

General Licences



GL 01/2014: To kill or take certain birds for the conservation of wild birds

Period valid:	1 January to 31 December 2014 unless previously revoked
Licence purpose:	Conserving wild birds
Legislation:	S16(1)(c) Wildlife & Countryside Act 1981 (as amended)
Area valid:	Scotland
Reporting requirements:	None

What is a General Licence?

A General Licence allows authorised persons to carry out activities that would normally be illegal. You do not need to apply for a General Licence but in order to use one you must ensure that you meet all of the criteria, terms and conditions stated in the Licence.

You can only use a General Licence for the purpose, species and activities specified. Failure to use it in this way or to abide by any one of the conditions may invalidate the Licence and could lead to prosecution.

Terms and Conditions of General Licence 01/2014

What this General Licence allows:

1. Subject to compliance with all other terms and conditions, this General Licence permits authorised persons to undertake the following activities for the purpose of conserving wild birds:
 - to kill or take certain wild birds
 - to attempt to kill certain wild birds, where the attempt results in injury to the bird concerned
 - to take, damage or destroy the nests or eggs of certain wild birds
 - to keep or confine wild birds for use as decoy birds in traps

Who can use this General Licence and under what circumstances?

2. This General Licence can only be used by authorised persons. An authorised person can be the owner or occupier, or any person authorised by the owner or occupier of the land on which the action authorised is taken.
3. Authorised persons using this General Licence must:
 - understand its terms and conditions and comply with them
 - only use it for the purpose specified
 - only use it where they are satisfied that appropriate non-lethal methods of control (e.g. scaring or bird proofing) are either ineffective or impracticable

4. You may not use this General Licence if you were convicted of a wildlife crime on or after 1st January 2009 unless, in respect of that offence, you were either dismissed with an admonition, you are a rehabilitated person (for the purposes of the Rehabilitation of Offenders Act 1974 and your conviction is spent) or a court discharged you absolutely. Any person not able to use the General Licence can still apply to Scottish Natural Heritage for an individual licence.
5. SNH reserves the right to exclude the use of this General Licence by certain persons and/or on certain areas of land where we have reason to believe that wild birds have been taken or killed by such persons and/or on such land other than in accordance with this General Licence.

Species covered by this General Licence

6. Birds which may be taken or killed (or whose eggs or nests may be destroyed) under this General Licence are:

Great black-backed gull	<i>Larus marinus</i>
Carrion crow	<i>Corvus corone</i>
Hooded crow	<i>Corvus cornix</i>
Jackdaw	<i>Corvus monedula</i>
Jay	<i>Garrulus glandarius</i>
Rook	<i>Corvus frugilegus</i>
Ruddy duck	<i>Oxyura jamaicensis</i>
Magpie	<i>Pica pica</i>
Canada goose	<i>Branta canadensis</i>

Methods you can use

7. The methods of killing or taking which may be used under this General Licence, except where further restrictions apply, are:
 - Pricking of eggs
 - Oiling of eggs
 - Destruction of eggs and nests
 - A Larsen trap
 - A Larsen mate trap
 - A Larsen pod trap
 - A multi-catch cage trap
 - Shooting with any firearm, including semi-automatic firearms, shotguns or air guns
 - Targeted falconry
 - By hand

Use of traps under this General Licence

8. Any bird of a species not covered by this General Licence must be released unharmed immediately on being found in any trap.
9. Eggs or bread are the only permitted baits for use with Larsen mate and Larsen pod traps.
10. For the purpose of this General Licence, a Larsen or multi-catch cage trap is not required to satisfy the requirements of Section 8(1) of the Wildlife & Countryside Act 1981 with regard to the dimensions.
11. In the case of the Larsen trap, only the following species can be confined in such a trap as a decoy:

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Carrion crow	<i>Corvus corone</i>
Hooded crow	<i>Corvus cornix</i>
Magpie	<i>Pica pica</i>

12. In the case of other multi-catch cage traps, the following additional species may be used as decoys (in addition to those species listed above):

Jackdaw	<i>Corvus monedula</i>
Rook	<i>Corvus frugilegus</i>

13. When using this General Licence you are responsible for the welfare of any bird or other animal under your control and you must comply with all relevant legislation including the Animal Health and Welfare (Scotland) Act 2006. This includes providing decoy birds with adequate food, water and shelter and a suitable perch that does not cause discomfort to the bird's feet. Decoy birds must also have adequate protection from the prevailing wind and rain.

14. Any trap while it remains in use must be checked, at least once every day at intervals of no more than 24 hours except where this is not possible because of unexpected severe weather conditions. In such cases, you must make every effort to inspect the cage trap as soon as possible. A check must be sufficient to determine whether there are any live or dead birds or other animals in the trap.

15. Any dead or sickly decoy bird must be removed immediately from a trap.

16. In the case of the Larsen trap only one decoy bird may be used and it must be kept in a separate compartment. Any decoy bird must be removed from the trap when not in use.

17. When any trap is not in use it must be immobilised and rendered incapable of use. When any multi-catch cage trap is not in use you must either remove access doors from the site or securely padlock the access doors open so that no bird can be confined. Any other traps, when not in use, must be rendered incapable of catching any birds or animals by either removing from site or securing shut with a padlock.

18. Any trap used under this General Licence must carry a tag or sign that gives the number of the local police station or wildlife crime officer for the area. The tag or sign must also carry a unique code that allows the owner to be identified by the police. The operator of the trap will contact their local wildlife crime officer to obtain this code in advance of use of traps.

19. Any trap used under this General Licence must not be designed or used in such a way so as to be likely to cause injury or unnecessary suffering to any bird trapped.

20. Any Larsen mate or Larsen pod trap must be firmly pegged or staked down or tethered prior to use so that it cannot be moved should a non-target animal be caught.

Dispatch of target birds

21. Any birds killed under this General Licence must be destroyed humanely.

22. Any birds covered by this General Licence (see condition 6) which have been caught in a trap covered by this Licence, and which are to be killed under its terms, must be killed humanely as soon as reasonably practicable after discovery.

Notes

1. Nothing in this General Licence exempts any authorised person from complying with relevant firearms and public safety legislation.

2. Intentionally or recklessly killing, injuring or taking any wild bird of a species not authorised under General Licence is an offence. It is the responsibility of authorised persons to ensure that any traps or methods of control permitted under this Licence do not intentionally or recklessly kill, injure or take any non-target species.

Definitions

For the purposes of this General Licence;

"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.

"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.

"Larsen mate trap" means a portable spring-operated cage-trap comprising two shell sections hinged along one edge connected by one or more springs and kept open by a split-rod/trip-perch (as manufactured by Elgeeco; or any trap which is equivalent to it in all relevant respects). When open (set) the minimum distance between any two corners of the trap must be 39 cm. The trap must not shut tightly along the majority of the length of the meeting edges.

"Larsen pod trap" means a portable spring or gravity operated cage-trap which has a single compartment with two side-mounted, spring activated trap-doors which can be set independently.

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

"wild bird" means any bird of a species which is ordinarily resident in or is a visitor to any member State or the European territory of any member State in a wild state but does not include poultry. "Bird" includes all stages from chick to adult.

"wildlife crime" means any offence under the Wildlife & Countryside Act 1981, the Conservation (Natural Habitats &c.) Regulations 1994, the Protection of Badgers Act 1992, the Protection of Wild Mammals (Scotland) Act 2002, the Animal Health & Welfare (Scotland) Act 2006, the Protection of Animals (Scotland) Act 1912 and the Wild Mammals (Protection) Act 1996 (all as amended).



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for and on behalf of Scottish Natural Heritage
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