

14/01/2021



Ground Floor
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Dear stakeholders,

Individual Conservation Licences for the Control of Wild Birds

Following our Ministerial roundtable meeting to discuss the outcome of the General Licence review on 18th November we had more detailed conversations with many of you about how individual bird licensing will now work in 2021. Many of you have raised questions and concerns on conservation licences in particular. This letter is designed to respond to those questions.

Defra published three new general licences for the control of wild birds that came into force on 1 January 2021. These include the general licence GL40: General licence to kill or take certain species of wild birds to conserve endangered wild birds, or flora and fauna.

The conservation of wild birds in GL40 has been limited to conserving red and amber-listed species. Killing or taking wild birds is not permitted under general licence where predation may well be a natural activity which does not have a population-level impact on those species being preyed on. In addition, jackdaws and rooks have been removed from the GL, even for amber/red listed species and jays can only be controlled for the protection of endangered woodland birds (as defined on GL40). Captive reared gamebirds are classed as livestock and therefore shoots can control GL species to protect eggs and young gamebirds under the GL42 ([link](#)).

NE has made a number of changes this year designed to turn around those applications quickly that are likely to meet the criteria so that applicants can know where they stand in advance of the bird breeding season. The new screening process is designed to help manage the applications of applicants who may have historically operated under the General Licence and who now need an individual licence to control certain species of birds. Screening should give applicants early clarity on whether they would be likely to meet the criteria for a licence and, where appropriate, it will identify what evidence is needed.

Natural England and Defra have worked closely together over the last year to ensure that approaches to the new GLs and individual licensing are aligned. In November NE published a [blog](#) which set out the approach we will be taking as a result of the GL review changes.

Key issues raised by stakeholders over recent months are summarised below:

- **The new GL for conservation purposes limits the use of lethal control to the protection of amber and red listed species only, and has removed jackdaws, rooks and jays (for non-woodland species).**

The changes to the GL for conservation will make it more aligned with the criteria for individual licences that NE has been operating for some time. The 'conservation' licensing purpose may be used in situations where it is judged necessary to take action against a protected species to maintain the conservation status of another species or habitat.

The case for issuing a licence using the conservation purpose is likely to be strongest where its use **is directly linked to the maintenance of populations of native endangered or vulnerable species**, and the species or habitat benefiting from the proposed action is in a poorer conservation status than the species for which the licence is sought.

- **Applicants will need to provide direct evidence to support their individual licence applications.**

The GL is provided to allow control to take place where there is evidence of widespread need. It follows, therefore, that where an individual licence is applied for, supporting evidence of need must be provided on a site by site basis. For conservation licences, the fact that one species is known to predate on another does not – by itself – provide a justification for licensed action. All species are subject to natural levels of predation. Activity is only licensed where predation is having a population-level impact on the wild bird species to be conserved and represents a genuine threat to the conservation of that population.

Where common species like rooks and jackdaws are to be controlled to protect red or amber listed species then we will need to see some evidence that a) the vulnerable species are present, b) there is a pattern and level of predation that presents a threat to populations and c) non-lethal alternatives have been tried. We understand that applicants won't have access to perfect evidence, but verifiable records (e.g. written records made at the time, or those supported by third party records) of numbers and behaviour of species involved or peer reviewed studies can be used as evidence. Anecdotal accounts or photos of individual predation events alone are unreliable evidence.

For conservation licences to be issued to control red or amber listed species to protect other red or amber listed species the evidence would need to be very strong and show that there is direct threat to local populations.

Conservation licences will not be issued to protect green listed or common species unless there is strong evidence of a need for control at that particular location. Conservation licences are not issued to protect non-native or naturalised species such as pheasants or red legged partridges even where there are indirect benefits to nature conservation from shooting management.

In summary, as stated above, the screening process will ask a series of simple questions which will quickly inform the applicant of their likelihood of getting a licence. Those applications that are likely to succeed will be supported through the process and advised on what evidence they will need to provide so that licences can be issued where appropriate as early as possible.

Applicants are invited to email bird.licensing@naturalengland.org.uk to access the screening service from 18th January onwards.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Dave Slater', with a long horizontal flourish extending to the right.

Dave Slater
Director for Wildlife Licensing & Enforcement Cases