# Review of 2023 general licences for wild bird control - our decisions for 2024

### Introduction

This document sets out the decisions which Natural Resources Wales (NRW) has come to concerning our general licences (GLs) for the lethal control of wild birds for 2024.

All wild birds in Wales have legal protection. NRW has a number of powers under which it can authorise others to kill or take particular species of wild birds, eggs and nests for certain purposes, for example in order to prevent serious damage to crops, livestock or fisheries, to protect public health or safety or to conserve other species of wildlife.

In accordance with decisions taken as part of our Review of NRW’s approach to regulating the shooting and trapping of wild birds in March 2022, we have undertaken a [Review of 2023 GLs for wild bird control](https://ymgynghori.cyfoethnaturiol.cymru/evidence-policy-and-permitting-tystiolaeth-polisi-a-thrwyddedu/9f5d8785/supporting_documents/Review%20of%202023%20general%20licences%20for%20wild%20bird%20control.pdf), in order to develop proposals for NRW’s 2024 GLs. The trigger for undertaking a review at this time was the publication of the latest, the fourth Birds of Conservation Concern (BoCC) assessment for Wales in December 2022 (“BoCC Wales 4”).

We introduced our proposals to stakeholder organisations in a meeting on the 12th October 2023. and then sought feedback using our online consultation hub or via email by Friday 3rd November 2023. We received replies from 11 of the 19 organisations invited to respond (see [Annex 1](#_Annex_1_) for details).

We have now considered the feedback received and we set out how those responses have informed our decisions below.

### Decisions

#### We will include Canada goose, carrion crow, feral pigeon, jackdaw, ruddy duck and woodpigeon as target species on the relevant general licence(s).

**Summary of feedback received**

We received comments in support of the proposal to include Canada goose, carrion crow, feral pigeon, jackdaw, ruddy duck and woodpigeon as target species on the relevant GL for 2024.

Some respondents challenged the use of the Red and Amber-listings in BoCC Wales 4 as the basis for deciding whether a species was suitable for inclusion as a target species on a GL.

Concerns were expressed by some respondents that waiting for a species to become Red or Amber-listed before deciding it was not suitable for inclusion as a target species was too late and proposing that species should not be included once its population is declining.

**NRW response**

We are not persuaded that we should change our current position of using the Red and Amber-listings in BoCC Wales 4 as the basis for deciding whether a species is suitable for inclusion as a target species on a GL, alongside meeting all of our other [Principles for deciding when GLs are appropriate.](#Annex_1)

We consider BoCC to be a robust and independent assessment which applies a standardised set of criteria and is widely relied upon to determine UK and Wales’s bird conservation priorities. In the context of BoCC Wales 4 it also provides a Wales specific assessment.

#### We will not include magpie as a target species

**Summary of feedback received**

A variety of views were received in response to this proposal.

There were comments in support, recognising that it followed through on the decisions made on GLs as part of the Review of NRW’s approach to regulating the shooting and trapping of wild birds in March 2022 and the new evidence available through BoCC Wales 4.

Others were not in favour of this proposal, citing a number of reasons focusing on the use of evidence provided by BoCC. Specifically, points were made that:

* recent (in the past 25 years) population declines in magpie in Wales were from an “all-time population high” in the mid-90s, and therefore that the species remains abundant in Wales;
* BoCC listings were not designed to determine policy decisions;
* the BoCC Wales 4 assessment was not accurate;
* the magpie population trend presented in BoCC Wales 4 would not be believed by those living in the countryside who continue to see large numbers of magpie;
* the number and location of survey areas was not sufficient to accurately reflect the distribution of magpie in Wales and therefore give an accurate population estimate;
* that even if the population figures are reliable, magpie have been assessed as Amber, and are a significant way from being Red-listed.

Other concerns raised related to our GL Principle 5 - *Allowing lethal control of a target species under a GL will not risk putting it into an unfavourable conservation status* – in the context that there is no evidence that lethal control of magpie risks putting it into an unfavourable conservation status, noting likely reasons for decline to be poor breeding success and the increase in numbers of carrion crow. Here points were made that the lethal control of magpie is not a key driver of magpie decline, asserting that between 1961-1989 the numbers of magpie killed in Britain doubled, and yet the population size continued to increase.

Also in response to this proposal points were made about;

* licence applicants not being able to meet the evidence requirements required for a specific licence to control magpies;
* that there is little empirical evidence of the impact of magpie on livestock because, to date, there has been no need to collect evidence whilst it has been a GL target species;
* that the absence of evidence is not necessarily evidence that the problem does not exist; and
* that evidence gathering should begin with respect to the impact of both magpie and rook on livestock and crops to assist determination of specific licence applications and to inform any future consideration of return as GL target species.

Respondents gave a number of reasons as to why the lethal control of magpie under a GL was required. These included the need to protect sheep and lambs from magpie attack, including in the uplands where the densities of sheep are greatest, damage done to plastic wrapped silage bales, and the economic and animal welfare issues arising from this, including where lambs and adult sheep have suffered damage to, or removal of, eyes, tongues and intestines.

Respondents asked us to take account of anecdotal evidence, as they felt that formal studies are rarely undertaken to confirm established and undisputed impacts. Specific examples of the benefits of being able to undertake year on year control of both magpie and crow to protect livestock were given, including an example of where long-term control has resulted in getting to a point where they no longer need to destroy any bird damaged lambs.

Existing concerns around NRW not including magpie as a target species on GL004 were also raised and examples given of the numbers of magpie increasing rapidly once the lambing period is over. A site-specific example was provided of the lack of fledging success of lapwing in a situation where there was no wider magpie control as no lambing was undertaken in the vicinity.

Concerns were raised that the specific licence approach was not fit for purpose in this context. In particular there were concerns that needing to apply for a specific licence would not be responsive enough to prevent damage, given that licence applications could take up to 40 days to determine. The economic losses that this delay would cause were stated including an estimate that this would run into millions of pounds of loss across the Welsh agricultural economy. Some expressed a lack of confidence that specific licences would be granted, with concerns that applicants would be unable to meet what were seen by some as unrealistic and unreasonable evidence requirements. Some also felt that the application process needed to be improved with concern that the application form would be a disproportionate barrier for farmers and part-time conservationists.

There was a suggestion that a workshop should be held with prospective applicants to help improve the application process for specific licences.

A transition period was suggested, if the proposal not to include magpie as a target species on GLs was taken forward, in order to avoid the risk of damage to livestock by enabling the gathering of evidence to support applications for specific licences to be made proactively (in advance of a problem). The use of a class licensing approach was also proposed in this context.

Confirmation was requested as to whether an impact assessment of the removal of magpie from GL001 had been undertaken by NRW and whether consideration had been given to the need to compensate the farming community for financial loss.

**NRW Response**

The use and application of BoCC Wales assessments was agreed in 2022 by the Board of NRW as the appropriate mechanism to inform our consideration of whether a species is suitable for inclusion on a GL.

We are not persuaded that we should change our current position of using the Red and Amber-listings in the latest BoCC assessment for Wales as the basis for deciding whether a species is suitable for inclusion as a target species on a GL, alongside meeting all of our other [Principles for deciding when GLs are appropriate.](#Annex_1)

We consider BoCC to be a robust and independent assessment which applies a standardised set of criteria and is widely relied upon to determine UK and Wales’s bird conservation priorities. In the context of BoCC Wales 4 it also provides a Wales specific assessment.

Our view remains that any species of wild bird which is of conservation concern should not be subject to lethal control under a GL. This is because GLs are a light-touch approach to regulation intended to be used in low-risk situations. We consider that a wild bird species being of conservation concern is not a sufficiently low-risk situation to take such a light-touch regulatory approach.

We continue to recognise that there may be a need to conduct lethal control of magpie to prevent serious damage to livestock through direct attack and to prevent the spread of disease to livestock or livestock foodstuffs. Such can be authorised through the grant of a specific licence.

We acknowledge that those needing to control magpie will need to be able to apply for, and have their application considered for lethal control through specific licences, in advance of any serious damage being caused in any year.

We accept that the inclusion of magpie as a target species on the previous GL001 means that prospective applicants may not have gathered and kept evidence to demonstrate risk of serious damage or collected information about the numbers of magpie killed or taken. We will take this into account when determining licence applications made in 2024 for the lethal control of magpie for purposes which were previously included in GL001. We also remind users that paragraph 42 of the current (2023) GL001 advises licence users to maintain records of lethal control (including of magpie) undertaken. Any such information will be of use in supporting a specific licence application.

We consider that our application form for a specific licence for the lethal control of wild birds is proportionate and provides the appropriate balance between the information we require as the regulator to make a determination on a licence application and the ease of use for applicants.

We are not required to undertake an impact assessment of a decision not to grant a licence to control wild birds, be that a GL or a specific licence. All wild birds are protected from killing and capture unless and until we issue a licence. Our decision not to include magpie on any GLs for 2024, and instead to authorise its control through requiring specific licences, has been made following consideration of relevant evidence and applying our principles for the grant of GLs.

#### We will not include any additional target species on any GLs

**Summary of feedback received**

No responses were received proposing the inclusion of any additional target species on GLs.

There was agreement with our proposal not to include any additional target species.

There were concerns that we may be considering including goosander and cormorant on a GL for the purpose of preventing serious damage to fisheries.

**NRW response**

We did not propose to include any additional target species on GLs - this will remain our approach.

Consideration of goosander and cormorant were outside the scope of our GL Review 2023. This is because NRW is separately undertaking work to progress the actions approved by NRW’s Board in July 2022 in relation to fish-eating birds.

The target species on GLs will remain under review.

#### We will not make any changes to Part C. GL Conditions

**Summary of responses**

Responses were received with respect to the use of cage traps, including opposition to their use due to animal welfare issues with respect to both decoy and target birds, and requesting information on when and how we will be considering introducing registration and monitoring of cage traps to support effective enforcement.

**NRW response**

We did not propose to make any changes to the GL conditions. This remains our approach.

Our GLs include a number of conditions covering our requirements with respect to the use of cage traps. We continue to consider those conditions to be fit for purpose, including in the context of continuing to authorise the use of cage traps as an effective method of control, while including measures in the interests of animal welfare and reducing the risks of by-catch.

Our position with respect to the registration of cage traps remains as it was in 2022 – that there is insufficient evidence of a problem to which a system of cage trap registration would be an appropriate solution. We will continue to maintain a watching brief on the trap registration scheme operating in Scotland.

See also the section on Part E. Advice below.

#### We will not make any changes to the Part D. Definitions

**Summary of feedback received**

There were concerns that NRW was not sufficiently defining the terms used in its GLs for wild bird control, with the lack of definition of the term “serious damage” causing particular concern.

**NRW response**

We did not propose to make any amendments to the Part D. Definitions within any of our GLs for wild bird control. This remains our approach.

The Wildlife and Countryside Act 1981 does not define what constitutes serious damage. In the context of licensing the lethal control of wild birds. We consider that it means an impact which is more than mere nuisance to an individual or organisation.

#### We will not make any changes to Part E Advice to licence users

**Summary of responses received**

In relation to the advice regarding the use of cage traps, the view was expressed that it was inappropriate for NRW to grant discretion to licence users to kill birds within sight of other birds within a multi-catch cage trap. It was considered that where it is not possible to kill birds out of sight of other birds without further detriment to their welfare through increased handling time, the use of multi-catch cage traps should not be permitted.

**NRW response**

Our GLs for wild bird control include a condition (no.23 in GL001 and GL004, no.22 in GL002) that any bird held captive prior to being killed must be killed out of sight of other captive birds, but notes that this condition does not apply to birds caught in multi-catch cage traps. Our Part E advice to licence users advises, (at paragraph 51 in GL001 and GL004, paragraph 49 in GL002), that users of multi-catch cage traps should make all reasonable efforts to kill birds out of sight of other birds, but goes on to state that we will allow discretion to kill trapped birds within sight of other birds, where users consider that any additional delay and handling caused by moving out of sight to kill each bird would cause more distress.

We are not persuaded to change this position. We will continue to allow the use of multi-catch traps and remain of the view that requiring each captured bird within a multi-catch cage trap to be dispatched out of sight of other birds could in some situations cause more rather than less distress to a decoy and to remaining captured birds, because of the increased handling time.

Therefore we will continue to exempt users of multi-catch cage traps from the condition requiring birds to killed out of sight of other captive birds and continue to include advice that in all use of multi-catch traps, reasonable efforts should be made to dispatch birds out of sight of other birds.

#### We will add Scoveston Fort SSSI to the list of protected sites where the GLs do not apply. No protected sites will be removed from this list (applicable to GL001, GL002, GL005)

**Summary of feedback received**

No comments were received with respect to protected sites where the GLs do not apply.

**NRW response**

We will add Scoveston Fort SSSI to the list of protected sites where GL001, GL002 and GL004 will not apply. There will be no other changes to this list.

### Format of GLs for wild bird control on NRW’s website

**Summary of feedback received**

No feedback was received on this topic.

**NRW response**

GLs for wild bird control will continue to be presented in HTML format on our website, with the ability to save as a PDF and/or print the licence where required. We will work with our Digital Comms (website) team to make it clearer on the GL webpage that this option exists.

#### We will include the same species-purpose combinations in Table 1 of GL001 (Licence to kill or take wild birds or to take or destroy their nests or eggs for the purposes of preventing serious damage or spread of disease to livestock, foodstuffs for livestock, crops, vegetables or fruit) - with the exception of not including magpie as a target species

**Summary of feedback received**

We received comments on the species to purpose combination of carrion crow and damage to crops, vegetables and fruit, specifically that it should be included within the terms of GL001. It was stated that the fact that NRW has not included this species to purpose combination means that a greater area of food crops needs to be grown, reducing the area of land which can be used for conservation food crops, or leading to reluctance to release ground from conventional to conservation crops.

In addition there was a comment that the decision not to include this species to purpose combination had not been properly consulted on at the time of the Wild Bird Review in 2021.

**NRW response**

A variety of evidence was assessed in drawing up the GL001 species to purpose combination matrix in 2021. This included Newson et al. (2019) and APHA (2020), as well as information submitted to calls for evidence in England (Defra, 2019) and Wales (NRW, 2021). Specific licence applications can be made for any species to purpose combinations not covered. These will be considered on a case-by-case basis using the supporting evidence provided.

We disagree with the assertion that we did not consult properly on the use of a species to purpose combination matrix and our proposals for which species to purpose combinations we would include in GL001. Annex 2 of our [2021 consultation document](https://ymgynghori.cyfoethnaturiol.cymru/evidence-policy-and-permitting-tystiolaeth-polisi-a-thrwyddedu/nrw-s-approach-to-regulating-the-shooting-and-trap/supporting_documents/Wild%20Bird%20Review%20Consultation%20paper%20FINAL%20pdf%20correct.pdf), contained our detailed proposals and we asked specific consultation questions (Q43 and Q44) on this topic.

Therefore, aside from not including magpie on GL001, we will make no changes to the species to purpose combinations for which lethal control is authorised.

#### We will continue to grant a GL002 allowing lethal control of feral pigeon for the purposes of preserving public health, public safety or preventing the spread of disease

**Summary of feedback received**

There was little feedback received with respect to GL002, but what was received was in favour of GL002 continuing to be issued.

**NRW response**

We did not propose to make any amendments to our GL002, with the exception of the addition of Scoveston Fort SSSI to the Annex 1 list of protected sites where the GL does not apply. This remains our approach.

#### We will include chaffinch, dunnock, garden warbler, Mediterranean gull and rook in the list of beneficiary species listed in Annex 1 of GL004 - *Licence to kill or take carrion crow or to take or destroy their nests or eggs for the purpose of conserving wild birds* . We will not include cormorant, red kite, reed bunting and song thrush in the list of beneficiary species in Annex 1 of GL004.

**Summary of feedback received**

A variety of feedback was received in relation to our proposals to include or not to include certain species on Annex 1 of GL004, which lists the species for who’s conservation benefit the licence authorises the lethal control of carrion crow.

Support was received for the proposal not to include cormorant, red kite, reed bunting and song thrush on Annex 1.

Concerns were expressed in relation to the evidence used to determine ecological vulnerability to predation by carrion crow, with garden warbler, dunnock and rook. These were cited as examples of species considered to have been wrongly categorised as vulnerable to predation by carrion crow.

Some respondents queried the absence of red grouse, golden plover, merlin and short-eared owl on Annex 1 in the current, 2023, GL004.

Some respondents reiterated concerns raised in the consultation on the Review of NRW’s approach to the shooting and trapping of wild birds in 2022. These included NRW’s then proposal not to include magpie and jay as target species on GL004 and disagreeing that the need for conservation licensing can reasonably be anticipated in advance. Points were again made about the use of BoCC arguing that it is not appropriate in the context of conservation licensing, and that a better measure would be comparison of IUCNs risk of extinction categorisation for predators and associated prey, with a greater level of protection being given to prey rather than predators.

**NRW response**

Annex 1 of GL004 was based on research commissioned from the British Trust for Ornithology(Taylor et al, 2022) and published alongside the consultation on NRW’s approach to regulating the shooting and trapping of wild birds in Wales.

In response to comments raised, we will schedule, for 2024, an update to the work published in 2022 in 2022 in the context of any new information available.

We are not persuaded to include magpie or jay as target species on GL004. We have not received any new evidence which would justify changing the decision we made in 2022 not to include either of these species on GL004. In addition, as set out earlier in this document, we do not consider that magpie should be included on any GLs authorising lethal control because of new information on its conservation status.

We also remain of the view that any proposed action which fits within our approach to the conservation of wild birds licensing purpose can reasonably be anticipated in advance and therefore that the specific licensing approach is an appropriate mechanism, where evidence can be submitted of both the harm caused by the target species and the anticipated conservation benefit to the identified beneficiary species.

BoCC is robust, independent, applies a standardised set of criteria and is widely relied upon to determine UK and Wales’s bird conservation priorities. It also provides a Wales specific assessment. BoCC assessments look at long-term trend changes (more than 25 years) in numbers and range. In contrast, the IUCN red list assessment focuses on species with very small numbers, restricted range or rapid recent declines and has a shorter-term focus

#### We will issue a licence to kill or take ruddy duck or to take or destroy their nests or eggs for the purpose of conserving wild birds (GL005)

**Summary of feedback received**

No respondents expressed any concerns about the continued granting of GL005. Specific support for NRW continuing to grant a GL for the control of ruddy duck was received.

**NRW response**

We will continue to issue a GLto kill or take ruddy duck or to take or destroy their nests or eggs for the purpose of conserving wild birds. We consider that the GL remains fit for purpose and is an appropriate mechanism to enable timely control of ruddy duck, which is an invasive non-native species subject to a policy of eradication.

#### We will not change our overall approach with respect to the granting of GLs for wild bird control for 2024

**Summary of responses**

The suggestion was made that GL-users and those applying for specific licences should demonstrate that non-lethal methods have been meaningfully attempted first before the relevant GL can be relied upon or as part of a specific licence application.

There were concerns that there are too many weaknesses embedded within NRW’s approach to GLs and therefore that we have no meaningful control of the circumstances of GL use. Concerns were expressed over the lack of requirement to register, record or report action undertaken under a GL, meaning that no assessment of potential negative impacts can be undertaken, in terms of species, environment and animal welfare.

The introduction of the requirement to register as a GL user and then record and report on the action undertaken under the relevant GL was suggested, and in this context the use of online reporting was recommended.

In the meeting with stakeholders on 12 October where the review of the 2023 GLs was introduced, a comment was made that some users may not be applying for specific licences because they were operating ‘under the cover’ of non-applicable GLs. The particular example given was controlling, for conservation purposes, bird species which are not listed on GL004, but which are listed on GL001. In subsequent written feedback the view was expressed that this was evidence of the need for NRW to tighten its approach to GLs, including by introducing a requirement for registration and reporting.

An alternative perspective was also submitted that the number of specific licence applications for a particular species to purpose combination was not the correct measure of whether there is a need for a GL as practitioners can undertake carrion crow control for a variety of reasons, and therefore do not for example need to apply for a licence to prevent serious damage to crops from carrion crow.

**NRW response**

Having successfully defended the lawfulness of a number of our general licences in a legal challenge in 2020, we know that general licences are a lawful approach to authorising the lethal control of wild birds. They are a light-touch approach to regulation intended to be used in common, widespread and low risk situations where the need to carry out lethal control is well established.

It is not a statutory requirement for someone intending to rely on a GL, to establish absence of other satisfactory solutions, including non-lethal methods of wild bird control. The statutory requirement as regards absence of other satisfactory solutions applies to NRW’s decision on whether to grant the GL. Having satisfied ourselves that the granting of a GL is the only satisfactory solution, there is no additional statutory requirement on licensees to try to address the problem using non-lethal means before resorting to lethal control.

We remain of the view that GL users should make reasonable efforts to address the problem or need concerned using non-lethal methods, and to resort to lethal control only where necessary. On the basis that this is not a statutory requirement, we have included, and will continue to include such advice, in Part E of the GLs. We have also provided [guidance on managing problems caused by wild birds - alternatives to lethal control](https://naturalresources.wales/permits-and-permissions/species-licensing/bird-licensing/managing-problems-caused-by-wild-birds-alternatives-to-lethal-control/?lang=en) on our website and this link is also given within our GLs for wild bird control.

Applicants for a specific licence for wild bird control must document the alternative, non-lethal, methods which they have tried as part of their application. Our application form states that, in considering whether or not to grant a licence, NRW needs to be satisfied that there is no other satisfactory solution other than to grant a (specific) licence.

We are not persuaded of the need for those wishing to operate under the terms of a GL to register their details with NRW as a GL user and to subsequently provide records of the action undertaken under the GL. We developed and tested options as part of our Review of NRW’s approach to the shooting and trapping of wild birds and as a result of that work we developed a set of [principles for deciding when GLs are appropriate](#Annex_1). NRW will only grant a GL where the problems that particular wild birds are causing are well established and there is a clear and widespread need to control wild birds, where licensed activity is carried out by large numbers of users and where it presents a low risk to the conservation status of the target species. We remain of the view that the value of the information we might obtain from a user registration and reporting system for general licences would not be justified by the costs, practicalities and burden on users of introducing and administering such arrangements.

It is reasonable to expect, as with any type of licence or permission that we issue, that users will adhere to all terms and conditions. Failure to so may result in offences being committed, and whether any actual offences are committed is a question that has to be proven in individual cases. The Police, rather than NRW, are the enforcement body for wildlife offences, which may include breaches of the terms and conditions of licences granted under section 16 of the Act, including GLs. Any suspected breaches or offences should be brought to the attention of the Police, and NRW will assist and support the Police in any subsequent investigation. As the licence issuing authority, we see our priority as being to make GLs as clear as possible to ensure licence users understand their terms and conditions and that they can easily be enforced.

#### We commit to publishing summary data of specific licences issued for wild bird control

**Summary of responses**

Requests were made that NRW publish summary data of the specific licences which we issue authorising the lethal control of wild birds – including a start date and frequency of publication.

**NRW response**

We acknowledge that we have not fully delivered on a commitment made in response to the consultation on NRW’s approach to regulating the shooting and trapping of wild birds in Wales . We will look to address this as soon as possible and provide an update on how we propose to take this forward no later than the end of March 2024.

#### References

APHA (2020). Review of the evidence base for inclusion of avian species on General Licences GL34, GL35 and GL36 in England. National Wildlife Management Centre, Animal and Plant Health Agency, 6 August 2020.

Defra (2019). Use of general licences for the management of certain wild birds: Government response to the call for evidence, July 2019. Department for Environment, Food and Rural Affairs.

Newson, S.E., Calladine, J. & Wernham, C. (2019). Literature review of the evidence base for inclusion of bird species listed on General Licences 1, 2 and 3. Research Report No.1136. Scottish Natural Heritage.

NRW (2021). Review of NRW’s approach to regulating the shooting and trapping of wild birds: Report on the call for evidence. NRW Evidence Report, Report No: 564, 45pp, Natural Resources Wales, Bangor.

Taylor, R.C., Noble, D., Calladine, J., Newson, S.E. and Bowgen, K.M. (2022). Assessment of the vulnerability to predation by carrion crow, magpie, jackdaw and jay of Red and Amber-listed Birds of Conservation Concern in Wales. Natural Resources Wales Evidence Report Series (No. 599).

# Annex 1 - Organisations invited to respond

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| **Organisation** | **Response received?** |
| Airbus | No |
| Animal Aid | Yes |
| British Association for Shooting and Conservation | Yes |
| British Pest Control Association | Yes |
| British Trust for Ornithology | No |
| Cardiff Airport/ St Athan | No |
| Countryside Alliance | Yes |
| Country Land and Business Association  | No |
| Farmers’ Union of Wales | Yes |
| Game and Wildlife Conservation Trust | Yes |
| League Against Cruel Sports | Yes |
| Ministry of Defence (RAF Valley) | No |
| National Farmers Union Cymru | Yes |
| National Gamekeepers Organisation | Yes |
| Royal Society for the Prevention of Cruelty to Animals | No |
| Royal Society for the Protection of Birds | Yes |
| Welsh Ornithological Society | No |
| Wild Justice | No |
| Wildlife Trusts Wales | Yes |

**Appendix 2**

**NRW’s Principles for deciding when general licences are appropriate**

(Taken from[Decisions in relation to general licences April 2022](https://ymgynghori.cyfoethnaturiol.cymru/evidence-policy-and-permitting-tystiolaeth-polisi-a-thrwyddedu/nrw-s-approach-to-regulating-the-shooting-and-trap/supporting_documents/Decisions%20in%20relation%20to%20general%20licences%20%20April%202022.pdf))

**Principle 1**: There is an apparent and genuine need to allow the killing or taking of the species of wild bird in question, or to take or destroy their eggs or nests, in order to further one or more of the purposes outlined in section 16 of the Act.

All wild birds are protected by law, and derogations from that protective regime may only be granted for particular purposes.

**Principle 2:** Allowing the lethal control of birds of the species concerned under general licence can reasonably be expected to contribute to resolving the problem or meeting the need.

Even if Principle 1 is satisfied, we consider lethal control of wild birds should only be authorised if, on the basis of available evidence, it is reasonable to consider that such action will contribute to meeting the need for resolving the problem concerned.

**Principle 3:** There are no satisfactory solutions that would resolve that problem or address the need in question, other than to grant a general licence allowing the killing or taking of the wild bird species concerned.

NRW is permitted by the legislation to authorise lethal control of wild birds for specified purposes but only where we are satisfied as regards those purposes that there is no other satisfactory solution. Therefore, we need to be satisfied that granting a general licence is the only satisfactory way to address the problem or satisfy the purpose in question, and that the purpose cannot satisfactorily be addressed by using only non-lethal methods, or through granting specific licences on application.

**Principle 4:** Allowing lethal control of the species in question under general licence, rather than only under specific licences subject to individual applications, is a proportionate response, given the frequency, scale and severity of the problem or need.

General licences are appropriate only where it would be impractical or disproportionately burdensome on users, and on NRW, to regulate the killing or taking of birds or destruction of eggs and nests for that purpose, through requiring specific licences. For example, a general licence may be appropriate where NRW would otherwise receive a large number of applications for specific licences, all seeking authorisation to conduct the same types of actions against the same species for the same purposes.

**Principle 5:** Allowing lethal control of a target species under a general licence will not risk putting it into an unfavourable conservation status.

General licences do not specify limits on the number of birds that may be taken, and do not require licence users to report how many birds they have taken under the licence. In order to ensure that allowing the lethal control of a species under a general licence does not jeopardise its conservation status, there are limited circumstances under which a species can be included on a general licence. We consider that the only species suitable for inclusion on a general licence are those which are not of conservation concern. We will use the ‘Birds of Conservation Concern’ (BoCC) Green/Amber/Red listings for Wales, to inform our assessment of which target species of wild bird are of conservation concern.

**Principle 6:** No action authorised by a general licence will adversely affect the conservation status of any species other than the target species.

In addition to considering the impact of a general licence on the target species (under Principle 5 above), we will not grant a general licence if we consider that any action taken under that licence would place the conservation of other species at risk. It may be necessary to include conditions in a general licence in order to satisfy this principle, including in particular in relation to the potential impact on protected sites.

**Principle 7:** The general licence can be framed in terms which are clear to all users, compliant with all relevant legal requirements, and enforceable.

We consider that NRW should not issue a general licence unless we are satisfied that the purpose or purposes for which the licence may be used, and the circumstances and conditions under which it may be used, can be set out sufficiently clearly for all users to understand.