



Scottish Natural Heritage
Dualchas Nàdair na h-Alba

All of nature for all of Scotland
Nàdair air fad airson Alba air fad

Scottish Natural Heritage
Great Glen House
Leachkin Road
Inverness
IV3 8NW

01463 725000
licensing@snh.gov.uk

1st October 2012

Dear Sir/Madam

General Licences 2013 – Consultation

We would appreciate your input to the review of Scottish Natural Heritage's (SNH) General Licences for 2013.

General Licences exist to allow individuals to legally carry out certain established and relatively commonplace activities, under specific circumstances, that would otherwise be illegal. They cover activities with low conservation impacts and mean that people can operate under them without the need for individual licence applications to be made. They are subject to strict terms and conditions that set out when they can be used.

We aim to ensure that General Licences are, clear, relevant and fit-for-purpose. As with any licence we need to ensure that General Licences strike the appropriate balance between species conservation and a wide-range of other legitimate activities, interests and concerns from land-management to public health and safety. At the same time we need to ensure that licences are justified and legally compliant.

With this in mind we are seeking comments and views on changes to the suite of General Licences for 2013. Proposed changes are discussed in detail and specific questions asked in the Annex to this letter and can be summarised as follows;

- We propose changes to the format of General Licences to make them clear and easy to understand
- We ask whether all the existing General Licences are necessary
- We propose changes to the conditions relating to methods of killing and taking birds as set out under General Licences 1-4. This will clarify permitted types of traps, their use and design together with reporting requirements
- We seek comments on the species listed on the General Licences and propose some additions.
- We seek views on who might constitute 'authorised persons' able to carry out actions under General Licences
- We seek views on potential new General Licences
- We seek views on how General Licences could be better communicated to those who use them.

Scottish Natural Heritage, Great Glen House, Leachkin Road, Inverness, IV3 8NW
Tel: 01463 725000 Fax: 01463 725256
e-mail: licensing@snh.gov.uk
www.snh.gov.uk



Scottish Natural Heritage
Dualchas Nàdair na h-Alba

All of nature for all of Scotland
Nàdair air fad airson Alba air fad

Scottish Natural Heritage
Great Glen House
Leachkin Road
Inverness
IV3 8NW

01463 725000
licensing@snh.gov.uk

We would appreciate your input into this review process and should be grateful if you would send us your comments **by 9th November**. We will then consider all comments received and seek to produce a revised suite of General Licences by early December. **Please complete Annex 1 below, save and send your comments by email to licensing@snh.gov.uk.**

Yours faithfully,

Robbie Kernahan
Head of Wildlife Operations

Link to full list of 2012 General Licences:

<http://www.snh.gov.uk/protecting-scotlands-nature/species-licensing/bird-licensing/general/>



Scottish Natural Heritage
Dualchas Nàdair na h-Alba

All of nature for all of Scotland
Nàdair air fad airson Alba air fad

Scottish Natural Heritage
Great Glen House
Leachkin Road
Inverness
IV3 8NW

01463 725000
licensing@snh.gov.uk

Annex 1 - General Licence 2013 consultation details

A. General Licence format

Our vision is to have a suite of relevant General Licences which are clear, consistent and easily understood by practitioners. Therefore, we propose a new General Licence format for 2013.

The proposed new format would start with a short summary page which clearly introduces each General Licence, its purpose, use and key requirements. This section would be followed by a relevant list of conditions. The conditions would be divided into appropriate sections for clarity. For example, in General Licences 1 to 4, there might be conditions grouped under headings such as 'Species which may be killed', 'Means of permitted killing and taking' and 'Design of traps'. Reporting requirements would also be clearly explained in each Licence.

Question 1 – Do you agree with the need to improve the clarity of General Licences

Agree Disagree No view

Additional Comments

For instance, what are your views on the proposed new format? What other improvements could be made?

B. Adequacy of existing General Licences

Currently there are 14 General Licences covering a range of situations. We welcome your views on the need for each Licence.

Question 2 – Do you believe that the current suite of licences are clear as to their purpose and are they all necessary?

Yes No No view

Additional Comments



Scottish Natural Heritage
Dualchas Nàdair na h-Alba

All of nature for all of Scotland
Nàdair air fad airson Alba air fad

Scottish Natural Heritage
Great Glen House
Leachkin Road
Inverness
IV3 8NW

01463 725000
licensing@snh.gov.uk

C. Conditions relating to methods of killing and taking

Responses from consultees to the 2012 General Licence consultation highlighted concerns over what methods of trapping are permissible. Opinion was divided over whether or not certain traps ('clam', 'butterfly' or 'Larsen-Mate') should be excluded. These concerns remain as do uncertainties over welfare issues surrounding their use and the capture of non-target animals.

In order to remove ambiguity over which traps are permitted to be used under General Licence, in 2013 we propose to define those traps more clearly. The licences will name the Larsen Mate and Larsen Pod traps as well as the 'multi-catch crow' trap. It would also include 'By hand' (to allow for chicks in a nest to be killed or birds taken in a Larsen trap, for example).

We propose to add a condition to the General Licences to require anyone using these Larsen mate or Larsen pod traps to inform us that they intend to use them on their land. We will be commissioning research to look at the design and principles of use of these traps shortly. This research will include field trials to gather objective evidence on their use. Persons using these traps may be approached as part of this evidence gathering exercise.

We also propose to add a section on the 'Design of traps' which gives broad descriptions of the traps. Our intention in the longer term is that a Code of Practice will be developed that give detailed design parameters and methods of use for all trapping techniques permitted under General Licences.

Question 3 – Do you agree with the proposed amendments to clarify the traps permitted for use under General Licence?

Agree Disagree No view

Additional Comments

D. Species lists on General Licences

General Licences can allow for particular species to be killed, taken, rehabilitated etc. in commonly arising situations that involve activities of low



Scottish Natural Heritage
Dualchas Nàdair na h-Alba

All of nature for all of Scotland
Nàdair air fad airson Alba air fad

Scottish Natural Heritage
Great Glen House
Leachkin Road
Inverness
IV3 8NW

01463 725000
licensing@snh.gov.uk

conservation impact. Therefore, few species are listed and often the same species feature on several Licences.

Clearly, it is important that General Licences feature the appropriate species which may be killed or taken in order to manage effectively regularly occurring problems. Thus, we are seeking views on the adequacy of the species list attached to each General Licence (where this is relevant).

In addition, we make the following proposals for change:

- I. Addition of Ruddy duck to General Licence 1 (to kill or take certain birds for the purpose of conservation of wild birds). This addition would benefit the conservation of the white-headed duck in Europe by allowing more effective control of ruddy duck.
- II. Addition of Canada goose to General Licences 1, 2 and 3 (to kill or take certain birds for the purposes of conservation of wild birds, the protection of livestock, foodstuffs and crops, and preserving public health and safety). This addition would help deal with a well documented problem involving a non-native species for conservation, public health and safety and agricultural reasons.
- III. Addition of robin, house sparrow, blackbird and swallow nests to General Licence 3 (to kill or take certain birds for preserving public health and safety). This follows numerous individual applications made by supermarkets and pest control companies where individual birds have entered food shops and food preparation facilities and they are posing a threat to public health.

Question 4 – Do you consider that the species listed on the current General Licences are appropriate?

Yes No No view

Question 5 – Do you agree with the proposed additions to species on the General Licences as described above?

Agree Disagree No view

Additional Comments

For example, are there any other species that you think should be added to or removed from the current set of General Licences?



Scottish Natural Heritage
Dualchas Nàdair na h-Alba

All of nature for all of Scotland
Nàdair air fad airson Alba air fad

Scottish Natural Heritage
Great Glen House
Leachkin Road
Inverness
IV3 8NW

01463 725000
licensing@snh.gov.uk

E. Authorised persons

General Licences allow actions which would otherwise be unlawful to be carried out by 'authorised persons' in accordance with certain conditions. We propose that each General Licence will more clearly define authorised persons and include those with spent convictions as currently identified. It is important to note that whilst persons with unspent convictions cannot act under a General Licence, these persons can apply for an individual licence to carryout the same activity.

We welcome your comments on who might constitute an authorised person.

Question 6 – Do you consider that the current definitions of 'authorised persons' are appropriate?

Agree Disagree No view

Additional Comments

F. Additional General Licences

We are not proposing any new General Licences. However, you may consider that there are some situations which occur regularly and management actions taken to resolve them have a sufficiently low conservation impact to merit coverage under a General Licence. If so, we welcome your ideas.

Question 7 – Do you consider that there is a need for any additional General Licences?

Yes No No view

Additional Comments



Scottish Natural Heritage
Dualchas Nàdair na h-Alba

All of nature for all of Scotland
Nàdair air fad airson Alba air fad

Scottish Natural Heritage
Great Glen House
Leachkin Road
Inverness
IV3 8NW

01463 725000
licensing@snh.gov.uk

G. Communication of General Licences

We intend to publish the 2013 suite of General Licences on the licensing pages of our website together with notes on how they differ from the 2012 General Licences. It might be that there are other ways of disseminating information on General Licences more applicable to practitioners. We welcome your views on how to ensure that the right people are aware of what General Licences say and do.

Question 8 – How do you think we could better communicate what General Licences do?