using scarecrows, make it look as real as possible, dress it in your old clothes, sit it on a chair and put a gun-like stick in its hand, move it regularly (ideally daily or more frequently). Occasionally change places with the scarecrow, and use this method to shoot to scare or to kill corvids (under licence). • Scaring and lethal shooting (under licence) typically work best if they are linked and corvids associate deterrents with lethal control and vice versa. • Scaring is most effective against large flocks of birds, since one bird that is particularly nervous and flies away, will often take the flock with it. <p>Information on scaring devices is available from: http://www.sasa.gov.uk/wildlife-management-publications</p>
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Preventing predation (serious damage) to domestic poultry and waterfowl	
Category	Advice on methods
Animal husbandry, management and physical protection	<ul style="list-style-type: none"> • Check stock regularly. Young birds and sick or poorly birds, which are likely to be more vulnerable to predation, should be kept in safer areas. • Provide ample places of shelter for birds to reduce their exposure to predation, including areas of denser or longer vegetation. • Feed/water/grit should be placed adjacent to cover so birds can quickly access cover if threatened. • If possible, keep free-range poultry in fields close to areas of greatest human activity (farms, houses, busy paths and roads). Fields and locations where regular corvid attacks occur should not be used to hold vulnerable poultry. • Use tapes or wires can be used to deter corvids from open penned areas and to disrupt flight-lines of predatory birds.
Reducing attractiveness	<ul style="list-style-type: none"> • Remove potential sources of food that might attract corvids to your farm or sustain unnaturally high populations of birds. This can include: <ul style="list-style-type: none"> ○ Eggs, fallen livestock or dead wild animals. Fallen livestock should, as a matter of good farming practice, be cleared away as soon as they are detected. This also helps prevent birds recognising livestock as a food source ○ Spilled animal feed should be cleaned up and any food source should be made as corvid proof as is practical. Make sure that corvids are not feeding from troughs and other sources of high quality livestock feed.
Scaring and deterring predators	<ul style="list-style-type: none"> • Use a wide range of devices and methods, varying them as often as possible, and use active human scaring. Random movement, sound, and unpredictability help prevent the birds getting used to scaring devices.

	<ul style="list-style-type: none"> • If using scarecrows, make it look as real as possible, dress it in your old clothes, sit it on a chair and put a gun-like stick in its hand, move it regularly (ideally daily or more frequent). Occasionally change places with the scarecrow, and use this method to shoot at or kill corvids (under licence). • Scaring and lethal shooting (under licence) typically work best if they are linked and corvids associate deterrents with lethal control and vice versa. • Scaring is most effective against large flocks of birds, since one bird that is particularly nervous and flies away, will often take the flock with it. <p>Information on scaring devices is available from: http://www.sasa.gov.uk/wildlife-management-publications</p>
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Preventing predation (serious damage) reared gamebirds and wildfowl	
Category	Advice on methods
Animal husbandry, management and physical protection	<ul style="list-style-type: none"> • Check birds regularly. • Provide ample places of shelter and cover for birds to reduce their exposure to predation, including areas of denser or longer vegetation. In the case of release pens, manage the habitat to provide cover and places of shelter outside as well as within pens. • Feed/water/grit should be placed adjacent to cover so birds can quickly access cover if threatened. • Use tapes or wires can be used to deter corvids from open penned areas and to disrupt flight-lines of predatory birds.
Reducing attractiveness	<ul style="list-style-type: none"> • Remove potential sources of food that might attract corvids or sustain unnaturally high populations of birds. This can include: <ul style="list-style-type: none"> ○ Eggs, dead birds or dead wild animals. Dead birds in pens should, as a matter of good practice, be cleared away as soon as they are detected. This also helps prevent birds recognising pen locations as a food source ○ Spilled animal feed should be cleaned up and any food source should be made as corvid proof as is practical.
Scaring and deterring predators	<ul style="list-style-type: none"> • Use a wide range of devices and methods, varying them as often as possible, and use active human scaring. Random movement, sound, and unpredictability help prevent the birds getting used to scaring devices. • If using scarecrows, make it look as real as possible, dress it in your old clothes, sit it on a chair and put a gun-like stick in its hand, move it regularly (ideally daily or more frequent). Occasionally change places with the scarecrow, and use this method to shoot at or kill corvids (under licence). • Scaring and lethal shooting (under licence) typically work best if they are linked and corvids associate deterrents with lethal control and vice versa.

	<ul style="list-style-type: none"> Scaring is most effective against large flocks of birds, since one bird that is particularly nervous and flies away, will often take the flock with it. <p>Information on scaring devices is available from: http://www.sasa.gov.uk/wildlife-management-publications</p>
Diversionsary feeding	<ul style="list-style-type: none"> This method seeks to attract corvids away from release pens by providing food in another area. This is most successful when used in combination with scaring techniques where pens are located. If used, the food MUST be put out well away from release pens. Food should be put out early in the morning onto a raised fencepost or platform, where predatory mammals can't reach it. If several pairs of territorial birds are causing problems, a feeding post within the territory of each pair is recommended. Only use this method during times when birds are most at risk. Do not continue for prolonged periods, as you may encourage a larger corvid population than would normally exist in the area and risk attracting more birds onto your land. Animal by-products legislation does not allow food to be used that would otherwise be used for human consumption, and therefore excludes any animal that has been kept by man, including any fallen stock. Wild animals such as rabbits, game birds, grey squirrels or deer can be used (unless any have been reared for human consumption).

Document withdrawn on 26 May 2021

TABLE 2 – ‘serious damage’ for the purpose of this licence

What amounts to “serious damage” for the purpose of the livestock covered by this licence is explained below. (There may be other cases of “*Serious damage*”, that is to say is damage to an economic interest which livestock represents that exceeds mere nuisance, minor damage or normal business risk¹, for which a licence may be granted if an application for it is made.)

Reared gamebirds and wildfowl

Reared gamebirds are regarded as livestock while they remain in the release pen and while they remain significantly dependent on people. During their transition to wild living it is expected that some birds will be predated. The goal is for these birds to live as wild birds alongside native wildlife which – naturally – includes predators, so this is to be expected. Shoots typically expect to recover about 40% of released birds – which means about 60% are predated, die of other causes or survive beyond the end of their first shooting season. Evidence suggests that typically about half this number will have been predated. This is ‘normal business risk’. The loss of some released game birds to crow predation is therefore not “serious damage”, it is an element of the normal business risk. Where other causes of losses are being effectively minimised (e.g. through good husbandry and control of other predators), then if crow predation were to reduce, or to threaten to reduce, the number of birds recovered by shoots to below 35%, then that would constitute serious damage.

Domestic poultry and waterfowl

Free-range farmed domestic poultry typically live in more protected environments and are less vulnerable to predation. Studies suggest that on average chicken farmers lose about 2% of birds to all predators, and this is mostly to foxes. Where other causes of losses are being effectively minimised (e.g. through good husbandry and control of other predators), then if crow predation were to cause, or to threaten to cause, losses over this level, that would constitute serious damage.

Lambs, ewes, piglets

Crow attacks on ewes and lambs can lead to serious injuries, and well as deaths. These attacks have welfare implications for the sheep, as well as a financial cost in veterinary bills and potentially losses of relatively high value livestock. Such attacks of this nature would constitute “serious damage”.

Evidence

As explained in condition 8 of the licence, any person using this licence must be able to show, if asked by an officer of Natural England or the Police, what type of livestock licensed action is protecting and why the threat of predation is sufficiently serious to merit action under the licence, notwithstanding the use of appropriate lawful methods to contain the threat. Relevant evidence will include examples of actual or attempted predation during the present year or in recent years.

¹ For further guidance on defining ‘serious damage’ see ‘Guide to sustainable hunting under the Birds Directive’. 2008 edition (paragraphs 3.5.7 to 3.5.11), available at: http://ec.europa.eu/environment/nature/conservation/wildbirds/hunting/guide_en.htm

Wildlife and Countryside Act 1981

LICENCE DETERMINATION RECORD¹

All tests are applied proportionately and the strength of the evidence required to meet each test needs to be sufficient to justify the predicted level of impact on the population and risk to the conservation status of the protected species

Key guidance used for this assessment	<ul style="list-style-type: none"> Internal Guidance Note: SD/IGN/2016/001 - Licensing lethal control of birds to prevent serious damage. V2.0 January 2019 http://neintranettechnical/content/technical/topics/document_details.asp?DC=22931 Species licence types and their characteristics: Guidance to assist the choice of licence. Version March 2019
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1 Licence details		
1.1	Species	Carrion Crow <i>Corvus corone</i>
1.2	Legislation	Wildlife and Countryside Act 1981 (the '1981 Act')
1.3	Licence type (proposed)	General licence
1.4	Organisation or category of person(s) to be licensed	Farmers and other owners or keepers of livestock or any person authorised by such persons.
1.5	Geographical area	All counties of England (landward of the mean low water mark)

2 What is the problem or specific situation for which a licence is required and what is the proposed solution?		
2.1	What is the problem or specific situation (the 'need') for which a licence is required?	<p>The recognised 'need' is to protect livestock vulnerable to predation by crows. This assessment addresses:</p> <ul style="list-style-type: none"> sheep and lambs; piglets domestic poultry and waterfowl, and reared game birds and wildfowl. <p>Period of vulnerability:</p> <ul style="list-style-type: none"> Sheep: sheep are most vulnerable during lambing, which potentially extends from early spring to early summer.

¹ This determination record is suitable for use for general, class, organisational and project licences

		<ul style="list-style-type: none"> • Piglets: Pigs breeding throughout the year so piglets of a size and age that are vulnerable may be at all times. • Domestic poultry and waterfowl: in the case of poultry, crows are primarily regarded as a predator of eggs, chicks and young birds. While there is an element of seasonality to this vulnerability, in the case of domesticated poultry, egg-laying can take place all year round. • Reared gamebirds and wildfowl: these are most at risk during the spring – summer rearing period and for a period of 1-2 months after they are released in late summer – autumn.
2.2	What is the proposed solution?	<p>To permit the lethal control of crows, including the destruction of nests and eggs by specified lawful methods (including shooting) and also by use of the following methods:</p> <ul style="list-style-type: none"> • Use of semi-automatic weapons; • Use of nets and live capture cage traps; • Use of a conspecific bird(s) (a crow in this case) as a decoy to lure crows in to a cage trap. Some models of these traps (e.g. Larsen traps) are not sufficient in height, length or breadth to permit the bird to stretch its wings freely. <p>The proposed solution is to allow lethal control in all months of the year, including during the breeding season of the crow. Although this has implications for crow welfare, this solution is proposed because the breeding season is a period during which all livestock listed at 2.1 above are potentially predated by crows.</p>
2.3	Why does the proposed solution require a licence?	<p>A licence is required to permit the control measures described above to reduce / prevent predation by crows because this species is subject to a series of protection provisions within the 1981 Act, which are summarised below:</p> <p>The crow is fully protected and under section 1(1) the following activities are unlawful:</p> <ul style="list-style-type: none"> • killing, taking or injuring a crow: section 1(a); • taking, damaging or destroying the nest of a crow while that nest is in use or being built: section 1(b); or • taking or destroying an egg of a crow: section 1(c). <p>Use of the following methods of killing or taking crows are unlawful under section 5 of the 1981 Act:</p> <ul style="list-style-type: none"> • any net or trap: section 5(1)(b); • any automatic or semi-automatic weapon: section 5(1)(c)(iii). <p>It is also unlawful to keep captive a crow in any cage or other receptacle which is not sufficient in height, length or breadth to permit the bird to stretch its wings freely: section 8(1).</p>

3	PURPOSE TEST	Is the 'need' delivered by the proposal compatible with a licensable purpose?
3.1	Identify the relevant purpose(s)	Evidence that 'need' is compatible with this purpose
	<p>Section 16(1)(k) To prevent serious damage to livestockⁱ</p>	<p>Evidence that 'need' is compatible with this purpose</p> <p>Damage to livestock needs to relate to an economic interest and be 'serious' (ie not nuisance, minor or normal business risk) and be either occurring or highly likely to occur.</p> <p>Farmed sheep, pigs, poultry and waterfowl, and reared game birds and wildfowl are considered to be livestock for the purposes of this assessment.</p> <p>Historical context</p> <p>There is a long history of farmers and gamekeepers controlling crows in Britain and there is no point in recent history during which crow control has not been permitted or taken place (Tapper, 1992). When wild birds were first comprehensively protected in 1954 the crow was one of a number of species considered to be a 'pest' that were placed on a schedule to the Protection of Birds Act 1954 allowing control throughout the year. This remained the legal position after the introduction of the Wildlife and Countryside Act 1981 (the crow was placed on Schedule 2, Part 2). Even after the crow was removed from this schedule in the early 1990s its control continued to be authorised via general licences for a range of purposes at all times of the year. There is no evidence that levels of control declined as a result of the legal change; in fact the opposite appears true (Aebischer & Davey, 2011). Since the early 1960s, the number of crows killed on shooting estates has approximately doubled from 3 to 6 birds/km² (Tapper, 1992, Aebischer & Davey, 2011). Due to history and intensity of control it is therefore difficult to gauge the extent and severity of damage potentially caused by this species in the absence of control.</p> <p>Evidence of damage</p> <p>In an audit of conflicts in the UK between wildlife and human interests the Farming and Environment Research Agency ('Fera'; Fera, 2009) concluded the section on crow conflicts and predation of livestock as follows:</p> <p><i>"Data Quality and Scale of Conflict</i></p> <p><i>There is very little literature regarding the conflicts between crows and humans, particularly specific information about conflict in the UK, and so the scales of the conflicts are difficult to determine and are very approximate. Much of the literature regarding the predation of game and wildlife species by crows is from around 30 years ago, but it is unlikely that crows have drastically changed their diets in the mean time. * Changes in population numbers of both crows and their prey do need to be considered however.</i></p> <p>...</p> <p><i>1B) The reports of livestock and game predation are also very limited but the predation of red grouse and caching of their eggs has been documented, so it is likely that other game birds and some poultry keepers are also affected. Minor."</i></p> <p>*: this conclusion may underestimate the influence of changing game bird releasing practices on crow</p>

diet.

'Minor' scale is described as follows in Fera 2009 (excerpt from report)

Scale	Economic impact	Health impact	Environmental impact	Social impact
Minor	£10k- 100k/yr	Mild short-term reversible effects to identifiable groups, localized	Some ecosystem impact, reversible changes, localised	Significant concern expressed at local level

As stated above, the context of this assessment was widespread lethal control of crows that had taken place for many decades.

Additional evidence

Due to the paucity of evidence relating specifically to carrion crows, evidence from the closely related hooded crow (*Corvus cornix*) is considered in this assessment. Until 2002 the carrion crow and hooded crow were both regarded as different sub-species of *Corvus corone*. The Wild Birds Directive and some EU countries still only recognise a single crow speciesⁱⁱ. In view of the taxonomic similarities between these two types of crow, evidence relating to the hooded crow is judged to be relevant to this assessment.

Sheep

There is abundant anecdotal evidence that crows are a predator of livestock. Reports that crows attack ewes and lambs are relatively well-documentedⁱⁱⁱ but there is relatively little research on this topic to objectively evaluate the scale and severity of predation.

In a study of hooded crow attacks on sheep in Argyll 1973-1974 (Houston, 1977) crow damage to trapped ewes caused only slight economic damage. Crow predation on lambs was evaluated in comparison with other causes of lamb mortality. A survey of the causes of death, excluding crow predation, showed that the major causes of death were starvation (48%), still-birth (22%) and disease (9%). Crows attacked 48% of lambs found dead on the hill. Examination of the wounds showed that only 17% of these lambs were alive when attacked. The body condition of the latter showed that in most cases the lambs had exhausted their fat reserves and were on the point of starvation before being attacked. Crows did not select healthy lambs, and the range of body condition of lambs attacked was similar to lambs dying without being attacked. In most cases crows killed only lambs that would have died anyway according to this study, and it concluded that only one in 850 lambs born were healthy lambs which would-probably have survived had there not been a crow attack.

While crow predation was not a significant cause of mortality in this study, nearly 1 in 10 of all lambs that

	<p>died were alive when they were first attacked by crows. This represents a serious animal welfare issue for farmers. Furthermore, these losses need to be seen in the context of widespread crow control and lower crow population than the present day (see section 5).</p> <p><u>Piglets</u></p> <p>Crows are regarded as predation threat to piglets in outdoor units. There is documented evidence that hooded crows predate on live piglets and are not simply scavenging carcasses (Edwards et al, 1994). The study noted that crows progressed from scavenging dead piglets to predating weak animals that left the shelter of huts, to entering huts and attacking viable piglets.</p> <p><u>Domestic poultry and waterfowl, and reared game birds and wildfowl</u></p> <p>The crow is principally regarded as a predator of eggs and chicks of domestic poultry and waterfowl, and reared game birds and wildfowl. There is some limited published research on crow predation on chickens relating to commercial and 'backyard' flocks. Research on commercial poultry units in France found that on average predators killed about 6% of birds (range 0-33%; Stahl et al 2002). Crows were identified as being responsible for 9% of predation events and 4% of total losses to predators (21% and 10% of avian predation events were not identified to species, respectively). A study of 'backyard' flocks in rural India found that predation was typically the largest source of mortality with crows (of different, but comparable, species) commonly cited as an important predator of these flocks. In some areas crows were the most significant single predator (Conroy et al, 2005).</p> <p>Seriousness</p> <p><u>Sheep and pigs</u></p> <p>Crow attacks on ewes, lambs and piglets (and in some cases adult pigs, see Edwards et al. 1994) can lead to serious injuries, and well as deaths. These attacks have welfare implications for the sheep and pigs, as well as a financial cost in veterinary bills and potentially losses of relatively high value livestock. It is justified to regard attacks of this nature, where they occur, as constituting 'serious damage'.</p> <p><u>Domestic poultry and waterfowl, and reared game birds and wildfowl</u></p> <p>Predation by crows will constitute 'serious damage' where other causes of losses are being effectively minimised, if, along with other predation, it could – in the absence of licensed action – contribute in a significant way to losses exceeding the relevant 'normal business risk'.</p> <p>Free-range farmed domestic poultry and waterfowl typically live in protected environments. Two studies of commercial flocks reported average losses of 2% and 6% to all predators; mostly to foxes and other mammalian predators (UK: Moberly et al 2004; France: Stahl et al 2002, respectively). If crow predation were to threaten to cause losses over this level, that would constitute 'serious damage'. It is recommended that the lower 2% level – which is from a study of a range of different domestic poultry types (chicken, turkey and goose flocks) in the UK - is used for licensing purposes.</p> <p>Reared gamebirds are regarded as livestock while they remain in the release pen and while they remain</p>
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		<p>significantly dependent on people. During their transition to wild living it is expected that some birds will be predated. The goal is for these birds to live as wild birds alongside native wildlife which – naturally – includes predators, so predation is to be expected. Shoots typically expect to recover about 40% of released birds – which means about 60% are predated, die of other causes or survive beyond the end of their first shooting season (e.g. Smiths Gore & GWCT, 2014). Evidence suggests that typically half or more of this number will have been predated^{iv}. While the principal predator of released birds is likely to be the fox (and other mammalian predators), if crow predation were to threaten to reduce the number of birds recovered by shoots to substantially below 40%, then that would justifiably be regarded as constituting ‘serious damage’ (NB the fate of gamebirds is much harder to ascertain than farmed livestock so reference is made to overall losses and not just losses to predators). This assumes levels of releasing that could realistically expect a return of 40% with ‘normal’ levels of predation (i.e. where very large numbers of birds are released return levels can be depressed for reasons unrelated to predation and in these cases a lower threshold may be appropriate). In the absence of a more reliable indicator of ‘serious damage’ it is recommended that a threshold of 35% is used. This is relatively conservative and is expected to account for variation in releasing practices.</p> <p>It is recommended that further studies are conducted to provide improved measures or criteria for judging ‘serious damage’ for all livestock types, but particularly released game birds.</p>
3.2	Conclusion	<p>There is limited research examining the severity of predation by crows in the UK and the evidence available needs to be viewed against the background that crows are widely controlled.</p> <p>However, it is clear that crows can and do predate certain livestock. While – on average – present levels of total predation may be modest, incidents of more serious predation can be expected to occur locally - a common pattern observed with predation. Furthermore, incidents of serious predation would inevitably be more frequent than currently evident in the absence of current levels of crow control.</p> <p>It is therefore my assessment that – based on currently available information and my professional experience and judgement – it is reasonable to conclude that crow predation can and does result in ‘serious damage’, but that the actual or likely frequency of incidents of serious predation in the absence of licensed action is uncertain.</p>
	Is this test met?	Yes

4	<p>NO OTHER SATISFACTORY SOLUTION TEST</p>	<p>Are we satisfied that there is no other satisfactory solution that meets the need with a lesser impact on the population of the protected species?</p> <p><i>This assessment needs to consider both alternative solutions that:</i></p> <ul style="list-style-type: none"> • <i>meet the ‘need’ without the need for licensed action, and</i> • <i>designs or methodologies that minimise impacts</i>
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4.1	Why the current situation (i.e. the status quo) isn't acceptable or feasible	The control of crows has been permitted under General Licence GL04 to prevent 'serious damage' to livestock. Before the introduction of this licence (originally in the 1990s), it was lawful to control this species. The long history of lethal control reflects the widely held view and experience of farmers that legal non-lethal methods of managing predation by crows are not by themselves sufficient to address the threat of predation satisfactorily. The ineffectiveness of non-lethal solutions in many scenarios is explored further below. It is considered necessary to be able to resort to lethal control in appropriate circumstances.			
4.2	Were any other solutions to the proposed solution considered?	Yes. There are a number of legal non-lethal measures that can be used to manage predation. The principal categories of methods are considered below			
	If 'No' explain why.	n/a			
4.3	If 'Yes', describe each alternative considered (using a separate line for each) and tick the relevant reason(s) for dismissing each (if applicable)	Not deliver need	Not feasible	Greater impact on species	Explain why each was judged to be unsatisfactory as an alternative to the preferred proposal, providing supporting evidence as appropriate
	Husbandry and management	X	X		<p>All</p> <p>Good husbandry practices, including regularly checking livestock, removing sick or injured animals to safe areas, can help reduce the risk of predation for all livestock types.</p> <p>Where predation is a recognised problem choosing less susceptible breeds and / or larger, less vulnerable animals can help reduce predation risk. For example, releasing older, larger pheasant poults into release pens can reduce the duration of their vulnerability to predation by corvids.</p> <p>Conclusion: While these approaches may offer a partial solution in some cases they are not judged to provide a satisfactory solution in many cases.</p>

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	Physical barriers and housing livestock at vulnerable periods	X	X	<p>Physical barriers (e.g. fences, nets, tapes and wires) are generally only feasible on a small scale, so limiting their overall effectiveness.</p> <p><u>Sheep, pigs and domestic poultry/waterfowl</u></p> <p>While tapes and wires may provide some benefit for small scale poultry units, experience suggests predatory birds will exploit any weaknesses. Predatory birds can avoid such measures by flying under tapes / wires or pursuing poultry on the ground.</p> <p>These options are therefore unlikely to be a practical or affordable option that is capable of being employed to protect sheep, pigs or free-range poultry and waterfowl from an avian predator in most scenarios.</p> <p><u>Reared gamebirds / wildfowl</u></p> <p>Gamebirds are usually protected to some extent by fences, tapes etc while in their release enclosure, but will be vulnerable as they forage outside.</p> <p>Housing vulnerable livestock</p> <p><u>Sheep</u></p> <p>This is an effective option, and is often employed by sheep-farmers during lambing. It is not, however, a practical option for all farmers or all sheep farming systems.</p> <p><u>Piglets and domestic poultry / waterfowl</u></p> <p>Housing piglets and poultry / waterfowl is not an option compatible with outdoor reared or free-range status, respectively.</p> <p><u>Reared gamebirds / wildfowl</u></p> <p>Using fully enclosed pens for released gamebirds is impractical in most circumstances (as pens typically enclose areas of woodland) or due to their size, and this approach also does not protect birds once they start leaving pens to acclimatise to wild living.</p> <p>Conclusion: While these approaches may offer a partial solution in some cases they are not judged to provide a satisfactory solution in many cases.</p>
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	Habitat management	X	X	<p><u>Sheep and piglets</u> Habitat management is unlikely to significantly reduce predation on lambs or piglets.</p> <p><u>Domestic poultry / waterfowl</u> The provision of shelter can benefit free-range poultry, although there are likely to be practical limits on the extent of cover / shelter that can be provided. Man-made and natural shelter only provides partial protection; e.g. predatory birds can use cover to their advantage in preying on unsuspecting livestock.</p> <p><u>Reared gamebirds / wildfowl</u> Habitat management is likely to provide significant benefit in reducing predation of released gamebirds and wildfowl in and around release pens. This is a management technique that is expected to be employed to reduce predation.</p> <p>Conclusion: While habitat management can help reduce predation it is unlikely in many cases that habitat management alone will be capable of reducing predation to acceptable levels. It is not, therefore, a satisfactory solution in many cases.</p>
	Human presence		X	<p><u>All</u> Human presence is usually highly effective at preventing predation. However, it is not feasible for people to stay with vulnerable livestock at all times.</p> <p><u>Sheep, piglets and domestic poultry/waterfowl</u> Bringing ewes close to the farm during lambing is reported to be beneficial (Milner & Redpath, 2011) and there are likely to be similar benefits for poultry.</p> <p><u>Reared gamebirds / wildfowl</u> Locating release pens near human habitation or prolonged human presence is inconsistent with naturalising released birds to wild living.</p> <p>Conclusion: Although effective, it is not feasible in most cases to fully address the predation risk by this approach, and it is not judged to be a satisfactory alternative in many cases.</p>
	Scarers and deterrents (including non-lethal shooting to scare)	X		<p><u>All</u> Visual and acoustic devices, alone or in combination, are widely used in a</p>

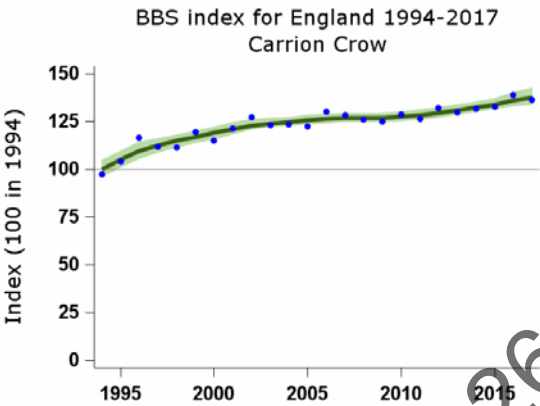
				<p>variety of conflicts with birds. Bird scarers include various scarecrows, hanging tapes, lights, kites and balloons, falconry, a variety of pyrotechnics and gas canons, and broadcasting sounds including distress calls and artificial sounds.</p> <p>To be effective these methods need to be used in combination and changed or adapted regularly as birds will become habituated to them, leading to a reduction in their effectiveness.</p> <p>Shooting to scare can be an effective deterrent for many bird species but even if it is reinforced with lethal shooting evidence suggests it is of low effectiveness against corvids (Baxter and Allan, 2008).</p> <p>A review of scaring and deterrent methods in conflict management concluded that such methods typically provide only partial protection from predatory birds (Milner & Redpath, 2011).</p> <p>Conclusion: While these methods can help reduce predation it is unlikely that even where good practice is followed assiduously they will be capable of reducing predation to acceptable levels in many cases. These approaches are not, therefore, a satisfactory solution in many cases.</p>
	Diversionsary feeding	X	X	<p><u>All</u></p> <p>There is limited evidence of the effectiveness of diversionsary feeding in reducing predation by common avian predators. There are also costs and potentially issues – such as disease spread - associated with provisioning predators with carrion.</p> <p><u>Piglets and domestic poultry / waterfowl</u></p> <p>Diversionsary feeding is not suitable as a solution to ongoing predation risks (e.g. to outdoor poultry and pigs) as it is likely to attract predators and increase predator populations.</p> <p><u>Sheep and reared gamebirds/wildfowl</u></p> <p>It has some potential to divert predators from vulnerable livestock for short periods (e.g. during lambing or in the period after releasing game birds) where there are resident territorial birds. In this case it is unlikely to increase predator populations, and territorial birds will generally exclude conspecifics. However, the efficacy of this method is unknown and we cannot be sufficiently confident that it provides a fully effective solution to insist that it can be used to the exclusion of lethal control in all cases.</p> <p>Conclusion: This option has limited application and is not a satisfactory</p>

					solution in the majority of cases.
	Translocation		X		<p><u>All</u></p> <p>Translocation is not considered suitable for common predatory birds, especially those that are territorial. There are a number of issues related to the welfare of the predatory bird (e.g. finding suitable location to release), the practical difficulty of capturing birds and its limited efficacy (i.e. as it is expected birds will be replaced quickly by other birds).</p> <p>Conclusion: Translocation is not judged to be a satisfactory solution.</p>
4.4	Conclusion	<p>There are a range of legal, non-lethal methods available to manage predation by crows. It is likely that use of a combination of these methods will satisfactorily resolve predation problems in some cases. However, all the methods have limitations and, even when used in combination and according to good practice, it is unlikely that these methods alone will be capable of reducing predation to acceptable levels in all cases.</p> <p>Furthermore, based on my knowledge and experience, at least some of these non-lethal approaches (e.g. scaring, deterrents and human presence) are more effective if linked to and reinforced by lethal control.</p> <p>It is therefore my assessment – based on currently available information – that it is reasonable to conclude there is no other satisfactory solution to lethal control in some cases.</p> <p>Recognising, however, that legal and non-lethal methods offer at least a partial solution in many cases (especially where they are carried out in combination with lethal control), anyone proposing to use the licence (if issued) should be (i) required to use appropriate non-lethal methods before resorting to lethal control and (ii) required to continue using these methods alongside licensed action. The licence will clearly set out the non-lethal methods which are considered to be appropriate for each of the categories of livestock considered in this assessment and explain how those methods are to be deployed. By requiring licensees only to use lethal action where reasonably practicable non-lethal methods have been and continue to be used, it will be ensured that lethal control is deployed in situations where there is no other satisfactory solution.</p> <p>The licence must also include a condition and objective criteria which require the licence only to be used in order to avoid damage which would qualify as “serious”.</p>			
	Is this test met?	Yes			

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5	IMPLICATIONS FOR CONSERVATION STATUS ²	Are we satisfied that the activity(ies) proposed will not be detrimental to the maintenance of the present conservation status of the species?
5.1	What is the conservation status of the species internationally and nationally	<p><u>Internationally</u> IUCN Red List status (global)^v:</p> <ul style="list-style-type: none"> • increasing • least concern <p><u>UK</u> IUCN species for UK^{vi}</p> <ul style="list-style-type: none"> • least concern <p>Birds of Conservation Concern 4 (BoCC4, Eaton et al, 2015): Green listed</p> <p><u>England</u> The Breeding Bird Survey population trend for the carrion crow since the mid-1990s is shows a relatively stable population that has grown gradually by 29% over the period 1994 – 2016 (increase statistically significant)^{vii}. This trend is illustrated in the graph below from BTO/JNCC/RSPB Breeding Bird Survey^{viii}. Game bag statistics suggest that the crow population has been on an upward trajectory since at least the early 1980s (Aebischer & Davey, 2011). The conservation status of the carrion grow is therefore considered to be favourable in England and more widely within the UK.</p>

² While there is no 'favourable conservation status' test in WCA 1981 licenced action must not lead to deterioration in the present conservation status of affected species. This is required by Article 13 of the Wild Birds Directive and Article 9 of the Bern Convention. This requirement only applies to species of bird naturally occurring in a wild state in Europe. It can be applied to non-native species at the discretion of Defra / Natural England. There is a presumption that it does not apply to any species judged to be an invasive non-native species.

		
	<p>What is the conservation status of the species in the area(s) where this licence will be used</p>	<p>The licence will be used throughout England – see above for status details.</p>
<p>5.2</p>	<p>Describe nature and (unmitigated) impact of the proposed activity on the protected species</p>	<p>The proposed solution will allow the continuation of some lethal control of crows to protect livestock. It is not expected that control will increase above recent levels if the licence is issued. To the contrary, the issue of more narrowly focused licences will likely result in a reduction in licensed control of this species. Currently, there is no requirement for licensees to report action taken under the general licences so there is no record of the level of lethal control carried out. It is possible to derive a ball-park estimate from gamebag records published as part of the National Gamebag Census^{ix}. Recalibrating the gamebag index values for 2010 (Aebischer & Davey, 2011) using birds killed per km² values published in a review of records from the early years of the scheme (Tapper, 1992), and the area of land ‘influenced’ by game shooting in England in 2004 (PACEC, 2006), it is possible to produce an estimate for the number of crows (carrion and hooded collectively) killed each year in relation to game management. This estimate is likely to be an over-estimate due to the assumptions used in the calculation (i.e. estates reporting bag records are likely to be the more diligent in managing predators and control may not take place over the all land reported to be ‘influenced’ by game shooting).</p> <p>Using this method, the number of carrion and hooded crows^x killed by game shooting estates is estimated to be approximately 552,000 pa. This number is likely to encompass crow control carried out to protect livestock on those estates. It does, however, account for birds killed under licence in Wales and Scotland.</p> <p>Another attempt to evaluate the extent of carrion crow control in the UK (Aebischer, 2018) took the</p>

		<p>number of 'corvids' reported shot by 'shooting sports participants' (rather than professional gamekeepers or farmers protecting livestock) in a survey of shoots and estimated the proportion of this total expected to comprise of carrion crows based on the ratio of different corvid species reported in the National Gamebag Census. The number of carrion crows estimated to have been killed in 2012/13 by this method was 84,000 (range 69,000 – 100,000).</p> <p>The actual level of control probably lies somewhere between these two estimates.</p> <p>Lethal control of crows has been permitted under general licences throughout their breeding season, and it is likely that control during this period is commonplace because of the threat posed by crows to livestock during this period.</p> <p>While the number estimated to have been killed is high relative to the UK population of carrion crows (1 million breeding territories; RSPB^{xi}) the fact that the population status remains favourable and has increased over the last two decades despite increased control suggests past and more recent levels of control (whatever they actually are) are not adversely impacting the conservation status of this species at a national level, at least. Whether there are local / regional effects cannot be easily discerned.</p> <p>This conclusion is consistent with the inclusion of <i>Corvus corone</i> on Annex II Part B of the Wild Birds Directive for the UK. It is, according to the Directive a species that owing to its "population level, geographical distribution and reproductive rate throughout the Community" may be hunted subject to principles of wise use and ecologically balanced control, and prohibitions on control during the breeding season (Article 7).</p>
5.3	Proposed mitigation	Licence users should be expected to continue using non-lethal methods alongside licensed action to reduce reliance on the licence to a minimum. This was the expectation under past general licences, but it was not been explicitly required as a condition of the licence.
5.4	Will the activity have a detrimental impact (taking account of mitigation)	The requirement proposed in 5.3 above is likely to reduce reliance on general licences, so the impact of licensed activities predicted to be comparable or less than described at section 5.2 above.
5.5	Is compensation required to avoid a detrimental impact? If 'yes' describe requirements necessary to maintain the conservation status which should a condition of the licence.	<p>No</p> <p>We do not know how many crows have been killed annually under general licences (although ballpark estimates are possible: see 5.2 above). There is no evidence that the level of killing to date has been detrimental to the conservation status of this species, and the national population has increased in recent decades. It is my considered view, therefore, that while the scale of licensed control is likely to be high relative to the national population, compensation measures are not required to avoid a detrimental impact from continued licensed control of this species.</p>
5.6	Conclusion	<p>Levels of control in the recent past are not regarded as being detrimental to the conservation status of the crow nationally. This includes lethal control carried out during the crow's breeding season.</p> <p>The level of control that would be permitted by this licence is not expected to increase the level of killing</p>

	Are we satisfied there won't be an adverse impact on conservation status?	or significantly change the pattern of control. In view of this it is my assessment that control permitted by this licence will not adversely impact the conservation status of crows.
		Yes

6 Animal welfare		Wherever possible, humane methods of control should be used <i>Policy principle</i>
6.1	Consequences of proposed solution for animal welfare and any mitigation proposed	<p>The proposed solution includes lethal control by lawful methods (principally shooting) and use of live-capture cage traps.</p> <p>Alongside the use of cage traps the licence permits the use of captive conspecific bird(s) (a crow in this case) as a decoy to lure crows into such traps. Some models of these traps (known as Larsen traps) are not sufficient in height, length or breadth to permit the bird to stretch its wings freely.</p> <p>General licences include a number of conditions relating to animal welfare, particularly in respect to the use of cage traps. A series of improvements were proposed to licence conditions and related guidance in the 2014 consultation. It is recommended that these measures are implemented to further enhance the welfare of trapped birds.</p> <p>The proposed solution permits the destruction of nests, eggs and young birds and the lethal control of adult crows during the breeding season. There are adverse welfare implications for dependent young of adults that are killed if, as will often be the case, the young are not also dispatched.</p> <p>Allowing – and encouraging - control outside this period, may reduce the need to control crows when they have dependent young. If populations in areas with vulnerable livestock are reduced prior to the breeding season then there may be less competition amongst crows for food resources and potentially a reduced likelihood they will predate livestock.</p>

7 Efficacy and proportionality of the proposed solution		The licenced action will be effective at resolving the problem and the action is proportionate to the problem. <i>Policy principle</i>
7.1	Will the proposed solution be effective at resolving the problem or need?	<p>For the reasons given above, it is reasonable to conclude that there will be individual cases where licensed action will contribute to efforts to reduce predation through reducing crow populations locally, removing individual problem birds and deterring birds from areas where vulnerable livestock are present.</p> <p>At a macro level, it is therefore reasonable to conclude that licensed action is likely to be effective at</p>

		contributing to the resolution of the problem in appropriate cases.
7.2	Is the proposed solution proportionate to the problem / need?	<p>It is accepted that predation problems can be serious and recognising the favourable conservation status of this species, it is reasonable to conclude that licensed action is a proportionate response to serious predation where it is occurring or reasonably expected to do so.</p> <p>The requirements stated in box 4.4 above, to be given effect through licence conditions and associated good practice guidance, will secure that licenced action is used in resolving the problem in appropriate cases.</p>

8	FINAL DECISION	<p>Is a licence justified?</p> <p><i>This final decision considers the outcome of the legal tests (both of which must be satisfied to issue a licence) and considers the benefits of the proposal (including the likelihood of it succeeding) against the level of impact on the population of the species and the risk to its conservation status. The decision needs to be balanced and proportionate.</i></p>
8.1	Is a licence justified?	Yes
8.2	Grounds for this decision	<p>The carrion crow can and does predate the livestock which is the subject of this assessment (sheep and lambs; piglets; domestic poultry and waterfowl; and reared game birds and wildfowl). Although there is a paucity of data available on crow predation we can draw the following conclusions:</p> <p>It is not inevitable that crows will predate these livestock, and it is reasonable to expect that in some cases non-lethal methods alone can provide an effective solution to such predation.</p> <p>However, predation that is of sufficient severity to be regarded as 'serious damage' can and does occur, and it is accepted that there will be instances where use of non-lethal methods alone is expected to be ineffective at reducing this to an acceptable level. Where lethal control is required the ability of livestock keepers to respond quickly will be important.</p> <p>Crows have been controlled under general licences since the 1990s. Such is the likely extent of recent control that the potential severity of crow predation is probably less evident than it would be in the absence of control.</p> <p>Despite evidence to suggest control has intensified in recent decades the population has not only remained favourable but has increased. Acknowledging that the proposal being considered here is to issue a new licence that will permit the continuation of an element of recent control, rather than increasing levels of control, we can be confident that this new licence poses minimal risk to the crow's conservation status.</p> <p>Based on available evidence, it is my assessment that a licence to manage crows to prevent livestock predation is justified, and that this constitutes a proportionate response to the threat posed. The terms</p>

		and conditions of the licence should be drafted to make sure that the licence is only used in appropriate circumstances so that lethal control of crows is only conducted where necessary (see 4.4 above), and so far as possible, avoiding the breeding season.
8.3	Licence type (recommended) and rationale (informed by guidance on licence types)	<p>Control of crows to prevent serious damage to livestock has been permitted under general licence, and this has been the case since the 1990s.</p> <p>There are a number of features that suggest a general licence approach is suitable, including a large number of users and the fact that lethal control of crows is a well-established management practice, which poses low risk to the conservation status of the target species. Overall, there is a reasonably high likelihood that a licence would be issued if applied for on an individual basis.</p> <p>There are two specific issues that potentially support use of a more controlled licence type, such as a class licence.</p> <p>Firstly, the scale of lethal control. While this does not appear to be detrimental to the crow's conservation status, it is likely to represent a significant proportion of the national population. While it was possible to derive an estimate of the number killed from published gamebag records to inform this assessment, Natural England does not have ongoing access to new annual records to inform future assessments. It is recommended that potential sources of future information on control levels are investigated; including the options of: securing ongoing access to gamebag records; a new national recording or monitoring scheme, or requiring licence users to submit a report of action under the licence.</p> <p>Secondly, responses to previous public consultations, particularly that in 2014 raised concerns about public awareness of the protection afforded to crows and, amongst people relying on general licences GL04, GL05 & GL06, the level of awareness of the terms and conditions of licences. This has implications for licence compliance. This issue needs to be addressed. To address this it is recommended that we ask relevant stakeholders to communicate the importance of licence compliance to their members and that we highlight this in communications related to the issue of the new licence. Awareness should be reviewed and if concerns remain then it may be appropriate to use a class rather than general licence approach to authorise this activity in future.</p> <p>On balance, a general licence is a satisfactory approach for the immediate future. This should be subject to regular review and evaluation.</p>
8.4	List any bespoke conditions or advice to licence users that are either required or recommended to include in any licence.	<p>The following advice is given on conditions and guidance:</p> <ol style="list-style-type: none"> 1. To ensure this licence is only used as a last resort there should be clear licence conditions and associated good practice guidance to secure that: (i) the licence is only used to prevent actual or reasonably anticipated serious damage to livestock; (ii) licensees are required to use appropriate non-lethal methods before resorting to lethal control; and (iii) licensees are required to continue using these methods alongside licensed action. 2. It is recommended that there is a requirement (as there is in Scottish general licences) that licence

		<p>users must be able to explain what alternatives they have tried, if challenged (it is suggested that users are required to keep a documented record).</p> <p>3. It is recommended that conditions and guidance on the use of traps are consolidated and placed in a separate document as a set of 'Standard Conditions and good practice', building on the 'code of practice' proposed in 2014.</p> <p>The terms and conditions for trap use apply to a large number of licences and this approach will make it easier for people using multiple licences to understand and thus comply with these requirements.</p> <p>The proposed 2014 amendments will also improve the welfare of trapped animals.</p>
8.5	Other comments	<p>The following observations and recommendations are made to assist future assessments and licensing.</p> <p><u>Evidence</u></p> <ul style="list-style-type: none"> • There is limited research or even survey data published on the severity of crow predation of livestock. Consideration should be given to addressing this deficiency to inform future licence assessments. • There is also limited information available on 'normal business risk' which can be used as a 'yard-stick' to ascertain what reasonably constitutes 'serious damage' for different vulnerable livestock (e.g. poultry farmers, sheep farmers, etc). There would be merit in investigating this issue – potentially working with the relevant sector - to provide a source of reference for future assessments and for licence users. <p><u>Level of lethal control</u></p> <ul style="list-style-type: none"> • See section 8.3 regarding a recommendation concerning information on the level of control. <p><u>Licence awareness and compliance</u></p> <ul style="list-style-type: none"> • See section 8.3 regarding a recommendation concerning licence awareness and compliance. <p><u>Expand the range of alternatives to licence action</u></p> <ul style="list-style-type: none"> • Consideration should be given to adding the carrion crow to Schedule 2 Part 1 of the 1981 Act. This would allow lawful control of this species outside a close season that would encompass its breeding season. This could reduce reliance on licences to manage damage problems. It would also potentially reduce the level of control carried out during the breeding season (which could reduce adverse welfare consequences associated with control at this time and pose a lesser risk to conservation status). The reasoning is as follows: <ul style="list-style-type: none"> ○ increased motivation to control birds when it is lawful (and not subject to the stringent conditions of a licence) and ○ option for Natural England to stipulate that scope to control in the open season is fully utilised before relying on the licence (i.e. it could be a satisfactory solution to resolving

		<p>damage).</p> <ul style="list-style-type: none"> <i>Corvus corone</i> is listed on Annex II Part B of the Wild Birds Directive for the UK. It is, according to the Directive a species that owing to its “<i>population level, geographical distribution and reproductive rate throughout the Community</i>” may be hunted subject to principles of wise use and ecologically balanced control, and prohibitions on control during the breeding season (Article 7). So long as an assessment concluded that it would be suitable to include this species on Schedule 2 Part 1, and a suitable close season was defined, then this would be an option that is consistent with the Directive. <p><u>Crow taxonomy</u></p> <ul style="list-style-type: none"> This assessment specifically concerns the carrion crow, <i>Corvus corone</i>. The hooded crow, <i>Corvus cornix</i> is a similar species and until 2002 it and the carrion crow were both considered to be sub-species of <i>Corvus corone</i> (the change in taxonomic status is explained in a paper that was published as part of the 2014 public consultation^{xii}). Based on comments made at the time of the 2014 consultation, and because the current licence is ambiguous (it refers to ‘Crow, <i>Corvus corone</i>^{xiii}), it is recommended that either: <ul style="list-style-type: none"> it is made clear in documentation for the new licence that the licence relates only to the carrion crow or the licence is extended to cover both crow species (if an assessment for the hooded crow supports inclusion on a licence). 	
Decision taken by		Date	26/04/2019 (draft) 10/05/2019 (final)
Ornithological peer review		Date	24/04/2019
Licensing and technical peer review		Date	20/03/2019

9 Habitats Regulations Assessment		
9.1	Has a HRA been carried out?	Yes
9.2	If ‘yes’ what was the conclusion? If ‘no’ explain why an HRA was judged unnecessary	<p>The appropriate assessment concludes that it is not expected that licence use will lead to an adverse effect on any European protected site. This is principally due to the following factors:</p> <ul style="list-style-type: none"> The carrion crow is not a listed feature of any Special Protection Area in England The limits of the licence (see 9.3 below) which avoid any risk of adverse impacts, and

		<ul style="list-style-type: none"> The fact that this licence will not lead to an increase in activities that could adversely impact protected sites, but only the continuation of activities that have taken place under licence since the 1990s and lawfully prior to that for many further decades.
9.3	List any conditions that need to be included in the licence and (if relevant) specify the area that these apply.	<p>The licence should be conditioned as follows:</p> <ul style="list-style-type: none"> Special Protection Areas (SPAs), Ramsar sites with Qualifying Features that include birds, and Sites of Special Scientific Interest (SSSIs) whose features of special interest include wild birds <ul style="list-style-type: none"> No licenced activities on or within 300m of the boundary of any site Special Areas of Conservation (SAC) and Ramsar sites with Qualifying Features that include habitats or flora <ul style="list-style-type: none"> No trapping permitted <p>Where there is an existing SSSI consent in place permitting the control of carrion crow then a separate HRA is not required so long as the existing consent was subject to an appropriate HRA.</p>

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Endnotes

ⁱ The definition of ‘livestock’ used in this assessment follows that in section 27 of the 1981 Act

“livestock” includes any animal which is kept—

- (a) for the provision of food, wool, skins or fur;
- (b) for the purpose of its use in the carrying on of any agricultural activity; or
- (c) for the provision or improvement of shooting or fishing;

The meaning that we give to ‘kept’, which is relevant to birds that are reared and then released into the wild, is further explained in the Annex to the IGN (Definition of livestock http://neintranettechnical/content/technical/topics/document_details.asp?ID=172&DC=22927). This states:

“The term “kept” implies a level of control over the animal. We have not considered that this means it has to be held within a pen to be classed as ‘livestock’. For example we still consider hefted sheep to be ‘livestock’ although they are not kept within a fenced area but allowed to roam over large areas.

The view that we have taken is that where birds are either in pens or are significantly dependent on people, they remain ‘livestock’. For example, where a bird remains in close proximity to a release pen and will often return to it for shelter or to roost at night, and is dependent of food put out by the gamekeeper then we usually consider it to still be livestock even if it is free-living. As pheasants are released at a relatively young age, they will be dependent on the gamekeeper for several weeks at least.

If these birds stray, and are not deliberately cared for and/or kept they are no longer livestock.”

ⁱⁱ Advice: The conservation and legal status of the hooded crow in England, March 2012. Produced by Natural England’s Landscape & Biodiversity Team.

<https://webarchive.nationalarchives.gov.uk/20140605105934/http://www.naturalengland.org.uk/ourwork/regulation/wildlife/licences/wildlifelicencingconsultation.aspx>

ⁱⁱⁱ Examples:

- ‘Do crows kill lambs?’ The Accidental Smallholder. Accessed 15/03/2019. <https://www.accidentalsmallholder.net/forum/index.php?topic=39185.0>
- Crows vs farmers: age-old battle intensifies as crow numbers increase. NorthWalesLive. May 2015. Accessed 15/03/2019. <https://www.dailypost.co.uk/news/local-news/crows-vs-farmers-age-old-battle-9310144>

^{iv} Fate of released pheasants. 36% of birds predated before or after start of season. Most by foxes. <https://www.gwct.org.uk/research/species/birds/common-pheasant/fate-of-released-pheasants/> Accessed 08/04/2019

^v IUCN Red List for carrion crow: BirdLife International 2017. *Corvus corone* (amended version of 2016 assessment). The IUCN Red List of Threatened Species 2017: e.T22706016A118784397. <http://dx.doi.org/10.2305/IUCN.UK.2017-3.RLTS.T22706016A118784397.en>. Accessed 13/03/2019.

^{vi} Source NBN: <https://species.nbnatlas.org/species/NHMSYS0000530315> - accessed 11/04/2019

^{vii} Population trend data available at: <https://www.bto.org/volunteer-surveys/bbs/latest-results/population-trends>

- viii Population trend graphs available at: <https://www.bto.org/volunteer-surveys/bbs/latest-results/trend-graphs>
- ix National Gamebag Census: <https://www.gwct.org.uk/research/long-term-monitoring/national-gamebag-census/> Accessed 15/03/2019
- x Most crows killed in England are expected to be carrion and not hooded crows due to the distribution of the two crow species (see Tapper 1992)
- xi <https://www.rspb.org.uk/birds-and-wildlife/wildlife-guides/bird-a-z/carrion-crow/> Accessed 25/03/2019
- xii Advice: The conservation and legal status of the hooded crow in England. March 2012. Produced by Natural England's Landscape & Biodiversity Team.
<https://webarchive.nationalarchives.gov.uk/20140605105934/http://www.naturalengland.org.uk/ourwork/regulation/wildlife/licences/wildlifelicencingconsultation.aspx>
- xiii GL04: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/763886/gl04-birds-prevent-damage-disease-licence.PDF

Document withdrawn on 26 May 2021

Regulatory Impact Assessment

WML-GL26 - To kill or take Carrion Crows to prevent serious damage to livestock including poultry and reared gamebirds



I can confirm that Natural England has had regard to the desirability of promoting economic growth in this case¹. Natural England recognises that granting licences promotes economic growth by enabling relevant economic interests to be protected from harm caused by wildlife. Issuing a general licence, where justified, rather than requiring applications for individual licences, is likely to further promote economic growth by enabling economic interests to be protected at a lower cost.

Licences, however, can only be granted for a purpose specified in s16(1) of the Wildlife and Countryside Act 1981 (as amended) and only when NE is satisfied that there is no other satisfactory solution. If a licence is justified then the decision on the type of licence to use (i.e. whether to issue a general, class or individual licence) will aim to select the option that results in the least administrative burden consistent with the need to manage ecological and regulatory compliance risks.

In the case of WML-GL26, a general licence has been recommended. Natural England is satisfied that this option is supported by the evidence available and the requirements, restrictions, conditions and advice included in this general licence are justified and necessary. Section 8.3 of the Licence Determination explains why this licence type has been selected.

Natural England is to conduct a review of general and class licences in which those matters can be reviewed in the light of experience and further information. In making this decision due regard has been given to the accompanying statutory guidance (March 2017), and in particular para 1.5.

Date: 26 April 2019

¹ Section 108 of the Deregulation Act 2015, states that any person exercising a regulatory function specified by order made under section 109(1) must have regard to the desirability of promoting economic growth (the "growth duty"). In performing this duty, they must, in particular, consider the importance for the promotion of economic growth of exercising the regulatory function in a way which ensures that regulatory action is taken only when it is needed, and any action taken is proportionate. Statutory guidance dated March 2017 has been produced to assist with the interpretation of the duty. Natural England has had regard to this guidance.

SUMMARY OF EVIDENCE FOR GENERAL LICENCE REVIEW - 2019

How to use:

Use a separate form for each species or species group. Focus on the Priority list in ascending order. Two copies of Table 2 are provided; paste further copies below for additional species of the species group, as required. Also make further copies of the other tables and populate these, as required. Keep separate tables for licence activities pertaining to each of the three General Licences (GLs) that are in issue. These GLs can be found [here](#) and also see Table 1.

Table 1: priorities for general licence review.

	WML – GL06		WML – GL05	WML – GL04						
	conserve		Preserve	Prevent serious damage to						prevent the
	flora and fauna	wild birds	public health or public safety	livestock	foodstuffs for livestock	crops	vegetables, fruit	growing timber	fisheries or inland waters	spread of disease
Lesser B-b Gull *	4	**	1	4	4	4	4	4	4	4
Herring Gull *	NA	NA	1	NA	NA	NA	NA	NA	NA	NA
Woodpigeon	NA	NA	4	4	3	1	3	4	4	4
Feral Pigeon	4	4	1	4	3	3	4	4	4	2
Collared dove	NA	NA	4	4	4	4	4	4	4	4
Rook	4	3	4	2	2	1	3	4	4	3
Carrion Crow	4	1	4	1	1	3	4	4	4	4
Jackdaw	4	3	4	4	1	3	4	4	4	3
Magpie	4	1	4	4	4	4	4	4	4	4
Jay	4	3	4	4	4	4	4	4	4	4
Canada Goose	NN4	NN2	NN1	NN4	NN4	NN1	NN4	NN4	NN4	NN4
Egyptian Goose	NN4	NN4	NA	NN4	NN4	NN3	NN4	NN4	NN4	NN4
Monk Parakeet	NN4	NN3	NN4	NN4	NN4	NN4	NN4	NN4	NN4	NN4
Ring-necked Parakeet	NN4	NN3	NA	NN4	NN4	NN4	NN4	NN4	NN4	NN4
Sacred Ibis	NN4	NN4	NA	NA	NA	NA	NA	NA	NA	NA
Indian House-crow	NN4	NN4	NA	NA	NA	NA	NA	NA	NA	NA
* = take/ damage/ destroy nests and eggs only. Do not need to consider take/ kill fledged birds nor nestlings ** = move to individual licensing due to conservation status NA = not on the current general licence GL04-06 1 = priorities 1 to 4										

SPECIES or SPECIES GROUP

List here:

LEGAL and CONSERVATION STATUS

Choose an option from each drop down menu and add figures (preferably %) of population change with period, e.g. 1990/91 – 2000/01.

Table 2a: current legal status and conversation status of **Carrion crow**.

Legislation		conservation	
Birds Directive	Annex II	BOCC4	green
WCA 1981 Schedule 1	no	UK/ GB population trend and period	1,000,000 pairs (GB) in 2009 (Musgrove et al 2013)
WCA 1981 Schedule 2	no		6% increase 2011 - 2016 BBS England (BirdTrends)
WCA 1981 Schedule 9	no	biogeographical population trend and period	c.20% increase (EBCC)
NERC Act 2006 s.41	no		1980 - 2005
IUCN status	Least Concern (LC)	Draft FCS done	no

Comments: none

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EVIDENCE OF IMPACTS OR NOT BY LICENSED ACTIVITIES ON THE CONSERVATION STATUS OF THE SPECIES OR SPECIES GROUP

In the 'summary of evidence' column, the relevant method(s) should be mentioned. Otherwise prohibited methods that are permissible, for certain species, under these GLs are use of semi-automatic weapons, cage traps, hand held or hand propelled net, illuminating a target, mirror or other dazzling device.

Table 3: evidence summary of licensed activities on the conservation status of the species or species group.

General Licence			Licence activity(s)				
Published reference, evidence source or opinion:	source		Expected			Summary of evidence and conclusions:	
	reliability	relevance	level of effect	extent of effect	timing of effect		

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EVIDENCE THAT THE SPECIES DOES / DOES NOT CAUSES PROBLEMS (RELEVANT TO THE PURPOSE)

In the 'summary of evidence' column, the specific problem should be mentioned, i.e. the type or species being damage (or not) by the GL bird.

Table 4: evidence summary of damage, impact or type of problem being caused (or not) by the GL bird species or species group is having.

General Licence	WML - GL04		Licence purpose(s)		prevent serious damage to crops	prevent serious damage to foodstuffs for livestock
Published reference, evidence source or opinion:	source		Expected			Summary of evidence and conclusions:
	reliability	relevance	level of effect	extent of effect	timing of effect	
Campbell, S.T., Hartley, F.G. & Reynolds, J.C. (2016) Assessing the nature and use of corvid cage traps in Scotland: Part 4 of 4 – Review & recommendations SNH No. 934.	high	direct	- mod	regional	seasonal	<p>Foodstuffs</p> <p>“ Corvids (especially rooks), gulls and starlings stealing livestock feed from troughs located outdoors and in open barns is a commonly reported activity (Feare, 1974; Hartley pers.comm.). It can often be resolved by the use of covered feeding troughs, and other exclusion methods... are circumstances where it is difficult to protect”</p> <p>“Rooks, jackdaws and sometimes crows, are known to peck at and create holes in the tough plastic wrapping around silage bales. Atmospheric oxygen then seeps into the bale, and interferes with the fermentation process spoiling the silage, and can allow bacteria, such as Listeria, and fungi to contaminate the bale. If these bales are then fed to livestock, listeriosis can result in high abortion rates. In Ireland, 57% of farms surveyed reported bird damage to bales while they were standing where they had been made, but this rose to 67% of farms when bales were moved together for long-term storage (McNamara et al., 2001a). Further experimental work revealed variable, but often severe levels of damage and silage losses (McNamara et al., 2001b).”</p>
J. D. Lockie The Food and Feeding Behaviour of the Jackdaw, Rook and Carrion Crow Journal of Animal	mod	indirect		regional		<p>Study in 1951 to 1953 over 60 sq miles Oxfordshire where all 3 corvid spp were common.</p> <p>Abstract: “The analysis of food from gizzards shows that rooks and jackdaws tend to eat different kinds of</p>

Ecology Vol. 25, No. 2 (Nov., 1956), pp. 421-428						animals. Carrion crows eat the same kinds of animals as are eaten by rooks and jackdaws and, in addition, other prey. Grain is eaten by all three species but only jackdaws eat weed seeds to an appreciable extent. The differences in diet are most pronounced in mid-winter and least so from April to June and in Autumn. 2. The feeding methods used on grassland are described and the relative proportion of each used by rooks and jackdaws given. These observations corroborate the conclusions drawn from a microscopic analysis of gizzard contents"
T. F. Kennedy and J. Connery An Investigation of Seed Treatments for the Control of Crow Damage to Newly-Sown Wheat Irish Journal of Agricultural and Food Research Vol. 47, No. 1 (2008), pp. 79-91	high	relatable	- high	localised	seasonal	Field trials 2004 to 2007 with various repellents and fungicide treatments on Dec to Feb sown wheat varieties at 2-4 or 5-8cm drilled depth. Crow damage ranged 59-96% on untreated seed. Crop damage reduced 42-70% and plant density increased 36-57% where seed was treated. >4.6 cm deep significantly reduced damage. [Specialist: by 'crows', think this meant "corvids"]

EVIDENCE OF THE EFFICIACY OF METHODS TO MANAGE CONFLICTS

Evidence on the effectiveness of licensed activities and particularly of non-lethal preventative methods is required. Some licensable methods are mentioned above. Other categories of deterrents are proofing (covering, roping/ wiring, netting), audible scaring (rope bangers, starting pistol, blank cartridges, shouting); visual scaring (human presence or decoys, field flag-lines); companion animals/ predators (e.g. dogs, falconry); taste aversion (bitterents), timing and practices (e.g. lambing in shed).

Table 5: evidence summary of the effectiveness of lethal and non-lethal preventative measures.

Published reference, evidence source or opinion:	source		Expected			Summary of evidence and conclusions:
	reliability	relevance	level of effectiveness	extent of effectiveness	Frequency of activity	

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GENERAL LICENCE REVIEW

Links to evidence

Species or species group: **corvids**

[here](#)

damage, impact on flora & fauna, spread of disease, H&S caused (or not) by the GL spp.

livestock issues

Crow

[The effect of hooded crows on hill sheep farming in Argyll, Scotland. Hooded Crow damage to hill sheep](#)

crop damage

corvids (general)

[Ecological Studies of the Rook \(Corvus frugilegus L.\) in North-East Scotland. Damage and Its Control](#)

[Ecological Studies of the Rook \(Corvus frugilegus L.\) in North-East Scotland: Food Intake and Feeding Behaviour](#)

[The Food and Feeding Behaviour of the Jackdaw, Rook and Carrion Crow](#)

[An Investigation of Seed Treatments for the Control of Crow Damage to Newly-Sown Wheat](#)

fauna & flora/ wild bird issues

[RSPB predator control figures 2015-16](#)

- Carrion Crow (Hooded Crow, American Crow)

[Nest predation and numbers of Golden Plovers *Pluvialis apricaria* and other moorland waders](#)

[The Decline to Extinction of a Population of Golden Plover in North-East Scotland](#)

[Breeding success and causes of breeding failure of curlew *Numenius arquata* in Northern Ireland](#)

[Predation risk of artificial ground nests in managed floodplain meadows](#)

[An Examination of Predatory Pressures on Piping Plovers Nesting at Breezy Point, New York.](#)

[Prevalence of nest predators in a sub-Arctic ecosystem](#)

- Magpie

[Large-scale spatial variation in the breeding performance of song thrushes *Turdus philomelos* and blackbirds *T. merula* in Britain](#)

[Magpie *Pica pica* predation on Blackbird *Turdus merula* nests in urban areas](#)

[Nest predation and nest site choice in passerine birds in habitat patches of different size: a study of magpies and blackbirds](#)

[Evaluation of Nesting Cover as Protection from Magpie Predation](#)

[Magpie *Pica pica* and Songbird Populations. Retrospective Investigation of Trends in Population Density and Breeding Success](#)

[Nest predators affect spatial dynamics of breeding red-backed shrikes \(*Lanius collurio*\)](#)

[The diet of urban Magpies *Pica Pica*](#)

[Nestling diet of the Common Magpie \(*Pica pica*\) in urban and agricultural habitats](#)

[Feeding habits of Black-billed Magpie during the breeding season in Mediterranean Iberia: the role of birds and eggs](#)

[Responses of Songbirds to Magpie Reduction in an Urban Habitat](#)

- Jay

[Predators of Spotted Flycatcher *Muscicapa striata* nests in southern England as determined by digital nest-cameras](#)

[Possible roles of habitat, competition and avian nest predation in the decline of the Willow Tit *Parus montanus* in Britain](#)

[Population trend - BTO website](#)

- Combination of corvids

[Nest predators of woodland open-nesting songbirds in central Europe](#)

[The Effect of an Experimental Reduction in Predation Pressure on the Breeding Success and Population Density of Grey Partridges *Perdix perdix*](#)

[The potential for interactions between predation and habitat change to cause population declines of farmland birds](#)

[Avian predators in a meadow landscape: consequences of their occurrence for breeding open-area birds](#)

[Egg Predation as a Selective Factor for Nest Design: An Experiment \(not used\)](#)

[A review of the impacts of corvids on bird productivity and abundance](#)

[Functional response, seasonal decline and landscape differences in nest predation risk](#)

[Different nest predator faunas and nest predation risk on ground and shrub nests at forest ecotones: an experiment and a review](#)

[Population Limitation in Birds \(book\) \(not used\)](#)

[Does best-practice crow *Corvus corone* and magpie *Pica pica* control on UK farmland improve nest success in hedgerow-nesting songbirds? A field experiment](#)

[Could game management have a role in the conservation of farmland passerines? A case study from a Leicestershire farm.](#)

[Spatial synchrony in populations of birds: effects of habitat, population trend and spatial scale](#)

impact on conservation status (or not) by licensed activities upon the GL spp.

- Magpie

[The comparative breeding biology of magpies *Pica pica* in an urban and a rural habitat \(Aves: Corvidae\)](#)

[Factors influencing the distribution of Magpies *Pica pica* in an urban environment](#)

[Assessing the effects of trapping on pest bird species at the country level](#)

- Carrion Crow/ (Hooded Crow)

[Effect of culling on population size in hooded crows *Corvus corone cornix*](#)

- Combination of corvids

[Predator abundance in relation to small game management in southern Portugal: conservation implications](#)

[Population trends of Jays, Magpies, Jackdaws and Carrion Crows in the United Kingdom](#)

[Corvid Density and Nest Predation in Relation to Forest Fragmentation: A Landscape Perspective](#)

effectiveness (or not) of lethal and non-lethal preventative measures to reduce issues by GL spp.

audible and visual scaring

[Control of Crows in Almonds by Broadcast Distress Calls](#)

[Experimental Evidence That Scare Tactics and Effigies Reduce Corvid Occurrence](#)

Habitat management and removal

[Investigating the effects of predator removal and habitat management on nest success and breeding population size of a farmland passerine: a case study](#)

Shooting/ removal

[Effect of corvid removal on reproduction of willow ptarmigan and black grouse](#)

[Cause of Death in Willow Ptarmigan *Lagopus l. lagopus* Chicks and the Effect of Intensive, Local Predator Control on Chick Production](#)

[Mesopredators constrain a top predator: competitive release of ravens after culling crows](#)

[Absence of effects of predator control on nesting success of Northern Lapwings *Vanellus vanellus*: implications for conservation](#)

Natural defences

[The exclusion of avian predators from aggregations of nesting lapwings \(*Vanellus vanellus*\)](#)

Food availability

[The Effect of Food and Predation on Breeding Density and Success, Clutch Size and Laying Date of the Crow \(*Corvus corone* L.\)](#) (not used)

Document withdrawn on 26 May 2021



Assessment of plans and projects under regulations 24 or 63 of the Habitats Regulations 2017 ('Habitats Regulations Assessment')

Casework Tracker/ Application reference

Case/Application title

Assessment made by **Date:**

Sites considered: **All SACs, SPAs, and Ramsar sites within England and all of their component SSSIs**

Assessment Contents

- Part A – Introduction and information about the plan or project
- Part B – Screening of the plan or project for appropriate assessment
- Part C – Appropriate assessment and conclusions on site integrity
- Part D – Permission decision with respect to European Sites

References to Science/Evidence
Document Control
Appendices (*as appropriate*)



Assessment of plans and projects under regulations 24 or 63 of the Habitats Regulations 2017 ('Habitats Regulations Assessment')

PART A:

Introduction and information about the plan or project and an initial assessment of credible risk to European Sites

A1. Introduction

This is a record of the Habitats Regulations Assessment ('HRA') undertaken by Natural England in its role of competent authority and in accordance with the assessment provisions set out in the Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations 2017').

The assessment relates to Bespoke General Licence for Carrion Crow (Prevention of serious damage to livestock) (this is referred to in this HRA as 'the project').

The project requires Natural England as a statutory regulator to make an authorisation decision on whether an operation or operations contained within it can be carried out, caused or permitted to be carried out. Where such a proposal may affect a European Site, regulation 63 of the Habitats Regulations 2017 requires a prior assessment to be made of such proposals.

In making this HRA as competent authority, Natural England may only undertake or give its authorisation to the plan or project where it is able to ascertain *either*:

- a) that it will not have a likely significant effect on a European Site; or
- b) that it will have no adverse effect on the integrity of a European Site following an appropriate assessment.

If such effects cannot be ruled out, the proposal cannot proceed unless the further tests given in regulations 64 and 68 of the Habitats Regulations 2017 can be satisfied.

The assessment must take into account the potential for the project to have adverse effects in-combination with other plans or projects.



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A2. Details of the plan or project

Location: The licences will extend over all counties in England (landward of the mean low water mark), subject to any areas which are expressly excluded.

Description of the plan or project and its constituent elements:

The project consists of the lethal control of the carrion crow (*Corvus corone*) in England for the purposes of preventing serious damage to livestock (Appendix 1).

- **Carrion crow, *Corvus corone***

This licence may only be used:

1. for the purpose of preventing serious damage to certain specified livestock by this bird species,
2. if serious damage is occurring or is reasonably expected to occur in the absence of licensed action, and
3. where reasonable steps to prevent predation by lawful methods have been and continue to be taken.

Users of this licence must comply with all licence terms and conditions including those in 'Standard Licence Conditions for trapping wild birds and using decoys under a Natural England licence' (WML-GU01).

- | | |
|--|---|
| 1. Valid for the period | 30 April 2019 to 31 December 2019 (inclusive) |
| 2. Area valid in | All counties of England (landward of the mean low water mark) |
| 3. The purpose(s) for which this licence can be used | This licence can only be used to prevent serious damage* to the following types of livestock* : <ul style="list-style-type: none">• sheep (including lambs)• piglets• domestic poultry and waterfowl and• reared gamebirds and wildfowl (including released birds while they are kept*) |
| 4. What species are covered by this licence | Carrion crow, <i>Corvus corone</i> |
| 5. What this licence permits | This licence permits: <ul style="list-style-type: none">• Killing or taking of the species listed above and• Taking, damaging or destroying their nests while that nest is in use or being built, or taking or destroying their eggs |
| 6. The methods of | The methods permitted are: |

*: see Definitions

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killing and taking permitted under this licence

- Shooting with any firearm, including **semi-automatic*** firearms, shotguns or air guns
- Pricking of eggs
- Oiling of eggs using paraffin oil (also known as Liquid Paraffin BP or light/white mineral oil)
- Destruction of eggs and nests
- A **Larsen*** trap
- A **multi-catch*** cage trap
- Falconry
- Hand-held or hand-propelled nets
- By hand

*: see Definitions

7. Who can use this licence

- a) This licence can only be used by farmers and other keepers of the vulnerable livestock listed at ‘3’ above, and by people acting on their behalf, except those convicted on or after 1 January 2010 of a **wildlife crime*** (unless, in respect of that offence, either:
- they are a rehabilitated person for the purposes of the Rehabilitation of Offenders Act 1974 and their conviction is treated as spent; or
 - a court has made an order discharging them absolutely.)
- Any application by a person to whom this exclusion applies for an individual licence will be considered on its merits.

*: see Definitions

8. When this licence can be used

- a) Only as a last resort to prevent **serious damage***.
- b) Before using the licence reasonable endeavours must have been made to resolve the problem using the lawful methods identified in Table 1 (unless their use would be ineffective, impractical or disproportionate in the circumstances) and any other lawful methods that may be appropriate in the circumstances.
- c) Reasonable endeavours must continue to be made to resolve the problem using such appropriate lawful methods alongside use of the licence.
- d) Only undertake lethal control of birds during the breeding season if lethal control at other times or use of other licensed methods (e.g. egg destruction) would not provide a satisfactory solution.
- e) The use of lawful methods is expected to comply with published **Good Practice***
- f) Any person using this licence must be able to show, if asked by an officer of Natural England or the Police:

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- (i) what type of livestock any action under this licence is protecting;
- (ii) what lawful methods have been, and are being, taken to prevent predation of such livestock from carrion crow in addition to such action or why they have not been;
- (iii) what measures have been and are being taken to minimise losses to that livestock from other predators and causes; and
- (iv) why the threat of predation from carrion crows is sufficiently serious to merit action under this licence.

Licence users must keep a record or log of predation and of efforts to address problems by legal methods.

*: see Definitions

9. Use of traps and decoys

- a) The use of traps and decoys under the authority of this licence must comply with the terms and conditions in document ‘*Standard Licence Conditions for trapping wild birds and using decoys under a Natural England licence*’ (WML-GU01)
- b) This licence permits the use of the following species as a decoy in Larsen and multi-catch cage traps
 - Carrion crow, *Covus corone*
- c) A Larsen trap need not satisfy the dimension requirements of Section 8(1) of the 1981 Act.

10. Welfare requirements

- a) All reasonable precautions must be taken to avoid unnecessary suffering of birds killed or taken under this licence.
- b) Birds killed under this licence must be killed in a quick and humane manner.
- c) Wounded birds are to be pursued and humanely despatched where practicable.

It is an offence to cause any unnecessary suffering to an animal (including bird) under the control of man. 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.

The application of Animal Welfare Act 2006 to wildlife management activities is explained in Natural England leaflet Natural England leaflet ‘*Wildlife Management Advice Note: The Animal Welfare Act 2006: what it means for wildlife*’.

11. European and nationally protected sites

- a) For protected sites with interest features that include bird species, no action authorised by this licence is permitted to take place within those sites or within 300 metres of the boundary of such site. For the avoidance of doubt, this restriction applies to:

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- (i) all Special Protection Areas (SPAs);
 - (ii) any Ramsar site with Qualifying Features that include bird species; or
 - (iii) any Site of Special Scientific Interest (SSSI) for which a bird species is a feature of special interest.
- b) For protected sites with interest features that do not include bird species but do include habitats or flora, no trapping is permitted within the boundary of those sites. For the avoidance of doubt, this restriction applies to:
- (i) any Special Area of Conservation (SAC) with Qualifying Features that include habitats or flora; or
 - (ii) any Ramsar site with Qualifying Features that include habitats or flora.
- c) The restrictions in conditions 11(a) and 11(b) do not apply to:
- (i) SACs and Ramsar sites with interest features that are solely animal species which are not birds (for example, SACs with only bat interest features); or
 - (ii) Any protected site identified on a list that Natural England may subsequently publish should it be satisfied that these restrictions can be removed.

If you need to carry out action that would otherwise be permitted by this licence on land excluded on account of the above conditions then you will need to apply to Natural England for a licence.

In addition, as this licence is not a consent for the purposes of Part 2 of the Wildlife and Countryside Act 1981 (as amended) in respect to SSSIs it is your responsibility to get consent or assent if required before this licence can be used on any SSSI

also see Advice (v) –(vii)

PART B: Screening of the plan or project

To check whether a more detailed appropriate assessment is necessary, there are two screening tests required by the assessment provisions of the Habitats Regulations:

B1. Is the plan or project directly connected with or necessary to the (conservation) management (of the European Site’s qualifying features)?

The project proposes to licence the lethal control of Carrion Crow (*Corvus corone*) for the prevention of serious damage to livestock.

Such activities will not be required as part of the management of the site(s) to conserve or restore the qualifying features of the European Site(s).

Conclusion:

- As the plan or project is not directly connected with or necessary to the management of European Site(s)’s qualifying features, further Habitats Regulations assessment is required

B2. Is there a likelihood or risk of significant adverse effects (‘LSE’)?

This section details whether those constituent elements of the plan or project which are (a) not directly connected with or necessary to the management of the European Site(s) features and (b) could conceivably adversely affect a European Site, would have a **likely significant effect**, either alone or in combination with other plans and projects, upon the European Sites.

In accordance with Court of Justice of the European Union case law, this HRA has considered an effect to be ‘likely’ if it ‘cannot be excluded on the basis of objective information’ and ‘significant’ if it ‘undermines the conservation objectives concerned’ (Case C127/02 Waddenzee (paras 45 & 47)).

This assessment of risk takes into account the precautionary principle. It excludes, at this stage, any measures that are specifically intended to avoid or reduce harmful effects on the European Site(s). Any such measures are considered further in section C.

An assessment of potential effects using best available evidence and information has been made in the following sections below.

B2.1 Risk of Significant Effects Alone

The first step is to consider whether any elements of the project are likely to have a significant effect upon a European Site ‘alone’ (that is when considered in the context of the prevailing environmental conditions at the sites but in isolation of the combined effects of any other ‘plans and projects’).

It is sensible to analyse the possible effects of the project by considering the main groups/pathways of potential effect. These are:

- Injury or death of non-target species of fauna by shooting.
- Injury or death of non-target species of fauna as a result of traps.
- Disturbance to non-target species of fauna from firearm report.
- Physical damage to habitats or flora from use of traps.

This list excludes possible effects deemed to be so insignificant as to be trivial or inconsequential.

Each of these four potential effects is considered in turn below, with a view to screening out risks where an appropriate assessment is unnecessary.

Injury or death of non-target species of fauna by shooting

It will be unlawful for licensees to deliberately shoot any fauna which is a Qualifying Feature of an SPA or SAC. It is extremely unlikely that licensees would mistakenly shoot the wrong species. If this were to occur, it would be such an exceptional and irregular occurrence as to pose no realistic threat to the integrity of protected populations associated with SACs or SPAs. The possibility of a significant adverse effect through this risk pathway can therefore be excluded.

Injury or death of non-target species of fauna as a result of traps

As explained in section A2 above, the relevant traps will be live-capture traps. Licensees are required to release any non-target species unharmed.

It is inherently unlikely that any SAC fauna species (e.g. otters, bats, etc.) will become trapped in these traps since they will not be designed or located in a manner which is intended to capture such species. In any event, it would be necessary to release any non-target species which became inadvertently caught in the traps. Special care will also have to be taken to ensure that traps are not situated within colonies or locations of SAC invertebrate species.

There is a possibility of non-target SPA species (and Ramsar site ornithological features) becoming trapped. However, licensees would be required to release such species unharmed. Distress would be caused to non-target species by inadvertent capture and there would be a small risk of accidental harm to the welfare of birds caught in the traps. However, lasting harm would be very infrequent and occasional incidents of this nature would not pose

a realistic threat to the integrity of protected bird populations associated with SPAs and Ramsar sites.

Disturbance to non-target species of fauna from firearm report

SAC fauna species

Most fauna Qualifying Features associated with SACs cannot realistically be adversely affected at the population level by disturbance from firearm report and can be rapidly screened out.

Certain species require more detailed consideration before a screening decision can be reached, namely bats.

Bats

It is reasonable to exclude the likelihood of an adverse effect on bats, for the following reasons:

- All species of bats are already protected under section 9 of the 1981 Act. They are also protected by regulation 43 of The Conservation of Habitats and Species Regulations 2017. These provisions provide protection against disturbance.
- Gunshot discharge can be heard, at least by humans, quite some distance away. Bats, however, communicate and perceive their environment differently to humans. Generally speaking, bat echolocation is typically in the range of 20 to 200 kilohertz, which is beyond almost all humans’ perception. The loudest report of a moderated shotgun, generally speaking, is up to approximately 5 or 6 kilohertz. In an ordinary setting, bats cannot hear gunshot to any extent that would cause disturbance.
- Rather than the noise of firearm report, it is disturbance from human presence which is more likely to affect bats. However, shooting under these licences will be predominantly a daytime activity, thus reducing the potential for contact with bats. Furthermore, the protections referred to above mean that licensees are not permitted to behave in such a way as to significantly disturb bats.

SPA and Ramsar species of fauna

The risk of significant disturbance of ornithological features associated with SPAs and Ramsar sites is more plausible and is therefore considered in greater detail in section C below.

There is no realistic prospect of disturbance adversely affecting other species of fauna associated with Ramsar sites (e.g. invertebrates).

Physical damage to habitats/flora from use of traps

Traps are likely to be of lightweight construction and placed at very low density. The likelihood of a significant adverse effect on protected habitats or flora is therefore very low. However, on a precautionary basis this risk is considered in greater detail in section C below.

B2.2 Risk of significant effects in-combination with effects from other proposed plans and projects

The need for further assessment of the risk of in-combination effects is considered here, in respect of the theoretical risks which have been screened out in section B2.1 above and which are not being carried forward to an appropriate assessment in section C below.

Other than the risks identified as being potentially significant above and which are further assessed below, it is considered that there are no other residual risks likely to arise from this project which have the potential to act in-combination with similar risks from other proposed plans or projects so as to give rise to a likely significant effect.

It has therefore been excluded, on the basis of objective information, that the theoretical risks screened out above are likely to have a significant effect in-combination with other proposed plans or projects.

In respect of the theoretical risks which have been screened in for further assessment, the issue of potential in-combination effects is further addressed below.

B3. Overall Screening Decision for the Plan/Project

On the basis of the details submitted, Natural England has considered the plan or project under Regulation 63(1)(a) of the Habitats Regulations 2017 and made an assessment of whether it is likely to have significant effects on a European Site (or may have significant effects), either alone or in combination with other plans and projects.

In light of section B of this assessment above, Natural England has concluded:

- As the plan or project is likely to have significant effects (or *may* have significant effects) on some or all of the Qualifying Features of the European Site(s), an appropriate assessment of the project is required.

PART C: Appropriate Assessment and Conclusions on Site Integrity

C1. Scope of Appropriate Assessment

In light of the screening decision above in section B, this section contains the appropriate assessment of the implications of the plan or project in view of the Conservation Objectives for the European Site(s) at risk.

The Sites and the Qualifying Features for which significant effects have not been ruled out in section B above and which are relevant to this appropriate assessment are listed in section C2.

These include:

- All SPAs in England
- All ornithological and habitat/flora features of all Ramsar sites in England
- All habitat/flora features of all SACs in England

C2. Brief description of the European Sites(s) and their Qualifying Features

There is or may be a credible risk that the plan or project subject to an assessment might undermine the following conservation objectives of the following European Sites:

- **Appendix 2 holds the details of all sites unto which this assessment is considered against. It includes all SACs, SPAs and Ramsars. Included within this are all bird related SSSIs and habitats associated with significant bird populations.**

Given the number of sites involved, Appendix 2 does not set out a full description of the relevant sites and their current condition. In the context of this assessment, this is considered to be a proportionate approach because of the extremely precautionary approach taken, which ultimately results in the exclusion of relevant sites along with a substantial “buffer zone” (see section C4 below). For the activities licensed under this project to take place on or immediately around the relevant sites, a further assessment would be required. This would entail more detailed consideration of the characteristics of individual sites and groups of sites.

C3. European Site Conservation Objectives (including supplementary advice)

Natural England provides advice about the Conservation Objectives for European Sites in England in its role as the statutory nature conservation body. These Objectives (including any Supplementary Advice which may be available) are the necessary context for all HRAs.

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The overarching Conservation Objectives for every European Site in England are to ensure that the integrity of each site is maintained or restored as appropriate, and that each site contributes to achieving the aims of the Habitats and/or Wild Birds Directive, by either maintaining or restoring (as appropriate):

- The extent and distribution of their qualifying natural habitats,
- The structure and function (including typical species) of their qualifying natural habitats,
- The supporting processes on which their qualifying natural habitats rely,
- The supporting processes on which the habitats of their qualifying features rely,
- The population of each of their qualifying features, and
- The distribution of their qualifying features within the site.

Where Conservation Objectives Supplementary Advice is available, which provides further detail about the features' structure, function and supporting processes mentioned above, the implications of the plan or project on the specific attributes and targets listed in the advice will be taken into account in this assessment.

- SAC and SPA Conservation Objectives are published at <http://publications.naturalengland.org.uk>
- Ramsar Conservation Objectives are published at <https://rsis.ramsar.org/ris/926>

C4. Assessment of potential adverse effects

This section considers the risks identified at the screening stage in section C and assesses whether adverse effects can be ruled out, having regard to the manner in which the plan or project described in section A2 would be carried out if a permission was granted.

It also considers the additional conditions which Natural England may impose in respect of the proposed licences with a view to excluding or reducing the possibility of adverse effects on European sites, particularly restrictions on the location of licensed activity.

The project is expected to have a low intensity due to the expected numbers of birds shot. It is expected that the primary sources of control will be either direct shooting or trapping. Using the data held within Appendix 3 it can be determined that the numbers of carrion crow shot would reach an upper limit of 7 birds per km² per annum for all reasons of carrion crow control¹. This upper limit is calculated from the returns reported to the GWCT by gamekeepers and is likely to be much higher than that experienced over the wider area of England. To complete this task over the year would indicate that the disturbance by shooting or trapping is likely to be so small to be insignificant. It should also be noted that in order to protect livestock, it is likely that such activity will take place in peak periods, namely the

¹ It is expected that game shooting estates will be the largest utilisers of carrion crow control and those shot for agricultural livestock control to be a smaller subset within the figures used to calculate the intensity.

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spring and late summer at times when livestock are most vulnerable. As such, the assumption that the project has a low intensity can be concluded to be valid.

Appendix 3 includes the rationale of determination of the above figures. It is accepted that the figures used to calculate the intensity come from the best available evidence at the time of writing of this assessment. However, in the longer-term there will be a commitment to acquire actual data to mitigate from the lack of usage figures at this juncture. Returns on where the licence is used, when the licence is used and how many birds are shot would be sufficient to be analysed on an annual basis, creating a long-term dataset of the impact of the project to identify its intensity in greater detail in future years. In accordance to remove any doubt, the current methodology for determining the intensity of the licence, found in Appendix 3, is sufficient for this licence.

It is important to note that the low intensity of the project activities may mean that in most cases there would be no adverse effect on the integrity of Qualifying Features, irrespective of the further licence conditions which are imposed by Natural England. In many instances these conditions offer additional protection going well beyond any steps that would be necessary to reach a conclusion that there will be no adverse effect on the integrity of European Sites.

A precautionary view has been taken where there is doubt or uncertainty regarding either the likely impact of the project as described in section A2 or the capacity of the additional licence conditions to further reduce or eliminate its potential effects. In reviewing the ability of any additional conditions to avoid harmful effects, Natural England has considered their likely effectiveness, reliability, timeliness, certainty and duration over the full lifetime of the plan or project.

The assessment of adverse effect can be found in Appendix 2. This analysed the expected effects of the licence and its activities against the features and sites identified within the appendix. There was no adverse effect to the integrity of any of the sites assessed. This was due to five things:

- 1) The mitigation used, namely that no licence can be used on or within 300m of any site which features a bird species (SSSI, SPA, Ramsar).
- 2) That the licence can only be used on a SSSI or SAC where there is a valid consent in place and a relevant HRA. If a SAC has a S28E consent but no valid HRA, the licence cannot be used until there is a valid HRA in place.
- 3) That the licence does not permit the control of a notified feature of the site.
- 4) That nest control is likely to be restricted in its use and any damage caused to nest trees ephemeral in its nature.
- 5) That all other relevant law is adhered to, such as the requirement to acquire a S28E consent to conduct the project on all SSSIs (where the activity features as an ORNEC) or the relevant prohibitions on the use of lead shot over or near wetlands.



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Further assessment of the primary effects of the licences can be found in the tables below.
None of these found an adverse effect to the integrity of the sites within Appendix 2.

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Risk of physical damage to habitats or flora from use of traps

Features potentially affected	Conservation Objectives potentially affected	Analysis of potential effects on the attribute of the project as proposed	Analysis of additional measures that can avoid or reduce the effects on the attribute	Can ‘no adverse effect’ on the feature be ascertained? (Y/N) Give reasons.
All habitat features and species of flora listed in section C2 above	Extent of habitat. Population abundance.	<p>Traps are likely to be of lightweight construction and placed at very low density. The likelihood of a significant adverse effect on protected habitats or flora is therefore very low.</p> <p>There is, however, a theoretical risk that the use of traps will result in some physical damage to habitats or flora at certain sites or locations. It is possible that long-lasting surface damage and exposure of bare ground may occur. There may be physical damage to protected flora or plants typical of habitat features, and undesirable species may colonise newly broken or damaged ground.</p>	<p>The following additional measure can be imposed in the form of a further licence condition: prohibit the use of traps in all SACs and Ramsar sites under the general licences.</p> <p>This additional licence condition would eliminate the risk of any physical damage from traps to habitats or flora.</p> <p>In order to use traps on SACs or Ramsar sites, it would be necessary to apply for a separate licence. This will enable Natural England to give detailed, site-specific consideration to the risks posed by traps at particular sites and to impose any necessary bespoke conditions/prohibitions.</p>	Yes. The general prohibition on use of traps in all SACs and Ramsar sites avoids any risk of adverse effect under the general licences proposed in this project.

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Risk of disturbance to bird species from firearm report

Features potentially affected	Conservation Objectives potentially affected	Analysis of potential effects on the attribute of the project as proposed	Analysis of additional measures that can avoid or reduce the effects on the attribute	Can ‘no adverse effect’ on the feature be ascertained? (Y/N) Give reasons.
All SPA and Ramsar ornithological features mentioned in section C2	Population abundance.	Disturbance resulting from human activities can affect birds in several ways, ranging from physiological changes such as the release of stress hormones, changes in behaviour such as an increased occurrence of a ‘heads-up’ posture and greater vigilance, moving away from the source of disturbance and complete abandonment of heavily disturbed locations. Physiological changes resulting from stress can potentially reduce individual fitness and thus survival. Increased vigilance will decrease food intake rates which, again, can reduce individual fitness of birds with consequences for their survival and/or breeding productivity. Frequent significant disturbance which results in displacement from some areas effectively reduces habitat extent for foraging, roosting or breeding. Complete flight away from an area will also reduce foraging or roosting time and increase energy expenditure. Displacement might also result in birds settling on alternative, less optimal areas for food or rest, with further potential consequences for individual fitness and survival.	<p>The following additional measure can be imposed in the form of a further licence condition: prohibit shooting on all SPAs and all Ramsar sites with ornithological features and within 300m of such sites.</p> <p>This additional licence condition would very substantially reduce the degree of contact between bird populations associated with these sites and shooting activity conducted under these licences.</p> <p>Contact would not be entirely eliminated because many bird populations use functionally linked land outside of SPAs and Ramsar sites. Many species also forage generally on land outside of protected sites (with some species travelling very substantial distances to forage). It is therefore inevitable that, notwithstanding the exclusion of licensed activity on these sites and</p>	Yes. The low levels of disturbance expected and the additional precautionary licence conditions mean there will be no adverse effect on these populations.

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Habitats Regulations 2017
(‘Habitats Regulations Assessment’)**

		<p>The effects of disturbance depend on a wide range of factors, including the time of year, bird numbers and their activity. Non-breeding waterbirds are more vulnerable as they usually occur in flocks while foraging and roosting, which tend to be more sensitive to disturbance. They are also often under particular pressure to seek sufficient food and shelter during migration or when subject to harsh winter weather conditions. Breeding birds are also more vulnerable to disturbance. The flushing of nesting birds can result in the loss of productivity due to exposure of eggs or chicks to adverse weather conditions and predators, or reduced provisioning of chicks dependent on adults for food.</p> <p>These effects mean that disturbance can in principle result in habitat deterioration from a bird’s perspective, with a consequent reduction in the capacity of a habitat to support its bird populations. A significant decline in habitat suitability and consequent effects on bird distribution and/or numbers can reduce the capacity of European Sites to support birds, which can adversely affect site integrity as defined by the Habitat Regulations.</p> <p>However, not all disturbance is significant and the risk of a harmful effect depends on the timing, frequency, duration, proximity and nature of an activity, in addition to bird sensitivity, which varies with species, time of year, flock size and availability of alternative habitats, and, importantly, the birds’</p>	<p>within 300m of these sites, that many birds will nonetheless come into contact with shooting activity. However, occasional incidents of disturbance occurring outside of SPAs and Ramsar sites are not realistically capable of causing an adverse effect on these species at the population level.</p> <p>Birds foraging on farmland and/or areas used for game shooting are also likely to be habituated to the presence of vehicles and personnel and the use of firearms and crop-scarers.</p> <p>These highly precautionary conditions will therefore further reduce the risk of any adverse effect.</p>	
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Assessment of plans and projects under regulations 24 or 63 of the Habitats Regulations 2017 ('Habitats Regulations Assessment')

		<p>prior exposure to similar activities.</p> <p>The likelihood of significant disturbance depends as much on the receptor birds' perception of threat as it does on the nature of the disturbing activity. Birds generally show a greater response to unpredictable, sporadic and sudden activities and are more likely to become accustomed to more predictable and regular activities (a process often referred to as 'habituation').</p> <p>In the case of shooting, in some cases birds can apparently habituate to the noise of shots where there is no visual stimulus (and sometimes this also occurs where there is association with human presence), although there are exceptions (Draulans, 1987; Smit & Visser 1993; Baxter & Allan, 2008). Importantly, it should be noted that although habituation might reduce the likelihood of more significant and potentially harmful effects such as flight and movement to other locations, subtle effects such as increased vigilance and reduced foraging rates might still occur.</p> <p>The activities which are proposed under this project are likely to be of fairly low intensity [describe the low intensity of activities, drawing on section A above]. Importantly, these activities will normally have been occurring in similar locations (farms, gamekeeping areas, etc.) for many years.</p>		
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Assessment of plans and projects under regulations 24 or 63 of the Habitats Regulations 2017 ('Habitats Regulations Assessment')

		<p>As regards bird species listed in Schedule 1 to the 1981 Act, there are existing legal protections which already prohibit licensees from disturbing these species whilst those birds are building a nest or are in, on or near a nest containing eggs or young.</p> <p>Overall, at most SPAs and Ramsar sites the likelihood of a significant adverse effect on protected bird populations will be very low. However, it is not possible to completely exclude the possibility that some locations or populations will be particularly sensitive and require additional restrictions on licensed activity on or immediately around the site in order to be confident that there will not be a significant adverse effect.</p>		
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C5. Assessment of potentially adverse effects considering the project ‘in combination’ with other proposed plans and projects

The need for further assessment of the risk of in-combination effects is considered here. It is any appreciable effects (from a plan or project) that are not themselves considered to be adverse alone which are further assessed to determine whether they could have a combined effect significant enough to result in an adverse effect on site integrity.

Natural England has taken into account the theoretical risk that licensed activity under the project could exert in-combination effects on European Sites. However, Natural England considers that there are no residual and appreciable effects likely to arise from this project which have the potential to act in-combination with those from other proposed plans or projects so as to cause material effects on the European Sites discussed in this HRA. This is because of the nature of the project activities and because of the additional highly precautionary restrictions on the locations of licensed activity imposed by Natural England (which are more than sufficient to wholly avoid any appreciable effects).

It has therefore been excluded, on the basis of objective information, that the project can have an adverse effect on site integrity in-combination with other proposed plans or projects.



Assessment of plans and projects under regulations 24 or 63 of the Habitats Regulations 2017 ('Habitats Regulations Assessment')

C6. Conclusions on Site Integrity

Because the plan/project is not wholly directly connected with or necessary to the management of the European Site and is likely to have a significant effect on that site (either alone or in combination with other plans or projects), Natural England carried out an Appropriate Assessment as required under regulation 63 of the Habitats Regulations 2017 to ascertain whether or not it is possible to conclude that there would be no adverse effect on the integrity of a European Site(s).

Natural England's appropriate assessment has concluded that the plan or project will not have an adverse effect on the integrity of European site(s), either alone or in combination with other plans and projects, subject to restrictions and/or conditions summarised in section D.

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PART D:

Permission decision with respect to European Sites

As the relevant competent authority, Natural England has carried out a HRA of the submitted plan or project as required by regulation 63 of the Habitats Regulations 2017 and has decided that, with regard to European Sites and their qualifying features;

Authorisation of the use of GL26 may be given but only subject to the strict implementation of the following measures to be stipulated by way of conditions or restrictions attached to the permission*;

The use of traps shall not be permitted under the general licences in all SACs, SPAs and Ramsar sites.

Shooting and all other control measures shall not be permitted under the general licences on all SPAs and all Ramsar sites with ornithological features or within 300m of such sites.

* Where it has been concluded that a permission may be given following appropriate assessment, the Habitats Regulations Assessment of the implications of this plan or project on European Sites has been completed.




References to Evidence

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**Assessment of plans and projects under
Regulations 63 of the
Habitats Regulations 2017
(‘Habitats Regulations Assessment (HRA)’)**

Document Control

Assessment prepared and completed by:		Senior Adviser
Date:	10/05/2019	
Peer-reviewed by:		
Date:		
FOR HIGH-RISK CASES AND/OR REFUSED OR CONDITIONED SSSI CONSENTS ONLY [see User Notes]		
HRA checked and referred to Protected Sites Team by:		
Date:		
Advice given by Specialist Services Team:		
Date:		
Case referred to High Risk Casework Panel by		
Date:		
Consent/Assent/Permission/Authorisation issued by:		
Date:		

GENERAL LICENCE

To kill or take Carrion Crows to prevent serious damage to livestock including poultry and reared gamebirds



OVERVIEW

This licence permits farmers and other keepers of vulnerable livestock, and people acting on their behalf to carry out activities that would otherwise be illegal against the following protected species of wild bird:

- **Carrion crow, *Corvus corone***

This licence may only be used:

1. for the purpose of preventing serious damage to certain specified livestock by this bird species,
2. if serious damage is occurring or is reasonably expected to occur in the absence of licensed action, and
3. where reasonable steps to prevent predation by lawful methods have been and continue to be taken.

Users of this licence must comply with all licence terms and conditions including those in 'Standard Licence Conditions for trapping wild birds and using decoys under a Natural England licence' (WML-GU01).

If you need to take action to prevent serious damage to a type of livestock, or in circumstances, not covered by this licence you will need to apply for a licence to do so from Natural England.

Registration	Users do not need to register to use this licence
Recording & reporting	Users need to keep a record of problems and the use of non-lethal methods, but do not need to submit records to Natural England.
Reference	WML – GL26

LEGISLATION

Statute(s)	Wildlife and Countryside Act 1981 (as amended) ('the 1981 Act')
Section(s)	This licence is issued under sections 16(1)(k) and 16(5) This licence permits, to the extent stated at 5 & 6 below, actions which may otherwise constitute in sections: 1(a), (b) & (c); 5(1)(b); 5(1)(c)(iii) and 8(1)

LICENCE TERMS and CONDITIONS

1. **Valid for the period** **30 April** 2019 to 31 December 2019 (inclusive)
2. **Area valid in** All counties of England (landward of the mean low water mark)
3. **The purpose(s) for which this licence can be used** This licence can only be used to **prevent serious damage*** to the following types of **livestock***:
 - sheep (including lambs)
 - piglets
 - domestic poultry and waterfowl and
 - reared gamebirds and wildfowl (including released birds while they are **kept***)

*: see Definitions

4. **What species are covered by this licence** **Carrion crow, *Corvus corone***

5. What this licence permits

This licence permits:

- Killing or taking of the species listed above and
- Taking, damaging or destroying their nests while that nest is in use or being built, or taking or destroying their eggs

6. The methods of killing and taking permitted under this licence

The methods permitted are:

- Shooting with any firearm, including **semi-automatic*** firearms, shotguns or air guns
- Pricking of eggs
- Oiling of eggs using paraffin oil (also known as Liquid Paraffin BP or light/white mineral oil)
- Destruction of eggs and nests
- A **Larsen*** trap
- A **multi-catch*** cage trap
- Falconry
- Hand-held or hand-propelled nets
- By hand

*: see Definitions

7. Who can use this licence

- a) This licence can only be used by farmers and other keepers of the vulnerable livestock listed at '3' above, and by people acting on their behalf, except those convicted on or after 1 January 2010 of a **wildlife crime*** (unless, in respect of that offence, either:
- they are a rehabilitated person for the purposes of the Rehabilitation of Offenders Act 1974 and their conviction is treated as spent; or
 - a court has made an order discharging them absolutely.)
- Any application by a person to whom this exclusion applies for an individual licence will be considered on its merits.

*: see Definitions

8. When this licence can be used

- a) Only as a last resort to prevent **serious damage***.
- b) Before using the licence reasonable endeavours must have been made to resolve the problem using the lawful methods identified in Table 1 (unless their use would be ineffective, impractical or disproportionate in the circumstances) and any other lawful methods that may be appropriate in the circumstances.
- c) Reasonable endeavours must continue to be made to resolve the problem using such appropriate lawful methods alongside use of the licence.
- d) Only undertake lethal control of birds during the breeding season if lethal control at other times or use of other licensed methods (e.g. egg destruction) would not provide a satisfactory solution.
- e) The use of lawful methods is expected to comply with published **Good Practice***
- f) Any person using this licence must be able to show, if asked by an officer of Natural England or the Police:
- (i) what type of livestock any action under this licence is protecting;
 - (ii) what lawful methods have been, and are being, taken to

prevent predation of such livestock from carrion crow in addition to such action or why they have not been;

- (iii) what measures have been and are being taken to minimise losses to that livestock from other predators and causes; and
- (iv) why the threat of predation from carrion crows is sufficiently serious to merit action under this licence.

Licence users must keep a record or log of predation and of efforts to address problems by legal methods.

*: see Definitions

9. Use of traps and decoys

- a) The use of traps and decoys under the authority of this licence must comply with the terms and conditions in document '*Standard Licence Conditions for trapping wild birds and using decoys under a Natural England licence*' (WML-GU01)
- b) This licence permits the use of the following species as a decoy in Larsen and multi-catch cage traps
 - Carrion crow, *Covus corone*
- c) A Larsen trap need not satisfy the dimension requirements of Section 8(1) of the 1981 Act.

10. Welfare requirements

- a) All reasonable precautions must be taken to avoid unnecessary suffering of birds killed or taken under this licence.
- b) Birds killed under this licence must be killed in a quick and humane manner.
- c) Wounded birds are to be pursued and humanely despatched where practicable.

It is an offence to cause any unnecessary suffering to an animal (including bird) under the control of man. 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.

The application of Animal Welfare Act 2006 to wildlife management activities is explained in Natural England leaflet Natural England leaflet *Wildlife Management Advice Note: The Animal Welfare Act 2006: what it means for wildlife*.

11. European and nationally protected sites

- a) For protected sites with interest features that include bird species, no action authorised by this licence is permitted to take place within those sites or within 300 metres of the boundary of such site. For the avoidance of doubt, this restriction applies to:
 - (i) all Special Protection Areas (SPAs);
 - (ii) any Ramsar site with Qualifying Features that include bird species; or
 - (iii) any Site of Special Scientific Interest (SSSI) for which a bird species is a feature of special interest.
- b) For protected sites with interest features that do not include bird species but do include habitats or flora, no trapping is permitted within the boundary of those sites. For the avoidance of doubt, this restriction applies to:
 - (i) any Special Area of Conservation (SAC) with Qualifying Features that include habitats or flora; or
 - (ii) any Ramsar site with Qualifying Features that include

habitats or flora.

- c) The restrictions in conditions 11(a) and 11(b) do not apply to:
- (i) SACs and Ramsar sites with interest features that are solely animal species which are not birds (for example, SACs with only bat interest features); or
 - (ii) Any protected site identified on a list that Natural England may subsequently publish should it be satisfied that these restrictions can be removed.

If you need to carry out action that would otherwise be permitted by this licence on land excluded on account of the above conditions then you will need to apply to Natural England for a licence.

In addition, as this licence is not a consent for the purposes of Part 2 of the Wildlife and Countryside Act 1981 (as amended) in respect to SSSIs it is your responsibility to get consent or assent if required before this licence can be used on any SSSI

also see Advice (v) –(vii)

12. Definitions used in this licence

“Good practice” means Natural England’s *Wildlife Management Advice Note: Legal measures to resolve conflict with wild birds* and any other relevant good practice published by the British Association for Shooting and Conservation or the Game and Wildlife Conservation Trust. If there are conflicts between this good practice and the terms and conditions of this licence, the licence will prevail.

“Humane” means taking all reasonable precautions to ensure that any killing of birds under this licence is carried out by a single, swift action.

“Livestock” is as defined in [section 27\(1\) of the 1981 Act](#). *“Livestock includes any animal which is kept*

(a) *for the provision of food, wool, skins or fur;*

(b) *for the purpose of its use in the carrying on of any agricultural activity; or*

(c) *for the provision or improvement of shooting or fishing.”*

The term *“kept”* is not defined in the 1981 Act. For the purposes of this licence animals that are either physically constrained (e.g. within fences or a pen), or which are unconstrained but remain significantly dependent on people, are *“kept”*. For example, where a gamebird remains in close proximity to a release pen and will often return to it for shelter or to roost at night, and is dependent of food put out by the gamekeeper then it is may be regarded as livestock even if it is free-living.

“To kill” includes accidentally to wound whilst attempting to kill in accordance with this licence.

“Larsen trap” means a portable cage-trap which has a closed compartment for confining a live bird as a decoy and one or more spring or gravity activated trap-doors which are either top or side mounted.

“Multi-catch cage trap” means a cage large enough to be entered by the operator, which is covered in mesh and uses either a roof-funnel, ground-funnel or ladder/letterbox entry point for birds to gain access to the cage.

“Semi-automatic weapon” is as defined in [section 27\(1\) of the 1981 Act](#). It is any weapon which is not prohibited by section 5 of the Firearms Act 1968 (as amended) and which has a magazine capable of holding more than two rounds of ammunition, where the depression of the trigger discharges a single shot and reloads the next, each subsequent shot

requiring a further depression of the trigger, for example Firearms Act Section 1 shotguns.

“*Prevent serious damage*”: The licence allows action to prevent damage which means the licence can be used if serious damaging is occurring or if there is a strong likelihood that it will occur in the absence of licensed action. Table 2 explains what amounts to “serious damage” for the purpose of this licence.

“*Wild bird*” has the same meaning as in [section 27 of the 1981 Act](#)

“*Wildlife crime*” means any 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)

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;
- 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, and
- iii. may not be able to rely on this licence as a defence in respect to the prohibitions within the Animal Welfare Act 2006 or the Wild Mammals (Protection) Act 1996.

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

30 April 2019

Advice

Legal basis of this licence

- (i) Natural England has issued this licence in exercise of the powers conferred by the 1981 Act. Visit [Legislation.gov.uk](http://legislation.gov.uk) to view the full text of this legislation. 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. Please note that the Marine Management Organisation are responsible for licensing seaward of the mean low water mark.
- (ii) This licence 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.
- (iii) 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.
- (iv) This licence does not confer any right of entry onto land and neither does it permit actions prohibited under any other legislation. In particular it does not reduce the protection afforded to:
 - a. Schedule 1 bird species. Care must be taken to avoid disturbance to Schedule 1 species during the breeding season.
 - b. Other protected species including European Protected Species, such as otter and bats.

Protected sites

- (v) The notification documents for each SSSI contain a list of operations that require Natural England's prior consent. Owners and occupiers of land notified as SSSIs are required to give written notice to Natural England before either beginning any of these operations, or allowing someone else to carry out those operations. SSSI consent can only be given to a SSSI owner or occupier. It may be given with or without

conditions, or in some cases, consent may not be granted. A similar process applies to 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.

- (vi) Please note that as the licensee you will not be able to undertake the licensed activity on a SSSI until the owner or occupier of the SSSI has applied for, and received, Natural England's written SSSI consent. If you do so, you may be at risk of committing an offence. As the licensee, if you wish to exercise this licence on a SSSI you must contact the relevant owners or occupiers of the SSSI and ensure they give written notice to Natural England of their proposal to permit you to carry out licensed activity on their SSSI. You should wait until a SSSI consent decision has been received by the SSSI owner/occupier before you begin to exercise this licence on a SSSI. See Gov.uk for further information on how to get SSSI consent from Natural England.
- (vii) In considering whether to issue consent or assent for activities likely to affect a SSSI that is a European Site, in other words a Special Protection Area (SPA) or Special Area of Conservation (SAC), Natural England will carry out a Habitats Regulations Assessment, as required by the Conservation of Habitats and Species Regulations 2017 (as amended) to ensure there will be no adverse effects on the European Site.
- (viii) To identify the location of SSSIs and European Sites, refer to the Magic map system www.magic.gov.uk. You can search for and view details about all SSSIs by using Natural England's [Designated Sites system](#), including the citation and the list of operations requiring Natural England's consent for each site.

Severe weather

- (ix) Users of this licence are requested to exercise restraint when undertaking shooting or scaring activities during periods of prolonged severe weather and to extend the requirements of voluntary restraint and statutory suspension of wildfowling to activities undertaken under this licence. For more information on these requirements please see the [JNCC website](#). This website and that of the British Association for Shooting and Conservation will indicate when periods of voluntary restraint and statutory suspension apply. A statutory suspension temporarily prohibits the shooting of any bird on [Schedule 2 Part 1 of the 1981 Act](#). During a period of voluntary restraint and statutory suspension licence users are expected to only take action that is absolutely necessary, and to ensure that their activities do not disturb wildfowl.

Sales and consumption of birds

- (x) Birds killed or taken under a licence may be eaten, but may not be sold for human consumption.

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>

TABLE 1 - Appropriate lawful methods of resolving problems

Table 1 lists methods that are considered capable of reducing or resolving problems for each of the categories of vulnerable livestock covered by this licence. Many of the methods represent normal management practice and are common sense. They will be appropriate methods of resolving any problem unless their use would be impractical or disproportionate in the circumstances. The list of methods is not exhaustive. Use of other lawful methods may be required if appropriate in the circumstances to comply with the conditions of this licence.

An effective solution will typically comprise of a number of different methods. It is important that methods are employed effectively: at the right time, in the right way, and that methods are varied regularly. Birds commonly become habituated to a single technique if used continuously and in isolation. The expectation is that you use the methods that are reasonably expected to be effective in your circumstances and that you can justify the choice of methods used.

Use of these methods is expected to comply with published good practice (see 'Definitions used in this licence')

Preventing predation (serious damage) to sheep, lambs and piglets

Category	Advice on methods
<p>Animal husbandry, management and physical protection</p>	<ul style="list-style-type: none"> • Check stock regularly. Sick or poorly livestock, which are likely to be more vulnerable to predation, should be kept in safer areas, and checks on cast ewes (laying on their backs and unable to right themselves) conducted regularly. • Keep vulnerable stock indoors at critical times. If not possible, keep vulnerable stock in fields close to areas of greatest human activity (farms, houses, busy paths and roads). Fields and locations where regular corvid attacks occur should not be used to hold vulnerable stock. • Use tapes or wires to deter corvids from small penned areas.
<p>Reducing attractiveness</p>	<ul style="list-style-type: none"> • Remove potential sources of food that might attract corvids to your farm or sustain unnaturally high populations of birds. This can include: <ul style="list-style-type: none"> ○ afterbirths, fallen livestock or dead wild animals. Fallen livestock should, as a matter of good farming practice, be cleared away as soon as they are detected. This also helps prevent birds recognising livestock as a food source ○ Spilled animal feed should be cleaned up and any food source should be made as corvid proof as is practical. Make sure that corvids are not feeding from troughs and other sources of high quality livestock feed.
<p>Scaring and deterring predators</p>	<ul style="list-style-type: none"> • Use a wide range of devices and methods, varying them as often as possible, and use active human scaring. Random movement, sound, and unpredictability help prevent the birds getting used to scaring devices. • Shooting to scare is a highly effective method, especially when combined with other techniques. No licence is required for non-lethal shooting to scare birds.

	<ul style="list-style-type: none"> • If using scarecrows, make it look as real as possible, dress it in your old clothes, sit it on a chair and put a gun-like stick in its hand, move it regularly (ideally daily or more frequent). Occasionally change places with the scarecrow, and use this method to shoot to scare or to kill corvids (under licence). • Scaring and lethal shooting (under licence) typically work best if they are linked and corvids associate deterrents with lethal control and vice versa. • Scaring is most effective against large flocks of birds, since one bird that is particularly nervous and flies away, will often take the flock with it. <p>Information on scaring devices is available from: http://www.sasa.gov.uk/wildlife-management-publications</p>
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Preventing predation (serious damage) to domestic poultry and waterfowl	
Category	Advice on methods
Animal husbandry, management and physical protection	<ul style="list-style-type: none"> • Check stock regularly. Young birds and sick or poorly birds, which are likely to be more vulnerable to predation, should be kept in safer areas. • Provide ample places of shelter for birds to reduce their exposure to predation, including areas of denser or longer vegetation. • Feed/water/grit should be placed adjacent to cover so birds can quickly access cover if threatened. • If possible, keep free-range poultry in fields close to areas of greatest human activity (farms, houses, busy paths and roads). Fields and locations where regular corvid attacks occur should not be used to hold vulnerable poultry. • Use tapes or wires can be used to deter corvids from open penned areas and to disrupt flight-lines of predatory birds.
Reducing attractiveness	<ul style="list-style-type: none"> • Remove potential sources of food that might attract corvids to your farm or sustain unnaturally high populations of birds. This can include: <ul style="list-style-type: none"> ○ Eggs, fallen livestock or dead wild animals. Fallen livestock should, as a matter of good farming practice, be cleared away as soon as they are detected. This also helps prevent birds recognising livestock as a food source ○ Spilled animal feed should be cleaned up and any food source should be made as corvid proof as is practical. Make sure that corvids are not feeding from troughs and other sources of high quality livestock feed.
Scaring and deterring predators	<ul style="list-style-type: none"> • Use a wide range of devices and methods, varying them as often as possible, and use active human scaring. Random movement, sound, and unpredictability help prevent the birds getting used to scaring devices.

	<ul style="list-style-type: none"> • If using scarecrows, make it look as real as possible, dress it in your old clothes, sit it on a chair and put a gun-like stick in its hand, move it regularly (ideally daily or more frequent). Occasionally change places with the scarecrow, and use this method to shoot at or kill corvids (under licence). • Scaring and lethal shooting (under licence) typically work best if they are linked and corvids associate deterrents with lethal control and vice versa. • Scaring is most effective against large flocks of birds, since one bird that is particularly nervous and flies away, will often take the flock with it. <p>Information on scaring devices is available from: http://www.sasa.gov.uk/wildlife-management-publications</p>
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Preventing predation (serious damage) reared gamebirds and wildfowl	
Category	Advice on methods
Animal husbandry, management and physical protection	<ul style="list-style-type: none"> • Check birds regularly. • Provide ample places of shelter and cover for birds to reduce their exposure to predation, including areas of denser or longer vegetation. In the case of release pens, manage the habitat to provide cover and places of shelter outside as well as within pens. • Feed/water/grit should be placed adjacent to cover so birds can quickly access cover if threatened. • Use tapes or wires can be used to deter corvids from open penned areas and to disrupt flight-lines of predatory birds.
Reducing attractiveness	<ul style="list-style-type: none"> • Remove potential sources of food that might attract corvids or sustain unnaturally high populations of birds. This can include: <ul style="list-style-type: none"> ○ Eggs, dead birds or dead wild animals. Dead birds in pens should, as a matter of good practice, be cleared away as soon as they are detected. This also helps prevent birds recognising pen locations as a food source ○ Spilled animal feed should be cleaned up and any food source should be made as corvid proof as is practical.
Scaring and deterring predators	<ul style="list-style-type: none"> • Use a wide range of devices and methods, varying them as often as possible, and use active human scaring. Random movement, sound, and unpredictability help prevent the birds getting used to scaring devices. • If using scarecrows, make it look as real as possible, dress it in your old clothes, sit it on a chair and put a gun-like stick in its hand, move it regularly (ideally daily or more frequent). Occasionally change places with the scarecrow, and use this method to shoot at or kill corvids (under licence). • Scaring and lethal shooting (under licence) typically work best if they are linked and corvids associate deterrents with lethal control and vice versa.

	<ul style="list-style-type: none"> • Scaring is most effective against large flocks of birds, since one bird that is particularly nervous and flies away, will often take the flock with it. <p>Information on scaring devices is available from: http://www.sasa.gov.uk/wildlife-management-publications</p>
Diversionsary feeding	<ul style="list-style-type: none"> • This method seeks to attract corvids away from release pens by providing food in another area. This is most successful when used in combination with scaring techniques where pens are located. • If used, the food MUST be put out well away from release pens. Food should be put out early in the morning onto a raised fencepost or platform, where predatory mammals can't reach it. If several pairs of territorial birds are causing problems, a feeding post within the territory of each pair is recommended. • Only use this method during times when birds are most at risk. Do not continue for prolonged periods, as you may encourage a larger corvid population than would normally exist in the area and risk attracting more birds onto your land. • Animal by-products legislation does not allow food to be used that would otherwise be used for human consumption, and therefore excludes any animal that has been kept by man, including any fallen stock. Wild animals such as rabbits, game birds, grey squirrels or deer can be used (unless any have been reared for human consumption).

Document withdrawn on 26 May 2021

TABLE 2 – ‘serious damage’ for the purpose of this licence

“What amounts to “serious damage” for the purpose of the livestock covered by this licence is explained below. (There may be other cases of “*Serious damage*”, that is to say is damage to an economic interest which livestock represents that exceeds mere nuisance, minor damage or normal business risk¹, for which a licence may be granted if an application for it is made.)

Reared gamebirds and wildfowl

Reared gamebirds are regarded as livestock while they remain in the release pen and while they remain significantly dependent on people. During their transition to wild living it is expected that some birds will be predated. The goal is for these birds to live as wild birds alongside native wildlife which – naturally – includes predators, so this is to be expected. Shoots typically expect to recover about 40% of released birds – which means about 60% are predated, die of other causes or survive beyond the end of their first shooting season. Evidence suggests that typically about half this number will have been predated. This is ‘normal business risk’. The loss of some released game birds to crow predation is therefore not ‘serious damage’, it is an element of the normal business risk. Where other causes of losses are being effectively minimised (e.g. through good husbandry and control of other predators), then if crow predation were to reduce, or to threaten to reduce, the number of birds recovered by shoots to substantially below 40%, then that would constitute serious damage.

Domestic poultry and waterfowl

Free-range farmed domestic poultry typically live in more protected environments and are less vulnerable to predation. Studies suggest that on average chicken farmers lose about 2% of birds to all predators, and this is mostly to foxes. Where other causes of losses are being effectively minimised (e.g. through good husbandry and control of other predators), then if crow predation were to cause, or to threaten to cause, losses over this level, that would constitute serious damage.

Lambs, ewes, piglets

Crow attacks on ewes and lambs can lead to serious injuries, and well as deaths. These attacks have welfare implications for the sheep, as well as a financial cost in veterinary bills and potentially losses of relatively high value livestock. Such attacks of this nature would constitute ‘serious damage’.

Evidence

As explained in condition 8 of the licence, any person using this licence must be able to show, if asked by an officer of Natural England or the Police, what type of livestock licensed action is protecting and why the threat of predation is sufficiently serious to merit action under the licence, notwithstanding the use of appropriate lawful methods to contain the threat. Relevant evidence will include examples of actual or attempted predation during the present year or in recent years.

¹ For further guidance on defining ‘serious damage’ see ‘Guide to sustainable hunting under the Birds Directive’. 2008 edition (paragraphs 3.5.7 to 3.5.11), available at: http://ec.europa.eu/environment/nature/conservation/wildbirds/hunting/guide_en.htm

NOTE: The following data should be read in conjunction with the Determination Records (specifically Section 5).

Appendix 3

The number of birds listed on general licences that are killed each year

Summary

There is no requirement for licensees to report action taken under the general licences and as a result there is no information on the scale of lethal control of birds listed on these licences.

Two methods that have been used to estimate the number of birds killed each year are described here. Both methods have limitations and it is likely that neither provides an accurate estimate. The actual level of control possibly lies somewhere between the values provided by the two methods. Although the values have limitations, the estimates provide an indication of the potential magnitude of lethal control, and used with appropriate caveats, have use in licensing assessments. They represent the best information currently available.

Method 1 Extrapolating numbers killed from the National Gamebag Census

One approach to estimating the number killed is to use gamebag records published as part of the Game and Wildlife Conservation Trust's National Gamebag Census (NBC)¹. Gamebag records are currently published as an index relative to the date the scheme was launched, in 1961. These index values can be recalibrated to provide an estimate of the number of birds killed per kilometre square using values published in a review of NBC records from the early years of the scheme (Tapper, 1992). The method is currently imprecise as it is necessary to read data from published graphs.

Table 1 presents estimates of the number of birds killed for the sub-set of species with a 1961 reference value and published index values for 2010 (Aebischer & Davey, 2011) and 2014 (Aebischer, 2015). With appropriate access to NGC records it would be possible to use this approach to produce estimates for all native species and the Canada goose listed on general licences and to do so with greater precision.

These estimates can be used to provide an approximate value for the total number of birds killed in England if it is assumed these are typical levels of control and control takes place over the whole area of land 'influenced' by game shooting in England in 2004 (88,000 km²; PACEC, 2006). Estimates are given in Table 2.

Because the contributors to the NBC are a non-random sample and are more likely to be larger estates with gamekeepers² the numbers of birds killed in the NBC is likely to be higher than the average of all landowners involved in bird management. Consequently, kilometre square values derived by this method will be higher than the real average and total cull values probably an over-estimate of the number of birds culled. The area of land 'influenced' by game shooting may also not accurately represent the area where control takes place.

The number of corvids and woodpigeons killed per km² on the land of NBC contributors is one-fourth of the scale of shooting of game birds on the same land. This provides a relative measure of

¹ GWCT. National Gamebag Census: <https://www.gwct.org.uk/research/long-term-monitoring/national-gamebag-census/> Accessed 29/04/2019

²² <https://www.gwct.org.uk/research/long-term-monitoring/national-gamebag-census/interpretational-considerations/>

the intensity of both activities. There will, however, be temporal differences in killing between game birds (September – February) and corvids and woodpigeons (all year round but with peak effort in spring and summer).

Table 1: Estimated number of birds killed per kilometre square based on National Gamebag Census data

Species	Killed / km ² (1961) Index value = 1	NGC Index value in 2010	Estimated # killed / km ² in 2010	NGC Index value in 2014	Estimated # killed / km ² in 2014
Hooded & Carrion Crow	3.3	1.9	6.3	2.1	7.0
Magpie	1.2	3.6	4.3	3.7	4.4
Rook	8.8	0.9	7.7		
Jay	1.9	0.8	1.5		
Jackdaw	4.6	1.2	5.3		
Wood pigeon	17	1.7	28.2	1.3	21.3
Pheasant	67	2.7	178.9		
Red-legged partridge	2.5	7.4	18.4		

Table 2: Estimated number of birds killed nationally in England based on National Gamebag Census data

Species	Number killed in England 2010	Number killed in England 2014
Hooded & Carrion Crow	551,760	612,744
Magpie	380,160	385,440
Rook	681,472	
Jay	130,240	
Jackdaw	469,568	
Wood pigeon	2,483,360	1,870,000
Pheasant	15,742,320	
Red-legged partridge	1,622,500	

Method 2 Extrapolating numbers killed from the PACEC shooting survey

Another attempt to evaluate the extent of carrion crow control in the UK (Aebischer, 2018) took the number of 'corvids' reported shot in two surveys of game shooting by Public and Corporate Economic Consultants (PACEC) and estimated the proportion of this total expected to comprise of each corvid species based on the frequencies that the different corvid species are reported in the National Gamebag Census. A similar approach was used to estimate the number of Canada geese and red-legged partridge shot from the number of 'geese' and 'partridge' respectively. The number of woodpigeon and pheasant were recorded separately.

The UK-wide total values estimated by this approach for 2004-5 and 2012-13 are given in Table 3. The values estimated by this method correspond reasonably well to Method 1 values for quarry species (i.e. pheasant, partridge and woodpigeon) but are lower than the estimates for corvids. This is unsurprising and probably reflects the fact that the PACEC survey reported the number of

birds killed by 'shooting sports participants'; i.e. unpaid participants in shooting and not people doing it as part of their job such as e.g. gamekeepers or farmers.

Table 3: Estimated number of birds killed in the UK based on PACEC surveys

Species	PACEC analysis 2004/5	2004/5 range	PACEC analysis 2012/13	2012/13 range
Carrion crow	100,000	83,000-120,000	84,000	69,000-100,000
Hooded crow	13,000	7,000-21,000	9,300	6,200-14,000
Magpie	50,000	40,000-61,000	42,000	34,000-51,000
Rook	130,000	100,000-160,000	76,000	60,000-94,000
Jay	75,000	56,000-95,000	75,000	59,000-93,000
Jackdaw	10,000	7,500-14,000	13,000	10,000-17,000
Wood pigeon	3,600,000	3,200,000-4,000,000	1,100,000	990,000-1,200,000
Canada goose	15,000	8,200-2,6000	36,000	16,000-69,000
Pheasant	15,000,000	13 - 17 million	13,000,000	11.7 - 14. million
Red-legged partridge	2,500,000	2.3 - 2.8 million	4,400,000	3.9 - 4.8 million

References:

Aebischer, N. 2016. National gamebag census: woodcock, woodpigeon and pests. Review of 2015. Issue 47. Game & Wildlife Conservation Trust, Fordingbridge, Hampshire.

Aebischer, N. 2018. How many birds are shot in the UK? Review of 2017. Issue 49. Game & Wildlife Conservation Trust, Fordingbridge, Hampshire. Aebischer, N & Davey, P. 2011. National gamebag census: trends in corvids. Review of 2010. Issue 42. Game & Wildlife Conservation Trust, Fordingbridge, Hampshire.

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PACEC. 2014. The Value of Shooting: The economic, environmental, and social benefits of shooting sports in the UK. Public and Corporate Economic Consultants. Cambridge, UK.

Tapper, S. 1992. Game Heritage: An Ecological Review from Shooting and Gamekeeping Records, published by Game Conservancy Ltd in 1992

RECORD OF LICENCE DECISION	
General Licence Reference	GL26
Species	Carrion crow
Purpose	Preventing serious damage to livestock
Date issued	26/04/2019
Decision by	Marian Spain
Determination Record (DR)	
Status	Draft at time of issue
Author	[REDACTED]
Habitats Regulations Assessment (HRA)	
Status	Draft at time of issue
Author	[REDACTED]
Does the licence follow the recommendations of the DR and HRA? If not, please explain	<p>The Licence issued followed the advice in the DR and HRA with two exceptions.</p> <p>The following two conditions recommended in the DR and HRA advised were not included:</p> <ul style="list-style-type: none"> a) a condition requiring users to provide a report of licensed action to Natural England, and b) a condition excluding use of traps under the authority of this Licence on SACs (unless subject to an appropriate HRA considering the features of the site). <p>In the case of a), it was decided that this requirement was not necessary and that the burden this placed on users would be disproportionate.</p> <p>In the case of b), it was judged the advice to exclude use of traps on SACs – which was highly precautionary – was unnecessary to protect habitat and flora.</p>
Other comments	Due to the urgent need to provide farmers with the means to manage the threat of livestock predation by crows it was decided to issue the licence on the basis of the draft DR and draft HRA. It was judged that there was sufficiently information in the draft documents to make such a decision. In making this

	<p>necessary decision it was accepted that it may be necessary to revise the Licence if the final versions of these documents included revised advice.</p> <p>The final versions of the DR and HRA did not include different advice and there was no need to for the Licence to be revised.</p> <p>Subsequent to the decision to issue this licence a more precautionary view of the risk of trapping on SACs has been adopted for new general licences. Inclusion of this condition will be reviewed for the next issue of this licence. Because the condition is so precautionary it is not judged necessary to make this change immediately (and doing so at this point could cause unnecessary confusion for licence users).</p> <p>It is planned to review the terms and conditions of this licence as part of a review of general licences this year.</p>
Date of this record	13/05/2019

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