

NRW's approach to regulating the shooting and trapping of wild birds and the destruction of eggs and nests

Summary of consultation responses

March 2021

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Abbreviations used in this report

APHA	Animal and Plant Health Agency
BBS	Breeding Bird Survey
BoCC	Birds of Conservation Concern
BTO	British Trust for Ornithology
Defra	Department for Environment, Food and Rural Affairs
IUCN	International Union for the Conservation of Nature

Purpose of this report

This report provides a summary of the responses we received to the public consultation we held over our proposals relating to the review of NRW's approach to regulating the shooting and trapping of wild birds and the destruction of their eggs and nests.

Background to the consultation

All wild birds in Wales have legal protection. Natural Resources Wales has a number of powers under which we 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.

We have been undertaking a review of how we exercise these powers. The review has looked at the different types of permissions that we offer and the processes used to deliver these activities to seek to make improvements.

A public consultation formed a key part of the review. The consultation was open for 12 weeks from the 19th August 2021 until the 11th November 2021. The consultation sought views on proposals for NRW's approach to regulating the shooting and trapping of wild birds in Wales and the destruction of eggs and nests. It asked a series of questions about a range of specific proposals, together with a number of more open questions. The proposals and questions were set out in a detailed consultation paper which included background information and links to other relevant documents.

Respondents were asked to submit their responses using the NRW Consultation Hub, which uses the 'Citizen Space' online consultation tool. From the consultation page ([HERE](#)), respondents could access the consultation questions, the consultation document and other relevant information. The questions were arranged in sections, which allowed respondents to skip sections if they did not want to answer all questions. Partially completed responses could be saved and returned to at a later stage.

Once a response had been submitted it could not be changed or withdrawn. Respondents received a unique response number and were able to request a PDF copy of their response.

Respondents who were unable to respond online were able to submit responses by email or by post.

How were the consultation responses considered?

Our analysis of the responses to the consultation used a qualitative methodology known as thematic analysis, which is a widely recognised approach to qualitative data analysis that enables researchers to generate insights and concepts derived from data. Thematic analysis involves reading through a data set (such as personal testimonials, written responses to consultations, focus groups, transcripts from interviews), and identifying

patterns of meaning across the data. The process captures respondents' experiences, views and opinions.

The objective of the thematic analysis we carried out was to identify the themes in the responses to each question. A 'theme' in this context means a particular view, reason or position on the issue raised by the consultation question concerned, such as a reason for agreeing or disagreeing with X, or a view that NRW should do Y.

We built up the themes from the responses themselves, progressively defining the emerging themes as each response was read in turn, adding further themes when a new issue was raised, or assigning a comment or view to one or more of the themes already identified. The aim was to create a comprehensive summary of the responses received, not to present in detail every point made in the consultation responses.

For each question we have reported on the number of respondents who answered, and wherever applicable the proportion of respondents who answered 'yes' or 'no'. However we have not attached particular significance to any quantitative elements of the data, and have not attempted to quantify the prevalence of particular themes in the responses to each question. For example, if a single respondent drew our attention to a major practical or unforeseen problem with a proposal which was otherwise supported by many other responses, or if a respondent highlighted a significant benefit of a proposal which was otherwise 'unpopular' in the responses, the fact that only one respondent had made this comment did not render it insignificant. Also, we have not drawn a fundamental distinction between organisational and individual responses, or made any presumption that the former should carry more weight, as we believe that it is the content of the responses that has its own independent merits. In summary, the reporting of a particular theme in this document, is not dependant on the number or the identity of respondents expressing that theme.

Lastly, in reviewing and summarising the responses to those questions which asked respondents whether or not they agree with a proposal we put forward, we have paid particular attention to the reasons given by respondents who said they disagree with our proposals. In the consultation document we set out our rationale for each proposal, and if consultation responses made same or very similar arguments in support of a proposal, we have generally not restated them in this report.

Overall summary of consultation responses

Total number of consultation responses received

We received 621 responses to the consultation.

Number of responses to each question

The numbers of responses received to each consultation question, including the proportion of Yes/No answers, are shown in Appendix 1.

How responses were submitted

614 responses (99%) were submitted online using the NRW Consultation Hub, seven responses (1%) were sent by email and none were received by post.

Language of responses

620 responses were in submitted in English; one response was submitted in Welsh.

Form of responses

620 responses directly addressed one or more of the consultation questions. One emailed response was expressed in more general terms and did not specifically answer the consultation questions.

Question 4: Individuals/organisations

(mandatory question)

32 responses (5%) were submitted on behalf of organisations, and 589 (95%) were from individuals. The organisations which responded are listed in Appendix 2.

Question 5: Main reason for interest

(mandatory question)

The main reasons given by respondents for their interest in the subject matter of the consultation are shown in Figure 1.

Question 6: Geographic location of respondents

(mandatory question)

The geographic location given by respondents is shown in Figure 2.

Question 1: Confidentiality

(mandatory question)

99 respondents (16%) requested that their responses be kept confidential. None of the information contained in this document is attributable to any individual respondents.

Figure 1: Number of respondents by main reason for interest

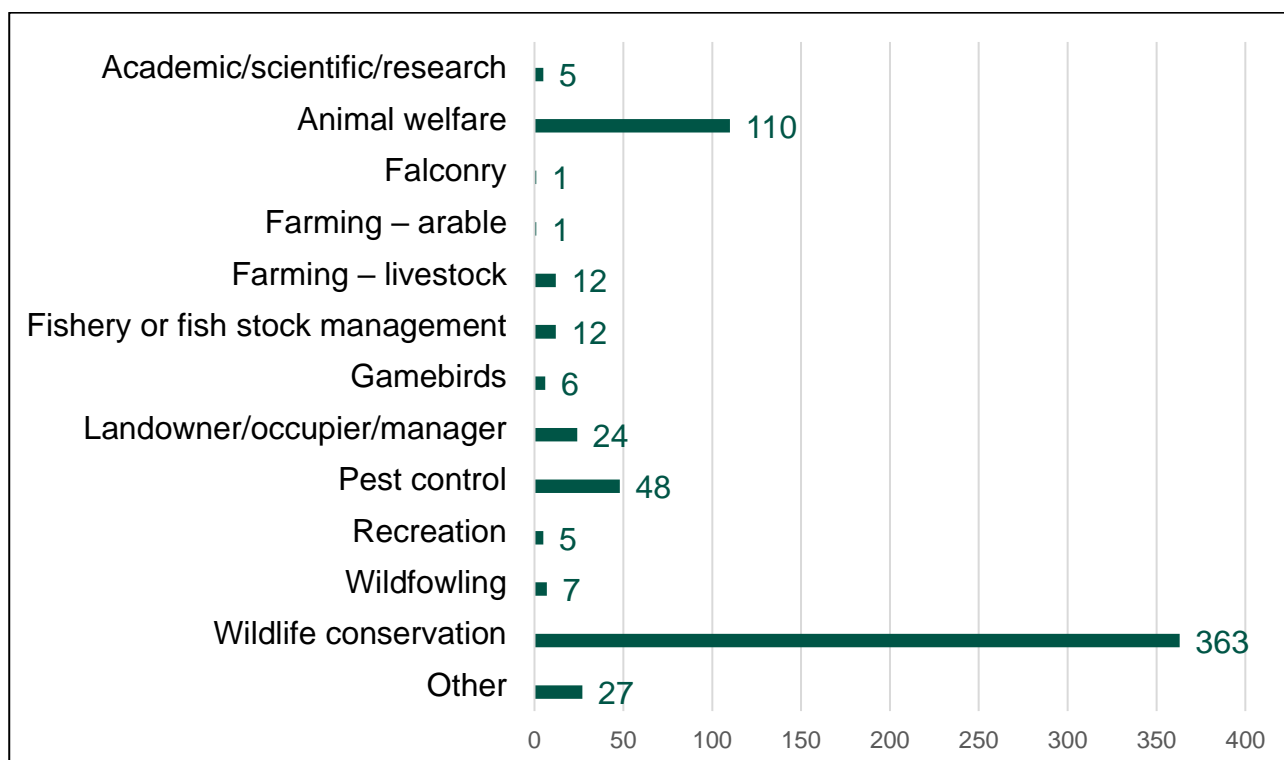
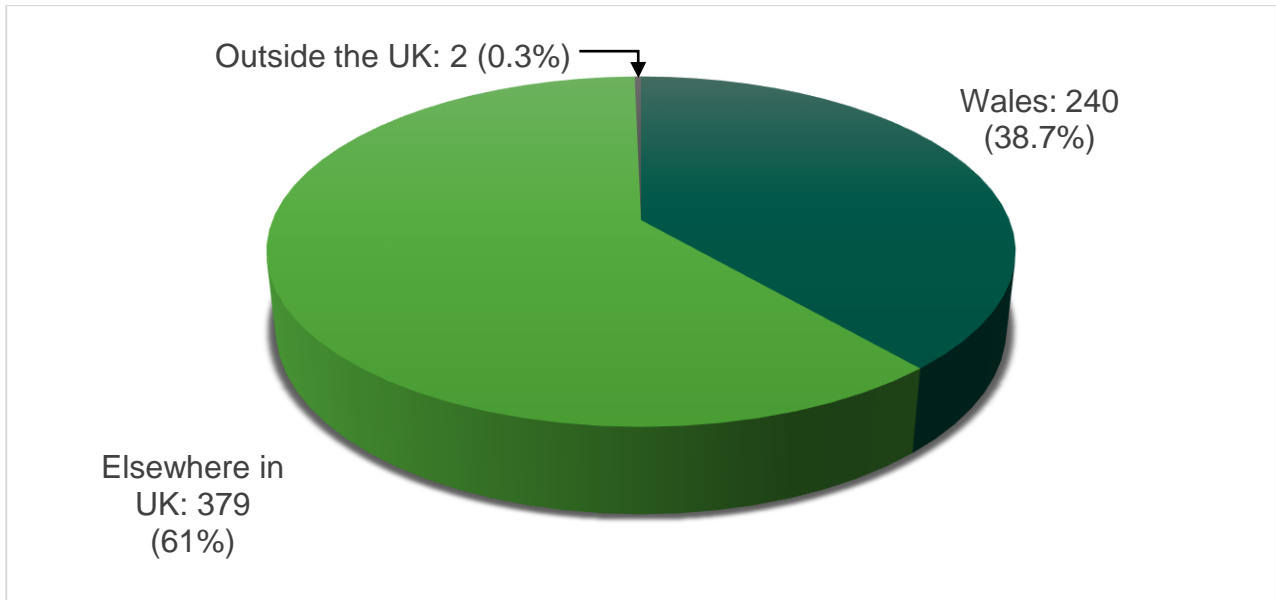


Figure 2: Geographic location of respondents



Our overall approach to licensing the lethal control of wild birds

General licences

Questions 7 and 8: Principles for deciding when general licences are appropriate

We proposed to adopt a set of principles which we will apply for deciding in which situations the grant of a general licence is appropriate.

Q7. Do you agree with the principles we are proposing to apply for deciding whether to grant a general licence?

Themes in the 'agree' responses

- There needs to be a transparent basis for granting general licences.
- The principles align well with Defra's approach. Many general licence users work in both Wales and England, so a common approach is important and welcome.
- The principles are OK but could go further or be better defined. For example:
 - application of the principles needs to accommodate the need to control local concentrations of pest species;
 - the principles align well with ethical principles for wildlife management, but need to more strongly encourage avoiding/ or resolving wildlife conflicts before resorting to lethal control;
 - Principle 2 relies on evidence of efficacy of lethal methods in addressing problems, but there is little or no evidence on the extent to which general licences are used, because they do not require any reporting by users;
 - Principle 7 is OK, but should mean that there are separate general licences for each target species.

Themes in the 'disagree' responses

- Principles 1 to 4 are unnecessary: they duplicate the legal requirement for licensing.
- Disagreement with the practical application of principle 5 being based on the red/amber/green status of the target species according to Birds of Conservation Concern (BoCC) assessments:
 - it disregards actual population size, for example would not allow control of an amber listed species whose population was still way in excess of historic levels, and the fact that species is declining should not itself be sufficient basis to exclude it from general licences (with specific reference to magpie);

- NRW is proposing to use an overly simplistic application of BoCC red/amber listing system and should consider individual BoCC criteria not simply the overall red/amber alert level, or use a different basis for assessing conservation status, such as the IUCN 'red list' assessment of risk of extinction;
- could create perverse outcomes, for example a small, very vulnerable, but stable population might be green listed, while a still very abundant and robust population showing evidence of decline might be amber listed;
- the proposed 3 yearly assessment (halfway between 6 yearly BoCC assessments) is too frequent and unnecessarily burdensome.
- Need flexibility in application of the principles – it's too strict to say they must all be met:
 - principles 5 and 6 are too rigid, for example if wild birds are causing serious damage or public health risk, the need to be able to control them overrides concerns about possible implications for their conservation status;
 - need common sense caveat, allowing principles to be departed from in particular cases if there are good reasons to do so;
 - there is no evidence that control of any species under general licences has contributed to its population decline.
- Principle 6 misses the point: there is evidence that control of corvids under general licences contributes to wildlife conservation, rather than being a risk to wildlife conservation. Making it harder for land managers to control corvids may be detrimental to conservation.
- Principle 3 is problematic: what is or is not a satisfactory alternative to general licences; is too open to interpretation.
- Can't support these principles because of disagreement with general licences themselves. NRW shouldn't issue general licences at all, so principles for doing so should be irrelevant.
- If NRW does decide to adopt these principles, they should be published/transparent, and it should be made clear whether they apply collectively or in a hierarchy.
- Principles 1 and 2 should be firmer, and require robust scientific evidence showing need for and effectiveness of wild bird control.
- Principles 3 and 4 are based on a false premise: specific licences are always an alternative to general licences.
- Principle 5 is based on false premise: putting any species on a general licence risks its conservation status because it allows unlimited killing.
- Question 7 is unreasonable in expecting a simple yes/no answer to a complex set of principles.

Q8. Do you think there are other principles or tests we should apply before deciding whether to grant a general licence?

Themes in the responses

- An additional principle that the application of all the others should be supported by clear scientific evidence.
- A principle establishing that lethal control under general licences should only ever be used as part of a suite of measures to reduce wildlife conflict and the need for lethal control.
- There should be a different 'starting point' for principles:
 - The focus should be on justifying removing species from general licences, in other words NRW should be considering how removing a species from a general licence will impact, for example, on conservation, farm incomes or public health and safety, rather than only looking at the evidence supporting including a species on general licences;
 - The 'burden of proof' for principle 6 is the wrong way around – it should be on establishing that any change to a general licence should not adversely affect the conservation status of other species.
- NRW should apply cost benefit analysis to general licence decisions by considering the benefits of wild bird control (including to animal welfare, crop protection, nature conservation, public health and safety) against the impact on the population of the licence target species. Reduction in target species population may be justified.
- A decision on whether a general licence is appropriate should also consider how many specific licences would be applied for and issued if a general licence was not issued for a given species-purpose combination.

Questions 9 and 10: Target species on general licences

We consider that magpie may not be suitable for inclusion on general licences in light of evidence of decline in their Welsh population.

Q9a. Do you think that magpie is suitable for inclusion on general licences in Wales in light of evidence of decline in their population in Wales?

Themes in the responses from those who said they think that magpie are suitable for inclusion on general licences

- Challenges and doubts about the robustness and reliability of BTO assessment of overall decline in the Welsh magpie population:
 - it doesn't account for regional/local variations;
 - other datasets (such as from the Big Garden Birdwatch) show increasing numbers of magpie:

- personal anecdotes/observations of many individuals that magpie are not in decline in Wales;
- there are significant gaps in Wales in the BBS survey data on which BTO assessments are based.
- Need to consider size of the magpie population. Only considering the recent decline is missing the key point, namely that when seen in the context of the current magpie population still being far higher than it was in the 1970s, any recent decline (or stabilisation) of the population should not be a cause for concern about its conservation status.
- The impact of magpie predation on other bird species is well documented in the literature and understood by conservationists – they need to be controlled, even if they are declining.
- The risks magpie pose to the conservation of rare or threatened species should outweigh concerns about any decline in magpie populations.
- Because of the damage they do to crops and livestock – they need to be controlled even if they are declining.
- According to shooting organisation membership surveys, magpie are subject to significant levels of control. If they were removed from general licences and if that resulted in a significant reduction in level of control, there could be a significant increase in the population, leading to increased predation levels and hence consequences for other species. There is a need to better understand the implications of removing magpie from general licences before making this change.

Themes in the responses from those who said they think that magpie are not suitable for inclusion on general licences

- While it is true that the magpie population trend since the 1970s shows increase rather than decline in magpie, it is unsafe to rely on this evidence since earlier datasets had very few data points in Wales.
- In the interests of consistency: because the data clearly show that magpie are declining, NRW should take same approach as with declining gull populations and remove them from general licences.
- Regardless of the population status of magpie, there is insufficient evidence of the impact of magpie on other species or on agricultural interests to justify including them on general licences. Specific licences should be required, where the case for magpie control has to be demonstrated in the licence applications.
- Magpie control is a rural tradition rather than done on the basis of evidence that it is effective or necessary for addressing problems caused by magpie to livestock.
- NRW has not made clear which particular species are expected to benefit from magpie control under GL004.

- NRW should either move to specific licences for magpie or could issue a class licence for control of magpie, with users required to register to use the licence and provide reports, so that NRW can collect data on numbers killed to inform future policy (including on whether control is needed in some areas but not others).

Q9b. If you answered No to question 9, do you think we should:

- **Not include magpie on general licences straight away, so that they would not be included on any general licences we grant in 2022?**
- **Wait until the next published BoCC Wales assessment before making the decision?**
- **Take another approach?**
- NRW should make decision when next BoCC is published, to ensure that the decision is made on basis of a clear trend and a robust assessment, which is important in terms of the decline in population having wider recognition and acceptance by stakeholders.
- Remove them from general licences straight away, to show positive action towards addressing the nature/biodiversity emergency.

Q10. Do you think there are other species which may be suitable for inclusion on a general licence?

Full list of species suggested in one or more consultation responses

- Corvids: carrion crow, rook, magpie, jackdaw, jay, raven.
- Pigeons and doves: feral pigeon, wood pigeon, collared dove.
- Gulls: gulls generally, common gull, herring gull, lesser black-backed gull, great black-backed gull.
- Starling.
- Fish eating birds: heron, cormorant, goosander, red-breasted merganser, scoters, sawbilled ducks generally.
- Geese and ducks: Canada goose, greylag goose, hybrid geese and ducks.
- Other non-natives: all non-native species, Egyptian goose, ring-necked parakeet, Mandarin duck, ruddy duck.
- Raptors: raptors generally, common buzzard.
- Game birds: pheasant, red-legged partridge.
- Mammals: fox, grey squirrel, mink, badger, rabbit.

Themes relating to particular species

- Rook:
 - because they're still green listed despite having been removed from general licences in 2019 due to decline, and population appears to be stabilising;
 - because current population is still far higher than in the 1970s, so decline is not of concern;
 - because BBS data showing decline may be skewed by small number of data points in Wales and effects of local control;
 - because of the evidence of their impacts, including as reported by APHA (crop damage, spread of disease to livestock, impact on red listed bird species).
- Cormorant, because its population in Wales is increasing and because it has no natural predators.
- Starling, because they spread disease to livestock and foodstuffs.
- Seagulls, to control them around landfill sites where they cause problems on neighbouring land.
- Raven: not necessarily appropriate to put raven on a general licence, but locally high concentrations can cause significant damage through livestock attack, and there are obstacles to obtaining specific licences.
- Jackdaw, for public health reasons.

Questions 11 to 14: Reviewing and reissuing general licences

We proposed to regularly review general licences, to decide whether any changes are needed in light of new evidence, and that the review be supported by an external advisory panel.

We proposed to continue to grant general licences on an annual basis.

Q11. Do you agree that general licences should be subject to regular review?

Themes in the 'agree' responses

- Agreement with the reasons given by NRW in the consultation paper (including to consider new evidence, to ensure general licences are fit for purpose, up to date and relevant, to ensure transparency).
- It would be wrong to continue to authorise killing of wild birds under general licences without regularly reviewing the necessity of doing so.
- Each annual decision to issue a general licence needs to be justified by the evidence. The killing of wild birds needs to be justified rather than assumed as a 'right'.
- Themes relating to the importance of the evidence base for reviewing general licences:

- relevant evidence for reviewing general licences includes evidence on the status of bird populations, on the extent of harms caused, and on the effectiveness of lethal vs non-lethal methods of control;
- reviews provide the opportunity to consider up to date evidence, including from elsewhere in the world;
- the data which are used in reviews must be robust and not subjective, biased or based on emotion;
- the need for killing birds needs to be based on evidence of actual harm rather than perceived harm and adherence to traditional rural practices;
- review data should relate to long term trends and not lead to knee-jerk reaction to short term issues;
- the evidence base for review of general licences would be more robust if NRW collected data on extent to which general licences are used.
- The reviews should assess whether general licences are achieving their purposes.
- The reviews should reflect changing public opinion.
- The reviews should consider both species in decline and species which are increasing in numbers and causing problems.

Themes in the 'disagree' responses

- NRW shouldn't issue general licences in the first place.
- The current general licences work well, so there is no need to review them.
- General licences will always be needed to control corvids.
- Establishing a regular process of reviewing general licences is unnecessary bureaucracy and a waste of public money.
- Concerns that the reviews will be overly influenced by political pressure and ill-informed public opinion.

Q12. Do you agree with the way in which we propose to carry out a regular review of general licences?

Themes in the responses

- Review frequency:
 - a review interval of three years is too long - it should be at least every one or two years (or even half yearly) to enable changes to be made in a timely way in response to new evidence;

- three years is appropriate time interval, but this should not preclude having two-year general licences, rather than one-year general licences as proposed;
- there should be a formal mechanism for considering objections to general licences during their term of validity;
- rather than a pre-determined review interval, reviews should take place only when necessary, such as when there is significant new evidence;
- three yearly reviews are OK but only if general licence terms and conditions are made much tighter, otherwise reviews should be annual;
- NRW could keep the review period itself under review, for example move to less frequent reviews over time if no problems or issues arise;
- reviews should be every six years to be in line with published BoCC assessments;
- other review frequencies suggested were: 2 years, 3 years, 5 years, 3-5 years, 6 years, 25 years, never.
- Stakeholder engagement in the review process:
 - as well as an advisory panel, reviews should include consultation with stakeholders;
 - concerns about the proper/fair constitution of advisory panel and risk of bias, either towards 'pro-shooting interests' or towards 'anti-shooting interests';
 - advisory panel should be comprised (only) of general licence users, not uninformed or politicised opponents of wild bird control;
 - advisory panel should not be dominated by general licence users with vested interests in maintaining status quo;
 - NRW would need to clarify how the advisory panel would relate to or affect existing stakeholder groups.
- Themes relating to the evidence base for reviewing general licences:
 - disagreement with proposal to use BoCC red/amber listing to determine species suitability for inclusion on general licences;
 - reviews should consider impact of any changes to general licences on rare species, not just consider the conservation status of the general licence target species;
 - concern that evidence base for reviews will be weak given that NRW gathers no data on use of general licences, their effectiveness or the extent to which users try non-lethal means.
- Transparency of the review process is paramount: advisory panel recommendations should be made public.

- Concern with NRW's ability to commit sufficient resources to do these reviews regularly and properly over the long term.

Q13. Do you agree that general licences should continue to be issued for one year, and run from January to December?

Themes in the 'agree' responses

- No reason to change from current approach.
- Annual cycle of general licence re-issue is long standing and familiar to users.
- Annual reissue enables new general licences to respond in a timely way to any new evidence.
- Could consider moving to two-year general licences, but this would need to be subject to consultation before introducing such a change.
- It is important that there are no 'gaps' in licence validity due to the need to be able to control birds 365 days a year, so new licences should continue to come into effect just as old ones expire.
- There should be a reasonable lead-in time where new general licences are publicised before they come into effect, especially if any significant changes are made. Suggestions for length of lead in time included 3 months, 6 months, 12 months.
- January to December licences make sense and are familiar to users.

Themes in the 'disagree' responses

- General licences should be valid for more than one year at a time:
 - suggested timespans included general licences being issued for 2, 3, 5, 6, 10 years or indefinitely;
 - longer general licences would reduce costs for all concerned;
 - NRW should link reissuing of general licences with the proposed review cycle, in other words issue them for 3 years and reissue following the proposed 3 yearly reviews;
 - reissuing general licences annually creates risk of making premature changes to the licences for political reasons or in response to public opinion/campaigns, rather than in light of robust evidence;
 - any changes general licences takes several years to become widely known and understood by users.
- Annual general licences are OK but that should not mean that lethal control of wild birds should be authorised to take place throughout the year. Control should only be

allowed at relevant times of year, for example during the bird breeding season, or when crops and livestock are vulnerable to attack.

- Annual general licences are OK but there should be different start/end dates. October to October would give time for users to become familiar with any changes before the main seasons of use for both GL001 (prevention of serious damage) and GL004 (conservation of wild birds).

Q14. Do you have any other suggestions concerning the regular review and reissue of general licences?

- The evidence base for conducting reviews:
 - reviews should be informed by robust data, including on how many birds are killed each year under general licences;
 - each review of general licences should include a formal information gathering stage (for example a call for evidence);
 - NRW should have a budget to commission the gathering of evidence specifically targeted to support the reviews.
- Approach to stakeholder engagement:
 - reviews should include consultation with (all) stakeholders;
 - no need for public consultation provided general licence users are part of the review panel;
 - the review process should draw on, or only on, the practical knowledge and experience of land managers and general licence users;
 - only people and organisations who live or work in Wales should be involved.
- Themes relating to the scope and terms of reference of the review process:
 - reviews should be equally open to adding species or purposes to general licences, as about removing them from general licences;
 - reviews should adopt a precautionary approach when considering the impact of changes to general licences on the interests that the licences are intended to protect (including farming businesses and other wildlife);
 - the default position should be no general licences are issued unless a clear scientific case for granting a general licence is made each time;
 - reviews should include making recommendations for changing legislation, including whether some species of wild bird should be added to schedule 2 of the Wildlife and Countryside Act 1981, noting that there is no longer a need to conform with the EU Birds Directive;

- reviews should consider evidence on compliance with general licences, which should be withdrawn if there is evidence of non-compliance.

Question 15: The form in which general licences are published

We intend to discontinue the practice of publishing general licences in PDF form, and to issue them as HTML pages in future.

To support and encourage the use of the Welsh language in all areas of NRW's remit, we will also continue to publish general licences bilingually in Welsh and English.

Q15. Do you have any comments on the format of general licences or any suggestions on how we could improve them in terms of presentation?

- Retain PDF versions alongside publishing the licences in HTML format:
 - PDF documents are easier to print, which is helpful in the context of the advice given to licence users to keep a copy with them when using the licence, and for providing copies to people without access to computer (noting that Welsh Government policy is to continue to support people who are digitally excluded in accessing Welsh public services);
 - there is minimal additional cost to NRW of making general licences available in both formats;
 - PDF versions are useful specifically as an alternative to printed versions – users can keep a downloaded copy on a device when in the field, independently of access to the internet.
- General licences should be simple, concise documents:
 - they should ideally be single page documents;
 - stick to plain English and avoid legal and technical jargon;
 - general licence terms and conditions should be minimal, placing emphasis on discretion and judgement of licence users and avoiding the need for lots of detail;
- General licences should be detailed and precise:
 - they should include detailed definition of circumstances and conditions of lawful use, which requires them to be substantial documents;
 - they should not open to interpretation or leave users to decide what is lawful and what is not.
- Suggestions for additional content in general licences:
 - include a clause about disrupting lawful activity being carried out under the general licence, to give some protection to the user from harassment;

- include information about why the licence has been issued, for the benefit of both licences users and to anyone concerned about use of the licence.
- include pictures of the species which may be controlled.
- Don't issue general licences at all.

Questions 16 to 18: Standard terms and conditions for general licences

We proposed some changes to standard terms and conditions to be included in general licences.

Q16. Do you agree that a person authorised by a landowner or occupier to carry out actions under a general licence, should be authorised in writing by the landowner or occupier?

Themes in the 'agree' responses

- This would help ensure accountability and the investigation of potential offences, by removing doubt where person claims to have the permission of the landowner.
- Helpful to avoid poaching and reduces scope for casual killing of birds.
- Clarity on this is especially important where shooting rights are held by persons other than landowner.
- This is a reasonable proposal, noting that it does not have to entail a detailed legal document or contract: authorisation could be in the form of an email, handwritten note or even text message.

Themes in the 'disagree' responses

- This proposal is unnecessary and has no practical value:
 - an unnecessary additional paperwork burden for general licence users;
 - if there are any concerns/issues about lawful use of the general licence, it is preferable to check with landowners in individual cases rather than to impose this requirement across the board;
 - there is no evidence of any particular problem to which this proposal is being offered as a solution;
 - on most farms or estates there is no need for this, because it is clear to all concerned who is the landowner and who is working for the landowner;
 - there is no statutory requirement for written authorisation, therefore an offence would arise from lack of authorisation, not from lack of written authorisation, so this proposal would make no difference in compliance/enforcement terms;

- this is a pointless proposal unless NRW is planning to check all written authorisations.
- This proposal could create practical problems:
 - urgent action to control birds may be required and landowner may not be available to give written permission in a timely way;
 - if due to unforeseen circumstances an authorised person needs the assistance of another person (for example to attend to a trap), the need for written authorisation for the other person could be difficult to obtain quickly thus preventing action being taken in the interests of animal welfare;
 - the written authorisation could be mislaid – could that lead to an offence?
- Written authorisation may be useful for general licences users to be able to provide if challenged, but this should be advisory not a mandatory licence condition.
- Verbal contracts are sufficient in other areas of law, so verbal agreements should be sufficient in this context.

Q17. Do you agree that general licences should include a condition requiring users to first try to address the problem using alternative non-lethal methods, and to continue to make reasonable efforts to do so?

Themes in the ‘agree’ responses

- This will help ensure that lethal control is only done where it is necessary and for the specified purpose. For example it will help prevent people shooting birds for fun or convenience on the pretext of it being necessary for the licence purpose.
- Lethal control should be a last resort not a first resort. Without this condition there is nothing to encourage or require users to make any effort to tackle the problem before resorting to lethal control.
- This is a legal requirement for licences so it should definitely be included as a condition.
- Practical considerations:
 - agree that this condition is included but NRW should monitor the level of compliance with it;
 - lethal control should be part of a management plan which includes consideration of other non-lethal means of addressing problems, although it is very difficult for general licences to require users to have management plans.
- Any such condition should be defined in a way that still allows professional general licence users (such as pest controllers and gamekeepers) to exercise their judgement.

- This proposal aligns with the approach already in place in general licences in England, noting that consistency between Wales and England is important for many licence users. NRW general licences should use the same wording for this condition as in Defra licences.
- Most general licence users consider the use of non-lethal means anyway, so NRW should reinforce that, and help ensure that everyone does so, by making it a licence condition.

Themes in the 'disagree' responses

- Effectiveness of non-lethal means:
 - non-lethal means are not practical or effective in most circumstances – they simply defer or move elsewhere the problems caused by birds;
 - action is often needed quickly, therefore people needing to protect livestock, crops or nesting birds should not have to waste time experimenting with non-lethal methods – if they don't work, the harm will be done;
 - if non-lethal methods were effective or practical, they would already be being used instead of lethal control.
- Practicalities for general licence users:
 - NRW should not impose additional burden on general licence users - this will make the licences too complicated and difficult to comply with;
 - the proposed condition is too ambiguous, for example how much effort constitutes reasonable?;
 - at most general licences could include or link to information or guidance on use of non-lethal methods, rather than making this a mandatory condition.
- If a general licence has been duly considered and granted and is lawful (as are NRW's general licences) then lethal action is permitted and there is no reason to impose further conditions on general licence users, who should be allowed to exercise their own judgement. So this condition is unnecessary/overkill.
- A condition like this could harm bird conservation by discouraging control of predator species.
- Many non-lethal methods are inhumane.

Q18. Do you agree that general licence users should be advised to keep records of the actions they have taken under the licences?

Themes in the 'agree' responses

- Professionals carrying out wild bird should keep records anyway: it is useful to have this supported by advice in the licence.

- Pest control sector would be happy to share anonymised records in support of continuance of general licences.
- Record keeping is good practice and is widely done by general licence users, so agree with this proposal, but it should not be mandatory to keep records or provide reports to NRW.
- Record keeping would assist with investigation of incidents involving traps, and it would also be beneficial for trap users to have records which they can use in demonstrating lawful use of traps.
- This would not be an issue if NRW only granted specific licences. NRW should at least make general licences in this respect consistent with specific licences, which all require reporting.
- This would discourage excessive levels of killing of wild birds: if people are recording their actions they are more likely to think about whether those actions are necessary and legally compliant.

Themes in the 'disagree' responses

- There is no added value to this proposal and no clearly identified problem to which it is seen as a solution.
- This could even deter people from doing necessary wildlife management under general licences.
- Unwelcome additional bureaucracy/burden for users and for NRW.
- General licence users should be required (as a condition) to keep and submit records, not be simply advised to do so:
 - it is essential for NRW to have information on the extent to which general licences are used, both to inform future licensing decisions (including NRW's proposed general licence review process) and in the interests of compliance with general licence terms and conditions;
 - if record keeping is best practice and already widely done by competent/reputable users, making it mandatory and requiring records to be submitted would by definition not be a significant additional burden;
 - record keeping does not need to be onerous;
 - if this is purely advisory, people won't do it, there is no means to check compliance and therefore no point in including it.

Questions 19 and 20: Complying with protected site requirements when granting general licences

We proposed to continue to exclude from the scope of applicability of general licences, any SSSI notified for one or more species which is potentially sensitive to incidental disturbance from the shooting of wild birds.

Q19. Do you agree with our proposed approach to addressing protected site requirements when granting general licences?

Themes in the 'agree' responses

- This is essential to avoid risks of disturbance to sensitive species on protected sites. The risk of disturbance can be mitigated through the greater scrutiny and conditions that can be applied through the specific licence application process.
- Because wild bird control on protected sites should be part of a wildlife management plan, and this is only achievable through a specific licence application process.
- Agreement with the approach, subject to caveats:
 - as long as specific licences can be issued quickly when wild bird control is needed in the areas excluded from general licences;
 - as long as sites are monitored and pest control can be carried out where needed;
 - provided it is made easier for users to find information on the exact locations of the excluded sites.
- NRW's approach is in line with Defra's which is working well.

Themes in the 'disagree' responses

- Additional regulatory burden:
 - NRW should follow approach adopted in Defra's general licences to protected sites.
 - NRW is wrong to imply that removing need for SSSI consent relieves the regulatory burden – it simply moves the burden from SSSI consenting to species licensing, and furthermore some SSSIs do not require consent for activities permitted by general licences;
 - any reduction in regulatory burden through NRW's approach is cancelled out by general licensees having to obtain SSSI consent anyway for ancillary activities which are not permitted by the licence (for example use of vehicles);
 - this is an unfair additional regulatory burden on landowners in/around SSSIs who need to carry out wild bird control;
 - NRW will not be able to quickly process large number of specific licence applications on all these excluded sites;

- Disagreement that general licences pose a risk to protected sites:
 - there is no evidence that use of general licences on protected sites poses any risk to the site features - any disturbance caused by shooting will in any case be minor and short-lived;
 - wild bird control helps conserve protected sites (through control of predators) rather than being a risk to protected sites, so NRW should be encouraging predator control in SSSIs not creating obstacles to it by requiring specific licence applications;
 - discouraging predator control in protected sites could make them havens for vermin;
 - it is nonsensical that one can shoot wildfowl (or rabbits) in an SSSI, but not shoot other birds under a general licence in the same SSSI or on an adjoining field.
- The standard 300m buffer zone around all excluded sites is arbitrary and the need for any such buffers should be considered on a site by site basis.
- As an alternative to excluding protected sites from general licences, NRW should consider the option of having registered trusted practitioners, authorised under a form of general licence, to carry out wild bird control in/around protected sites in the interests of conserving the site features, especially rare nesting birds vulnerable to corvid predation.

Q20. Do you agree with the list of sites and buffer zones where we are proposing that general licences should not apply?

Themes in the ‘agree’ responses

- There were no relevant additional comments provided.

Themes in the ‘disagree’ responses

- Disagreement with list of sites because of disagreement with the overall approach NRW is taking.
- General licences should apply everywhere – there should not be any protected site exclusions.
- If continuing with the current approach NRW should review why some sites have been excluded. Some excluded SSSIs are notified only for habitat types or geological features, which cannot conceivably be significantly impacted by general licence use (for example Carmel Head SSSI).
- NRW should keep the list of excluded sites under review.
- Sites should only be excluded based on actual evidence of the need to do so.
- NRW should provide evidence/references justifying the proposed buffer zones.

- General licences should not apply in any SSSIs. Any wild bird control in SSSIs should be regulated under specific licences.
- Specific sites were referenced in some consultation responses:
 - Berwyn should not be excluded – critical need for corvid control to conserve other rare breeding species;
 - excluding River Usk and a 300 metre buffer prevents control of Canada geese in neighbouring farmland impacting on crops.

Specific Licences

Questions 21 and 22: Specific licence applications and reporting

We are reviewing our processes for receiving and determining applications for specific licences to kill or take wild birds, eggs and nests, and sought views from stakeholders on how the specific licensing process might be improved.

Q21. Do you have any suggestions on how the process of applying for a specific licence, including the application forms, could be improved?

- Reducing the timescale and complexity of the licence application process:
 - the current 40-day standard of service is too long - determining applications within 20 days would be a more reasonable maximum turnaround time;
 - NRW should consider screening of applications, whereby straightforward applications can be dealt with quickly and more complex or contentious ones considered in more detail;
 - the level of evidence required is overly burdensome – it should be in proportion to the nature of the application and level of risk;
 - a stakeholder group could be established to assist NRW in reviewing and improving the licence application process;
 - for licence renewals, streamline the process so that specific licences are automatically renewed or remain valid subject to submission of an annual report by the licensee.
- Support for licence applicants:
 - NRW should provide an approachable customer service to assist licence applicants;
 - advice regarding other options to control wild birds should be available to licence applicants while their application is being processed.

- NRW should consider charging a fee for specific licence applications to help fund improvements to the licensing service.
- There needs to be greater clarity and transparency on how NRW determines licence applications, specifically in relation to decision on the numbers of birds allowed to be killed/taken, which often do not meet the needs of licence applicants.
- The process of applying for a licence to kill/take wild birds should be similar to the process for applying for permission to photograph, film or work on any other species that requires a licence.
- Specific licences should not be required: any licences for the control of wild birds should be authorised by general licences should be granted for the control of any species of wild birds.

Q22. Do you have any suggestions on how the requirement to provide reports on activity carried out under specific licences, including the reporting forms, could be improved?

- Reporting needs to be more straightforward – it is too burdensome on licensees.
- The level of information being sought via licence returns needs to be realistic and proportionate so as to minimise the burden on licensees.
- An easy-to-use online form for providing licence returns should be provided (for example following a similar approach to the national fishing rod catch reporting system).
- Both online and paper based reporting options should be available.
- Licence returns should be required from all specific licensees, including if no wild birds were actually killed or taken under the licence.
- Reporting should not be necessary for licences which are used to control pest bird species.

Authorising the use of lethal methods

Questions 23 and 24: Principles for licensing the use of lethal methods

We proposed that licences allowing the lethal control of wild birds should only authorise the use of methods which are not prohibited under the Act, unless there are good reasons why a prohibited method should also be authorised.

We proposed that any general licences we grant should allow the use of all methods which are not prohibited by section 5 of the Act.

Q23. Do you agree with the overarching principles we have set out for deciding which methods should, and should not, be licensed for the killing or taking of wild birds?

Themes in the 'agree' responses

- Only humane methods should be used.
- Allow flexibility within the licence to use alternative methods for one-off situations where legal methods are not working.
- The way the principles are expressed enable flexibility and should mean decisions are made based on evidence and common sense.
- There needs to be flexibility to accommodate particular situations where non-prohibited methods are ineffective.
- All methods allowed by the legislation should be allowed by licences.

Themes in the 'disagree' responses

- Licences should be specific about which methods are authorised, rather than authorise anything that is not prohibited by the Wildlife and Countryside Act. NRW's proposed approach would allow use of novel and potentially inhumane or environmentally damaging methods not foreseen when the legislation was enacted.
- As wide a range of control methods as possible should be permitted (specific mention made of electronic callers, sound recordings and semi-automatic shotguns).
- The humaneness of the method should be the only consideration.
- All legal methods should be allowed by general licences.
- Prohibited methods in the legislation should not be allowed on licences.
- There should not be any methods licensed for the killing or taking of wild birds.

Q24. Do you think there are other matters we should take into account in deciding which methods should and should not be licensed?

- Cost, practicality and efficiency of lethal methods should be the overriding considerations.
- Welfare concerns should be paramount: inhumane methods should not be allowed.
- Take a flexible approach.
- NRW's approach to deciding which methods should be authorised:
 - approval of the use of any method should be based on thorough assessment of its effectiveness;

- there should be a rigorous approach to deciding whether to approve use of a prohibited method, comparable to the expert panel which approves methods used in capture and ringing of birds for scientific purposes – there is no justification for not having similar rigour when allowing use of lethal methods;
- any new methods of control should to be monitored and subject to further approvals;
- there should be periodic review of new scientific evidence relating to use of lethal methods;
- there should be very good justification for allowing, on a specific licence, the use of any method which is not permitted on general licences.
- there should be consistency between specific and general licences.
- NRW should issue guidance on use of lethal methods and to remind users of their responsibilities under animal welfare legislation.
- NRW should consider use of class licences to restrict use of certain methods to competent professionals.
- Non-lethal methods should be tried first.
- Consider whether particular methods should/should not be allowed in different geographical areas.

Questions 25 to 27: Which lethal methods should be authorised

We proposed that general licences should allow, in addition to the use of all non-prohibited methods, the use of semi-automatic weapons and cage traps.

Q25. Do you agree that general licences granted by NRW for the lethal control of wild birds should allow the use of ALL methods which are not prohibited by section 5 of the Wildlife and Countryside Act 1981?

Themes in the ‘agree’ responses

- This will help ensure that the terms of general licences are aligned to the Wildlife and Countryside Act, which should encourage compliance.
- Methods which are not prohibited are by definition lawful and should therefore be allowed on any general licences.
- There should be a periodic review of new scientific evidence relating to use of lethal methods to ensure best practice.

Themes in the ‘disagree’ responses

- Methods used to kill or take wild birds should be justified in licence applications.

- General licences should be specific about the methods permitted to be used for particular species, rather than authorising anything on the basis that it is not prohibited under the Wildlife and Countryside Act.
- NRW should have a list of methods that can be used where evidence shows that they are effective and do not have unacceptable impacts on the welfare of target or non-target species.
- The use of air weapons is of concern due to the lack of regulation and potential for their misuse in shooting live targets.

Q26. Do you agree that any general licences granted by NRW should continue to allow the use of semi-automatic weapons and cage traps?

Themes in the 'agree' responses

- Both of these methods are cost effective, efficient, humane and practical. Using less effective methods would be counterproductive, not solve the problem and could be worse in animal welfare terms.
- Semi-automatic weapons allow faster dispatch, allowing repeated shots to be fired more quickly if required.
- Non target species can be released unharmed from cage traps.
- These methods are the only practical way to manage large numbers of birds.
- Removing semi-auto weapons would go against NRW's proposed Principle 7 for general licences.
- Caveats to agreeing with the proposal:
 - users should undergo training in correct operation of traps, particularly in relation to ensuring animal welfare;
 - traps need to be right size and regularly checked, and need to be regularly moved as birds can become cage shy;
 - semi-automatic weapons should be lawfully held;
 - cage traps should be registered so that operators are identifiable and accountable for their proper use.
- Both methods were deemed appropriate and lawful during the Judicial Review which concluded in January 2021.
- General licences should also continue to allow the use of artificial lighting and nets (both of which are prohibited methods) to control pigeons in buildings.

Themes in the 'disagree' responses

- Cage traps are not checked frequently enough so can cause suffering and harm to target and non-target species.
- People may not be correctly using all methods.
- The use of prohibited methods should be included as part of a wildlife management plan.

Q27. Do you agree that any method which is allowed under general licences should also be allowed, if applied for, under specific licences?

Themes in the 'agree' responses

- There were no relevant additional comments provided.

Themes in the 'disagree' responses

- If a method is authorised by a general licence, no further licencing should be required.
- Specific circumstances must be considered.
- Only non-lethal methods should be used to control wild birds.

Regulating the use of cage traps

Questions 28 and 29: Types of cage trap that may be used

We proposed to specify the types of cage traps that may be used under general licences and that anyone wishing to use a different type would need to apply for a specific licence.

Q28. Do you agree that NRW general and specific licences should specify the types of cage trap that may be used?

Themes in the 'agree' responses

- Benefits of the proposal:
 - will provide welcome clarity for cage trap users and non-users, in particular so that users and the public can be confident licence terms and conditions are being complied with;
 - vital to prevent use of traps which may be unsuitable in terms of the welfare of trapped and decoy birds;
 - will facilitate compliance checks and any enforcement action;
 - could enable data to be collected on animal welfare impacts of being trapped (as has already happened in Scotland).

- It should still be possible to apply for a specific licence to trial a trap design which is not permitted (although this will require an amendment to the application forms).
- Specific comments on aspects of trap design that should be permitted:
 - in relation to Larsen traps, the maximum size of trap doors and numbers of decoys should be specified, to reduce abuse of the traps to deliberately catch raptors;
 - traps for feral pigeons should be authorised.

Themes in the 'disagree' responses

- The current system, which doesn't specify trap design, works well. No evidence has been provided of any problems with this approach.
- These are live-catch traps, so any non-target species which are trapped can be released.
- Trap users are best qualified to know what trap designs should be used.
- Licences should be light-touch and easily understood. Specifying trap types could cause confusion.
- Cage traps should not be allowed at all.

Q29. Do you agree with the types and specifications of cage trap which we propose to authorise for use under any general licences we grant?

Themes in the 'agree' responses

- Caveats to agreement with the proposal:
 - there should be a streamlined process for adding new designs or products to the approved list of trap types, so as to support innovation;
 - evidence should be obtained on efficacy of the approved designs and their impacts on welfare of decoy, target and non-target species.
 - the knowledge and practical experience of cage trap users is critical to ensuring that the right decisions are made here;
- Traps should be secured in place to prevent them being dragged.
- There should be a limit on the maximum number of decoy birds which can be used (in a multi-catch trap).

Themes in the 'disagree' responses

- No relevant comments provided.

Questions 30 and 31: Use of meat-based bait in cage traps

We proposed that any general licences we grant will not allow the use of meat-based bait in cage traps, that anyone wishing to use meat-based bait would need to apply for a specific licence, and that if meat food is used for decoy birds it should be diced.

Q30. Do you agree with the proposal not to allow the use of meat-based baits under any general licences granted by NRW?

Themes in the 'agree' responses

- Reduces the risk of catching (non-target) raptors and other species of wildlife.

Themes in the 'disagree' responses

- Risk of by-catch is low. This is a rare occurrence and if non-target species are caught, they will be released unharmed anyway.
- Effectiveness:
 - the most effective bait should be allowed to be used, and meat is the most effective bait for some species;
 - if use of meat bait is not allowed it could reduce the control of wild birds for conservation purposes with adverse implications for species of conservation concern;
 - meat bait may be required in late winter (when birds have not yet switched to feeding on eggs, or when operating without a decoy), so flexibility to take the appropriate approach at different times of year is needed.
- Regulatory burden:
 - this is over complicated and confusing, creating differences of approach between general licences and specific licences and for different types of decoy bird;
 - needing to apply for a specific licence to use meat-based bait is disproportionate;
 - this should be advisory only rather than an outright prohibition;
 - NRW should adopt Defra's more flexible approach, namely that meat baits, including carrion, should not be used unless strictly necessary, with advice given on when use of meat bait may be necessary.

Q31. Do you agree that continuing to allow the use of diced meat as feed for decoy birds achieves the right balance between mitigating the risk of catching non-target species and the welfare of decoy birds?

Themes in the 'agree' responses

- Research is needed to establish the degree to which diced meat encourages raptors into traps.

Themes in the ‘disagree’ responses

- The proposal is overly restrictive:
 - it is over-complicated and could cause confusion as to what is or is not allowed;
 - decoy birds for whom meat is part of their diet should be allowed to feed as naturally as possible;
 - the risk of by-catch is acceptable because any non-target species can be released unharmed.
- The proposal is not restrictive enough: meat bait should not be allowed at all unless it can be shown not to encourage raptors to enter traps.

Questions 32 to 34: Method of dispatching captured birds

We proposed that the use of cage traps for lethal control should be subject to a condition requiring captured birds to be killed out of sight of other birds, except in relation to multi-catch traps. We also proposed to require users to dispatch captured birds as soon as practicable after discovery.

Q32. Do you agree that licences should include a condition requiring captured birds of the target species to be killed out of sight of other captured birds and decoys, except in relation to multi-catch traps?

Themes in the ‘agree’ responses

- If implemented, this condition needs to be carefully defined so that it does not lead to birds being transported significant distances or kept for long periods after discovery before being dispatched.
- Agreement with the precautionary approach to animal welfare that NRW is proposing here, given the lack of evidence.
- Acknowledgement that there is an evidence gap, but it is nevertheless likely that distress to intelligent birds in traps such as corvids, will be increased if they witness the killing of other birds.
- NRW’s approach aligns with the Animals (Scientific Procedures) Act Code of Practice, under which killing should not normally be performed in areas where other animals are present.

Themes in the ‘disagree’ responses

- The proposed condition is too restrictive, and should include a ‘where reasonably practicable’ qualification rather than be an absolute requirement.

- It is more practical, and causes less suffering, to kill trapped birds in situ.
- There is no evidence to support this proposal.
- Inconsistency with what NRW is proposing in relation to multi-catch traps.

Q33. Do you agree with the proposal to allow users of multi-catch traps discretion to kill trapped birds within sight of other birds where they consider that the additional delay and handling caused by moving out of sight to kill each bird would cause more distress?

Themes in the 'agree' responses

- Capturing and removing each trapped bird before dispatching it will cause more distress than dispatching in situ.
- This is a pragmatic compromise position.

Themes in the 'disagree' responses

- General licences don't include any requirement for users to have a level of competence in killing birds quickly and humanely.
- NRW has not given any consideration to specifying which methods of dispatching birds should be allowed to be used to humanely kill multiple birds in one large space (example given of crows in multi-catch trap being struck with a baseball bat).

Q34. Do you agree that trap users should be required to kill trapped birds (of the target species) as soon as reasonably practicable after discovery?

Themes in the 'agree' responses

- This is in line with best practice guidance in the pest control sector.
- Caveats to agreement with the proposal:
 - in the interests of animal welfare, traps should be inspected frequently (for example at least twice a day);
 - consideration should be given to the use of alarms reacting to presence of birds in traps, to trigger immediate inspections;
 - 'Reasonably practicable' should be clearly defined.

Themes in the 'disagree' responses

- No relevant comments provided.

Questions 35 and 36: Inspection of cage traps

We proposed to make clearer the requirements concerning the nature of cage trap inspections, and to set a maximum interval between inspections of 25 hours.

Q35. Do you agree that NRW licences should specify, as a licence condition, the matters that must be addressed at each cage trap inspection?

Themes in the 'agree' responses

- This proposed condition should cover at least the same matters as are specific in condition 5 in Defra's GL33 in England.
- The use of trap alarms should be required, to supplement (but not replace) regular physical inspections.
- There should be a requirement that a trap inspection must be such that the user is close enough to touch the trap (concern expressed that persons illegally operating traps to catch raptors inspect them from a distance, to reduce the risk of them being caught if the trap is under surveillance).
- Those inspecting traps need to be able to identify and fix any faults with the trap and replenish food/water for decoy birds.

Themes in the 'disagree' responses

- This is an unnecessary additional regulatory burden:
 - the proposal is superfluous as the Animal Welfare Act 2006 already addresses these issues;
 - the majority of cage trap users are experienced and understand animal welfare requirements, and will therefore attend to these matters anyway;
 - it is not practical to include such detailed specifications in licences;
 - this is too much paperwork / red tape / bureaucracy.
- NRW doesn't have the expertise to specify these types of conditions.
- The welfare of decoy birds is better served by long distance visual checks, which cause less disturbance.

Q36. Do you agree with our proposal to specify a maximum interval between inspections of 25 hours?

Themes in the 'agree' responses

- Ideally traps should be inspected twice a day during daylight hours.

- The maximum inspection should be shorter than 25 hours for smaller traps such as clam traps.
- To enable evidence-based decisions to be made on this issue, research is needed to assess animal welfare impacts of confinement in traps for different intervals up to 24 hours.

Themes in the ‘disagree’ responses

- There should be provision for longer inspection interval (for example 30 hours) in exceptional/unforeseen circumstances, such as adverse weather.

Question 37: Use of wing-clipped decoy birds

We proposed to prohibit the use of wing-clipped birds as cage trap decoys.

Q37. Do you agree with our proposal to include a condition prohibiting the use of wing-clipped birds as cage trap decoys?

Themes in the ‘agree’ responses

- Wing clipping is a form of maiming and the practice of maiming birds is cruel and barbaric.
- Wing clipped birds will feel more vulnerable to predators while in the trap.
- A wing clipped bird will experience considerable suffering if it is released or escapes.
- Wing-clipping is unnecessary and serves no purpose in terms of effectiveness of the use of decoys.
- Tethering, blinding or maiming of live decoys is prohibited under the Wildlife and Countryside Act, so unless NRW authorises these practices, they are offences. Therefore NRW should go further than is proposed, and not allow live decoys to be blinded, tethered or maimed in any way.
- NRW should not allow use of live decoys altogether.
- NRW should seek advice on whether wing clipping is an offence under animal welfare legislation.
- People carrying out wing clipping may not be competent to do it properly.

Themes in the ‘disagree’ responses

- Wing clipping calms the decoy bird and helps it adjust to being confined.
- Wing clipping reduces risk of decoy birds harming themselves while in the trap.
- Decoy birds are normally dispatched after use rather than released (there is no reason to release a pest species), so it doesn’t matter if their wings are clipped.

- Cage traps which use live decoys are an effective way to control vermin, so NRW should not be imposing further restrictions on this method of control.

Question 38: Administration of licences which allow use of cage traps

We proposed to grant a dedicated general licence which sets the standard conditions relating to use of cage traps, such that where the use of cage traps is authorised under other licences (general or specific), users would be subject to the standard terms and conditions in the dedicated cage traps general licence.

Q38. Do you agree that we should introduce a dedicated general licence containing standard terms and conditions for the use of cage traps?

Themes in the ‘agree’ responses

- Having all cage trap conditions in one document would be a useful reference and aid for training purposes.
- This would be helpful in terms of checking users’ compliance with conditions of cage trap use.
- This approach has been taken in England where it has been helpful in ensuring that cage trap conditions are standardised and consistent across all licences.

Themes in the ‘disagree’ responses

- Codes of practice and guidance are already in place (for example the Game and Wildlife Conservation Trust’s code of practice on the use of Larsen traps) so additional rules or guidance on cage traps is unhelpful and could be confusing.
- Having cage trap conditions in a separate licence or document, rather than alongside the other conditions included within a particular licence, is unwelcome additional paperwork for licence users and could lead to confusion.
- Agreement with the principle of consistency of cage trap conditions across all general licences, but it is preferable for licence users if the necessary conditions are included in whichever general licence they are operating under.

Question 39: Mandatory registration or tagging of cage traps

Registration or tagging of cage traps does not form part of our proposals at this stage. We intend to maintain a watching brief on the trap registration scheme in Scotland and we may reconsider trap registration in future.

Q39. Do you have any views on whether a mandatory scheme of trap registration and tagging in Wales would be beneficial?

Themes in the responses in favour of the introduction of mandatory registration of traps

- Essential in enabling compliance checks and potential enforcement action where necessary.
- Tagging is required to enable trap users to be identified with the standard of certainty needed for potential criminal offences to be investigated. The lack of tagging has hindered the investigation of offences, including with respect to raptors. For this same reason traps need to be registered to individual operators rather than to a company or estate.
- The previous poor uptake of a voluntary scheme to register and tag traps, underlines the need for this to be made mandatory.
- General licences authorise the use of cage traps, which would otherwise be unlawful. It is therefore reasonable that those taking advantage of this derogation should be able to be held accountable, in line with NRW's proposed general licence principle 7.
- The approach in Scotland taken by NatureScot was cited as good practice.

Themes in the responses against the introduction of mandatory registration of traps

- Data security concerns:
 - risk of registered trap users' personal data being leaked or unlawfully obtained, potentially putting them at risk of being targeted by animal rights activists (example cited of leaks of data about firearm licence holders);
 - leak of information about trap locations, creating opportunities for vandalism/sabotage.
- Unwelcome additional bureaucracy.
- Lack of evidence of the problem to which trap registration would be the solution.
- Previous advice (prior to 2019) that traps be tagged was not adhered to or even promoted, therefore this would be contrary to NRW's proposed general licence principles (specifically in relation to enforceability).
- There should be an analysis of the efficacy of the NatureScot scheme before deciding whether to introduce mandatory trap registration in Wales.

Question 40: Additional views on the use of cage traps

Q40. Do you have any additional views on the approach that NRW should take towards regulating the use of cage traps for lethal control of wild birds?

- Suggestions for additional matters to be addressed in licences which authorise the use of cage traps:
 - there are a number of essential or useful conditions in Defra's GL33 which should be applied in Wales (specific reference made to GL33 conditions 3 and 7);

- traps should be located so as to minimise the risk of capturing or harming non-target species, and damage to or interference with the trap by animals or people;
- there should be a requirement to release non-target species in situ (unless injured or listed on Schedule 9 of the Wildlife and Countryside Act);
- it should be made clear that if conditions can't be met, traps should not be set;
- NRW should consider restricting use of cage traps by season and habitat, primarily to reduce risk of capture of raptors (multi-catch traps cited as biggest risk);
- there should be limits on the size of the entrance to ladder and funnel traps.
- Introduce a competency test for trap operators (comparison made with competence required for bird ringing).
- Introduce a requirement for users to provide returns of numbers and species of birds taken.
- There is no evidence to suggest any need to introduce further regulation of the use of cage traps.
- Clarity and succinctness of language is needed in licences. Continued engagement with user organisations would help ensure this.
- A fair and balanced approach should be taken to ensure farmers can protect their livelihoods and wildlife managers can continue to manage wildlife.

Considering other regulatory approaches

Question 41: Considering other regulatory approaches

We are not currently proposing to introduce any new types of licence such as class licences, but to continue to authorise lethal control of wild birds through a mixture of specific licences and general licences. We intend to keep this position under review and may consider the use of class licences in future.

Q41. Do you have any views on areas of wild bird control licensing where the use of an alternative approach to specific and general licences could be beneficial?

- Support for the introduction of class licences:
 - they could be used instead of general licences, where more evidence of the problem concerned is required to justify the killing or taking of wild birds;
 - the key component of class licences could be a reporting mechanism which would enable NRW to establish evidence of the problem and collect data on numbers of birds controlled;

- would entail registration of individuals enabling NRW to require users to provide evidence of their competence, and enabling NRW to know the identity of persons acting under the licence (particular reference made to the control of wild birds for public health purpose, conservation purpose and in respect of maintaining animal welfare standards);
- would allow greater control of which species are subject to control and under what circumstances;
- class licences could be useful in commonly occurring circumstances that are not sufficiently frequent or widespread to justify granting a general licence, for example dealing with birds in food premises.
- Opposition to the introduction of class licences:
 - requiring licence users to provide their personal details to NRW could put them at risk if their data was leaked or unlawfully obtained by anti-shooting activists;
 - given the current lack of evidence on whether or not class licences would be beneficial and in what situations, they should be kept under review, with further stakeholder engagement on the issue;
 - class licences are just another layer of bureaucracy and control;
 - there are no real benefits of class licences and they could reduce people's ability to undertake necessary pest control (specific reference to corvids);
 - most general licence users already hold firearm certificates and therefore have already been assessed as competent to be using the licence.
- Alternatives to licensing lethal control:
 - only specific licences should ever be issued for the killing of wild birds, and they should be dispensed very carefully and sparingly;
 - there should be far greater emphasis on addressing problems caused by birds before granting licences allowing lethal control;
 - in relation to gulls, in particular BoCC red and amber listed species, relocating the birds/chicks/eggs/nests should be considered as the default or preferred approach, before granting a licence allowing lethal action;
 - we should be rewilding and restoring the natural environment to address the so called 'problems' caused by wild birds, rather than allowing them to be killed.

Our approach to licensing the lethal control of wild birds in specific contexts

Preventing serious damage or spread of disease to livestock, foodstuffs, crops, vegetables or fruit

Question 42: Appropriateness of a general licensing approach for preventing serious damage or spread of disease

We proposed to continue to grant a single general licence for the purpose of preventing serious damage or spread of disease to livestock, foodstuffs for livestock, crops, vegetables or fruit.

Q42. Do you agree that we should continue to grant a single general licence for the prevention of serious damage?

Themes in the 'agree' responses

- GL001 is lawful and familiar to users and there is no reason to change it in this respect.
- A single general licence is effective and proportionate, authorising lethal action by all who need to carry out, where and when required.
- Proliferation of licences for preventing serious damage would lead to confusion/unnecessary complexity. Need to keep the number of different general licences to a minimum.
- Caveats to agreement with a single general licence covering multiple species-purposes:
 - there is solid evidence demonstrating need for each species to be included on the licence;
 - licence is specific about species-purpose combinations;
 - it is clear that damage must be serious, not just birds being a minor nuisance;
 - the licence includes a condition requiring users to first try using non-lethal alternatives;
 - arrangements are made to verify that users are competent to carry out lethal control humanely;
 - regular compliance monitoring is done and enforcement action taken where required;

- licence users report on numbers killed and for what purpose.

Themes in the 'disagree' responses

- Disagreement with any general licences, so cannot support a single catch-all general licence such as GL001.
- Since there is little or no data on extent of use of GL001, it cannot reasonably be concluded that GL001 is necessary or proportionate and that the problem of serious damage could not be satisfactorily addressed through specific licensing.
- NRW should address lack of evidence on extent of wild bird control for this purpose by commissioning peer reviewed research, not by relying on anecdotal evidence.
- A single general licence for so many species/purposes is too broad and liable to being misused.
- Any licence to kill wild birds should be specific to individual species.

Questions 43 and 44: Defining which species may be killed for which purpose

We proposed to be more specific about the 'species to purpose' combinations for which lethal control of wild birds is allowed under a general licence for preventing serious damage or spread of disease.

Q43. Do you agree that a general licence for the prevention of serious damage should specify which particular 'species to purpose' combinations are authorised for lethal control?

Themes in the 'agree' responses

- This would be a minor improvement, but doesn't address fundamental point that general licences are wrong.
- Any licences to kill wild birds should specify which species may be killed for which purpose – this is a basic requirement of any such licence.
- Any licence to kill birds should be specific to individual species – to ensure users are clear what they are allowed/not allowed to do.
- Helps avoid the general licence being regarded as a free for all and reduces the risk of licence being misused.

Themes in the 'disagree' responses

- Disagreement with general licensing approach:
 - disagreement with any general licences, so cannot support this proposal;

- since NRW has no data on use of general licences, there is insufficient evidence on which to base a species-purpose matrix;
- agreement with the principle behind this proposal, but in the absence of any compliance monitoring or enforcement of general licences, or any requirement on licence users to provide reports, it will make little actual difference compared to GL001 in its current (2021) form.
- Unnecessary complexity:
 - would make the general licences overly complex and difficult to understand;
 - this is over-regulation and would the general licence too complicated to administer and enforce;
 - would effectively mean there is no longer a single general licence;
 - general licences users should be relied upon to control the relevant species for the relevant purpose – the licence terms don't need to specify these details.
- Legal and administrative points:
 - GL001 in current form is lawful, therefore there is no reason to change it;
 - NRW should consult users before applying this approach.
- Practical considerations:
 - could put general licences users at risk of being unfairly or wrongly accused of misusing the licence;
 - some bird species cause multiple types of problem, and by being so specific there is a risk that control of a species would be needed but wasn't allowed by the licence;
 - this approach is too precautionary (in favour of birds, rather than farmers).

Q44. Do you have any comments on the particular species to purpose combinations we are proposing should be authorised for lethal control for the prevention of serious damage?

- No comments on the specific details, due to disagreeing with the principle of restricting general licences in this way. As now (2021), GL001 should allow any of the species to be controlled for any of the purposes.
- No comments, because the principle is fine but in the absence of reporting and enforcement, it will make no difference.
- Practical consideration: in compliance proceedings, it is not clear where will be the burden of proof that someone is acting within a given species-purpose combination.

- Disagree with the approach, but if NRW does decide to do this, you should base it on the APHA 2020 report and adopt the same species-purpose combinations as in Defra GL42.
- Control of pest species should be allowed anywhere and at all times.
- Challenges to the evidence/justification for particular species-purposes:
 - disagree with GL001 allowing the killing of jackdaws for the prevention of serious damage to crops, vegetables or fruit – there is no evidence to justify this;
 - disagree with a general licence allowing killing of carrion crow, magpie and jackdaw for preventing spread of disease to livestock or livestock foodstuffs - the fact that a species is known to carry pathogens that are potentially harmful to livestock, is completely insufficient basis to justify including it on a general licence.
- The scope of GL001 should be increased to cover other species:
 - cormorant and goosander should be included on a general licence because of the damage they do to fisheries;
 - rook, starling, raven and seagulls should be on a general licence because they are a danger to livestock.

Question 45: Times of year when a general licence for preventing serious damage may be used

We proposed to continue not restricting the times of year when GL001 can be used.

Q45. Do you agree that a general licence for the prevention of serious damage should not specify limits on the times of year when the licence can be used?

Themes in the 'agree' responses

- Control of birds is needed wherever/whenever serious damage is taking place.
- Some species - especially corvids - cause problems year round and is not possible to accurately predict the time of year when control under the general licence might be needed.
- GL001 in its current (2021) form is lawful and there is no reason to change it.
- It would be impractical to specify time limits due to scope of the licence. Trying to do so would make it too complex and it would not then satisfy NRW's proposed general licence principle 7.

Themes in the 'disagree' responses

- There is no evidence which justifies allowing the control of any of the species listed on GL001 at any time of year.
- Any harms caused by wild birds to crops and livestock are seasonal, so the licence to control birds should also be seasonal.
- GL001 should allow control only at times of year when control will be effective - allowing control at any time of year encourages pre-emptive culling without evidence that pre-emptive culling is effective.
- Agreement that it is impractical to include time limits on a general licence with multiple species-purpose combinations, but this is a fundamental weakness with the approach that NRW is taking. On licences for specific species-purpose combinations, appropriate seasonal restrictions could and should be defined.
- Welfare concerns:
 - general licences should not allow trapping in severe weather when captured birds and live decoys may experience additional distress;
 - controlling birds during the breeding season risks orphaned chicks of the target species dying of starvation.

Question 46: Definition of 'livestock'

We proposed to continue to define livestock in the context of a general licence for preventing serious damage, as including captive reared animals or birds that are unconstrained but remain significantly dependent on people.

Q46. Do you agree with the way in which we propose to continue to define livestock?

Themes in the 'agree' responses

- This is useful clarification specifically for the purpose of GL001.
- This is common sense, there is no particular issue here.
- NRW should consider producing guidance on the meaning of 'kept'.

Themes in the 'disagree' responses

- NRW should stick to the statutory definition of livestock and not add its own interpretation.
- Challenges or disagreement with the statutory definition of livestock, rather than with NRW's proposed interpretation of 'kept':
 - animals kept for sport or vanity (particular reference to fur production) should not be classed as livestock;

- livestock means farmed animals reared for food or wool, not gamebirds or fish which are bred for recreational shooting or angling;
- non-native gamebird species should be considered as invasive feral fauna not livestock.
- If gamebirds are livestock when free living, their keepers should be responsible for their welfare, and for any damage or accidents they cause.

Conservation of wild birds, animals or plants

Question 47 to 49: Our overall approach to granting licences for conservation purposes

We proposed a set of principles to guide our decisions on whether to grant licences (general licences or specific licences) allowing the lethal control of any wild bird species for the purposes of conserving wild birds or other species of animals or plants. We identified a number of options concerning the future granting of a general licence for the purpose of conserving wild birds.

Q47. Do you agree with our proposed principles for licensing the lethal control of wild birds for conservation purposes?

Themes in the 'agree' responses

- There does need to be a sound framework for determining whether intervention (controlling one species to benefit another) is actually appropriate or necessary.
- The status of a prey species of bird should inform whether it should be a beneficiary of conservation licensing, but this is more complex than simply deciding on the basis of its BoCC amber or red listing - a species may be amber listed due to criteria other than its population trend.
- The principles should be applied flexibly and pragmatically as a guide to licensing decisions, not a rigid set of criteria. Judgement will need to be exercised in individual decisions.
- The control of birds for conservation purposes should be monitored:
 - the principles acknowledge the fact that the evidence base for licensing is imperfect, which reinforces the need for NRW to collect and publish annual data on of the numbers of birds killed under licence;
 - use of GL004 should be monitored to ensure it is not used unnecessarily for the apparent benefit of BoCC green listed species for which there is no conservation need to carry out predator control.

- The standard of evidence required to justify control of wild birds for conservation purposes should be realistic:
 - wild bird control should be authorised on the balance of probability that it will deliver a conservation benefit, rather than requiring absolute proof, which would make the issuing of licences difficult if not impossible;
 - NRW should adopt a precautionary principle that considers the impact on prey species of not granting a general licence to control corvids for conservation purposes.
- The standard of evidence required to justify the control of wild birds for conservation purposes should be high/demanding:
 - rigorous scientific evidence is required to demonstrate that the lethal control of wild birds for conservation purposes will have a beneficial impact on species of conservation concern;
 - lethal control should be a last resort, only used where there is certainty that the target species poses a conservation risk;
 - the evidence of impact on other species justifies including carrion crow on GL004 – there is insufficient evidence that magpie, jackdaw or jay should be on a general licence for conservation.
- A national-level general licence for conservation is only justified where there is evidence of impact at a national scale. If the conservation benefit is localised, a specific licence is more appropriate (this theme was also found in ‘disagree’ responses below).
- Any control of wild birds for conservation purposes must be done humanely, and only if the birds really are causing problems.

Themes in the ‘disagree’ responses

The principles are too restrictive, especially in relation to the control of corvids:

- all wild birds should be considered beneficiaries of lethal control of corvids across whole of Wales, regardless of their conservation status - scientific evidence demonstrates that predator control improves the status of wild bird populations;
- There is a danger of local populations of songbirds declining because it's deemed that there is no threat to the national population by predatory corvids.
- The principles disregard the actual population size of a listed corvid - the fact that a species is showing evidence of decline should not be sufficient basis to exclude it from being a target species on GL004.
- Robust scientific evidence is often not available for most predator-prey impacts, and in the absence of robust evidence, there is no legal justification for NRW to determine which species can and cannot be conserved through predator control.

- General licences should include all INNS where there is evidence that they harm BoCC red/amber listed species.
- Principles should make clear that rigorous scientific evidence should be required to justify the lethal control of wild birds for conservation purposes.
- Licensing decisions should be supported by a clear scientific case accepted by all interested parties.
- A national-level general licence for conservation is only justified where there is evidence of impact at a national scale. If the conservation benefit is localised, a specific licence is more appropriate (this theme was also found in 'agree' responses above).
- There shouldn't be a general licence for conservation - specific licences to address specific conservation requirements would be more appropriate.
- The principles are poorly expressed:
 - they should be guidance rather than regulation, as they are all completely unenforceable;
 - more detail is required, for example where NRW says "wild bird control should be licenced only where it is considered necessary in order to improve the conservation status of one or more beneficiary species" - considered necessary by whom and according to what criteria?;
 - complicated and open to misinterpretation.
- Question 47 is unreasonable in expecting a simple yes/no answer about a complex set of principles.

Q48. Do you think there are any other principles we should follow when deciding whether to grant licences for conservation purposes?

- In making licensing decisions it would be helpful to identify geographic hot spots for corvid control, for example according to locations of particularly vulnerable prey species, or moorland which is managed for game that also benefits birds of conservation concern.
- Licence users should be accredited and should report back on numbers and species killed and how these actions are benefiting bird species of conservation concern.
- NRW should assess the resources that would be required to process specific licences in the absence of general licences.
- A key principle should be assessment of the impact on beneficiary species of removing a corvid species from the general licence, and where there is an evidence gap, to apply the precautionary principle in favour of the beneficiary species. A species should remain listed on GL004 until it is established that it is safe (in conservation terms) to remove it.

- Management plans should be required, showing what measures (such as habitat management) are being undertaken to conserve wild birds, besides lethal control of predators of BoCC red and amber listed species.
- The ecology of predator-prey species relationships should be left to natural processes.

Q49. Do you think we should (1) retain a general licence for conservation of wild birds where the evidence indicates that a general licence is appropriate, (2) not grant a general licence for conservation of wild birds, (3) gather evidence on the extent to which GL004 is used before making that decision (4) adopt another approach?

Themes in responses supporting Option 1: Retain a general licence for conservation purposes

- Only for control of carrion crow.
- Retain GL004 and apply light touch changes only: general licences have been subject to legal challenge and found to be lawful.
- General licences are familiar and understood by practitioners.
- Concerns about alternatives to a general licence:
 - any other option will introduce unnecessary bureaucracy and be damaging to wildlife and users that rely on general licences;
 - specific licence applications may take many weeks to be issued, causing unnecessary stress and suffering to prey species and serious damage to crops;
 - reporting system or class licence - NRW has itself acknowledged in the consultation paper that the value of the information that would be obtained from a reporting system for general licences would not be justified by the additional burden of operating such arrangements;
 - reporting system or class licence – concerns about risk to the safety of licence users if they have to provide NRW with their personal details or records of action taken under the licence.

Themes in responses supporting Option 2: Not grant a general licence for conservation purposes

- General licences are too widely drawn and unspecific with regard to circumstances of use.
- General licences are too open to interpretation and to being misused for the killing of birds when not necessary.
- All licences for conservation purposes should be specific. General licences are not a proportionate approach to resolve conservation problems and case specific consideration is required.

- The scientific evidence is too equivocal to issue a general licence - there needs to be clear scientific understanding of predator-prey relationships. Each case is different and so only specific licences are appropriate.

Themes in responses supporting Option 3: Gather evidence on use of GL004 prior to making any changes

- NRW should gather evidence on species and numbers of birds killed and for what purpose.
- Will help ensure that licensing policy and decisions are based on evidence.
- NRW should gather scientific evidence on specific predator-prey relations and regularly review that evidence.

Themes in responses supporting Option 4: Adopt another approach

- NRW should consider a class licence for the purpose of conserving wild birds.

Questions 50 to 56: Our approach to deciding the beneficiary species and the target species on a general licence for the conservation of wild birds

We sought views on a number of approaches for deciding which species are suitable for inclusion on a general licence for the purpose of conserving wild birds.

Q50. Do you agree that the most appropriate basis for identifying the beneficiary species of a general licence for conservation of wild birds is: red or amber listed species which regularly breed in Wales and which are considered vulnerable to predation by one or more of the corvid species concerned?

Themes in the ‘agree’ responses

- The BoCC species lists are fit for purpose. Red and amber listed species are priorities for protection, although other species may also form the basis of licensing in specific areas.
- This makes sense in relation to the general licence, but it may be appropriate for other species to be the beneficiary of specific licences for conservation purposes.
- Agree, provided the approach is based on robust contemporary data not anecdotes.

Themes in the ‘disagree’ responses

- It is not clear what NRW means by “considered vulnerable”.

- Some green listed species are in a favourable state because they benefit from historic predator control. Populations will decline without a general licence for the conservation of all wild birds.
- NRW should monitor the impact that this proposed change will have on green listed species.
- Red and amber lists are too broad-scale and do not demonstrate declines at local level.
- NRW should not wait until a species is red or amber listed before allowing control of its predators.
- Corvid predation affects both common and vulnerable species – corvids don't make the distinction.
- Beneficiary species of general licence should not include species where there is no evidence of it breeding in Wales, and no evidence that predation control is required to conserve it.
- There is no legal justification for NRW to determine which species should and should not be conserved.

Q51. Do you agree that a general licence for the purpose of conserving wild birds should continue to be limited to conserving only the chicks or eggs of the beneficiary species?

Themes in the 'agree' responses

- There is no scientific evidence to demonstrate that any GL004 listed corvid causes population scale impacts on red and amber listed species of conservation concern.
- If there is any evidence of corvids preying on adults of a beneficiary species a specific licence is the appropriate licensing approach.

Themes in the 'disagree' responses

- Corvids do predate adult birds.
- Conservation of the beneficiary species must logically include the adult birds, which are also vulnerable to predation, not just conserving the eggs or chicks.
- Predation is not the only issue: the presence of corvid species may inhibit territoriality, courtship and pair bonding of other species.
- Specifying chicks and eggs in the licence purpose creates confusion and does not reflect the purpose as set out in the Wildlife and Countryside Act 1981.

Q52. Do you think that a general licence for the purpose of conserving wild birds should include restrictions on the time of year when the licence can be relied upon?

Themes in responses in favour of the inclusion of time restrictions

- The licences should only apply during the breeding season of the species being conserved, otherwise the logic of the conservation purpose applying only to the eggs and chicks of the beneficiary species is undermined.
- The licence should only apply during non-breeding period to avoid starvation of the dependent young of the targeted birds.
- The legislation allows licences to be specific to particular times of year.
- NRW has not provided evidence that demonstrates a need for year-round control for conservation purposes.
- Specifying the time of year would help prevent the misuse of GL004.
- The licence should apply from 1 February, since the period prior to egg-laying can be important in reducing the density of predators.
- As well as seasonal limits, the licence should define geographic areas where it can and cannot be used.

Themes in responses against the inclusion of time restrictions

- Corvid control is required year-round: conserving wild bird populations requires continuous effort and preventative action to reduce predation pressure.
- The ability to carry out year round control facilitates the need for a cull if numbers are excessive prior to start of the breeding season.
- Restricting control to particular times of the year could render some methods ineffective or unusable, reducing the overall effectiveness of predator control programmes.
- Climate change is affecting the timings of bird breeding season.
- Different regions may require predator control at different times of year.
- Corvid species switch to preying on adult birds outside the bird breeding season.

Q53. Do you agree that carrion crow should continue to be included on a general licence for the purpose of conserving wild birds?

Themes in the 'agree' responses

- Scientific evidence shows that carrion crow predate the eggs and chicks of other wild birds. Populations should be controlled to prevent harm to wild bird populations.
- Only if scientific evidence demonstrates impact on each red or amber listed species.
- Provided that carrion crow control is only allowed at the times of year in geographic areas where they cause harm.

- Only if the licence sets out clearly and comprehensively where, when and why control of carrion crow is allowed.

Themes in the ‘disagree’ responses

- There is insufficient scientific evidence of the impact of carrion crow on birds of conservation concern. Control of carrion crow should only be allowed for the purpose of conserving species if there is clear evidence of predation.
- Non-lethal means should be applied.
- Killing carrion crow is a simplistic solution to a complex problem. Conservation management requires scientific research, education and long-term planning.
- NRW should not issue general licences at all – they are too widely defined, vague, open to misuse and unenforceable.

Q54. Do you agree that jay should continue be included on a general licence for the purpose of conserving wild birds, but only in relation to the conservation of woodland bird species?

Themes in the ‘agree’ responses

- Scientific evidence clearly shows, beyond any doubt, that jay are significant predators of the eggs and chicks of certain other BoCC red/amber listed species that breed in Wales.
- Provided that control of jay is only allowed at the times of year in geographic areas where they cause harm.
- Jay have significantly increased in numbers and range, which has contributed to decline of woodland bird species.
- In the absence of evidence, a precautionary approach should be adopted (in favour of the species that jay prey upon).
- Caveat to agreement with this proposal: The control of jay should not be restricted to the purpose of conserving only red or amber listed species of woodland habitats.

Themes in the ‘disagree’ responses

- There is insufficient scientific evidence of the impact of jay on birds of conservation concern. Control of jay should only be allowed for the purpose of conserving species if there is clear evidence of predation.
- Non-lethal means should be applied.
- Jay populations are declining across the UK.
- No nature conservation organisations are calling for a reduction in jay numbers because of their detrimental impact on other species.

- Jay should be removed from the general licence and specific licences issued in locations where the need for jay control can be properly evidenced.
- NRW should not issue general licences at all – they are too widely defined, vague, open to misuse and unenforceable.

Q55. Do you agree that jackdaw should no longer be included on a general licence for the purpose of conserving wild birds?

Themes in the ‘agree’ responses

- There is no proven scientific evidence showing jackdaw are a major predator of any red or amber listed species – this is supported by recent APHA findings.
- The general licence sets no limit on numbers of jackdaw that can be killed and for what predator-prey circumstance.
- Jackdaw should be removed from the general licence and specific licences issued in locations where the need for jackdaw control can be properly evidenced.
- No nature conservation organisations are calling for a reduction in jackdaw numbers because of their detrimental impact on other species.
- NRW should not issue general licences at all – they are too widely defined, vague, open to misuse and unenforceable.

Themes in the ‘disagree’ responses

- Anecdotal and scientific evidence shows jackdaw do predate the eggs and chicks of other wild birds.
- The APHA report states “Overall, there is medium-low strength of evidence for an impact of jackdaw on the conservation of wild birds”. It does not state that there is no evidence and no impact.
- Jackdaw populations have significantly increased in numbers and range, which has contributed to decline of a number of red/amber listed bird species.
- In the absence of evidence, a precautionary approach should be adopted (in favour of the species that jackdaw prey upon).

Q56. Do you think that Magpie is suitable for inclusion on a general licence for the purpose of conserving wild birds in light of the evidence of its impact?

Themes in the responses

- Magpie should be on a general licence for conserving wild birds:
 - scientific evidence including the APHA report, shows beyond any scientific doubt, that magpie are significant predators of the eggs and chicks of red and amber listed birds which breed in Wales;

- magpie have increased in numbers, which has contributed to decline of other wild bird species;
- without adequate control, magpie populations will increase significantly (example given of suburban areas becoming 'reservoirs' for magpie);
- NRW is wrong to apply BoCC red/amber listing to determine whether a species should be listed on general licences, since BoCC is too coarse a categorisation and does not consider the abundance of the predator relative to the abundance of its prey species - the IUCN 'risk of extinction' list would be a better basis for these decisions;
- magpie should be retained on GL004 for now but the evidence gaps scrutinised and properly addressed at future general licence reviews.
- Magpie should not be on a general licence for conserving wild birds:
 - because of the significance of the decline in Wales' magpie population;
 - there is no scientific evidence to support the view that in the UK magpie have a population impact on wild birds, particularly songbirds;
 - NRW should not issue general licences at all – they are too widely defined, vague, open to misuse and unenforceable.

Preserving public health or public safety and preventing the spread of disease

Questions 57 and 58: Species included on a general licence for preserving public health/safety

We proposed to continue to grant a general licence allowing lethal control of feral pigeon for the purpose of preserving public health or safety and preventing the spread of disease.

We proposed not to include any other species on a general licence for public health/safety purposes.

Q57. Do you agree that we should continue to grant a general licence allowing lethal control of feral pigeon for the purpose of preserving public health?

Themes in the 'agree' responses

- Feral pigeons carry pathogens and pose a well-documented risk to public health by spreading disease.
- Feral pigeon numbers are increasing, and therefore so is the risk to public health.
- It reduces the burden on NRW to issue a general licence rather than requiring specific licences.

Themes in the 'disagree' responses

- Feral pigeons can be adequately dealt with by deterrents without the need for lethal control.
- Culling pigeons does not provide an adequate long-term solution.
- NRW should work with landowners to encourage species such as peregrine to deter feral pigeon, and work with the public to reduce the behaviours (such as feeding and littering) that increase feral pigeon populations, so that the general licence eventually becomes unnecessary.
- Some people may not be able to distinguish between feral pigeon and woodpigeon, creating a risk of lethal control of the wrong species.
- Disagreement with general licences overall.

Q58. Do you agree that we should not grant a general licence for public health purposes allowing lethal control of any species other than feral pigeon?

Themes in the 'agree' responses

- There is little evidence of transmission of diseases from any other bird species to humans. The risk of such transmission is low and can be mitigated without recourse to lethal control.
- Due to the lack of evidence, including any species other than feral pigeon on a general licence for public health/safety purposes, would set dangerous precedent allowing birds to be killed for spurious reasons.

Themes in the 'disagree' responses

- Other species of birds whose numbers are increasing pose a risk to public health, including Canada goose, rook and jackdaw.
- The APHA 2020 report 'Review of the evidence base for inclusion of avian species on general licences GL34, GL35 and GL36 in England' justifies inclusion of Canada goose, feral pigeon and jackdaw on a general licence for public health/safety.
- Magpie should be included as they target door-delivered milk.
- Gulls should be included:
 - they can pose a risk to public health in a similar way to feral pigeon, for example contamination of food areas;
 - they pose a risk to public safety by becoming aggressive and attacking people.
- Carrion crow should be included as their droppings can be trodden into public buildings.

- Starlings can be worse than feral pigeons as they contaminate water sources and cover floors with faeces.

Question 59: Our approach to licensing the control of gulls

We proposed to require a gull management plan to be included as part of any licence application to control gulls in an urban situation.

Q59. Do you agree that NRW should require a gull management plan as part of any licence application to control gulls in an urban situation?

Themes in the ‘agree’ responses

- The approach has worked well in England, streamlining the application process and encouraging people to take a joined-up approach to gull management, in both urban and rural areas.
- Applications to control gulls (especially red or amber listed species) should include evidence of having unsuccessfully tried to address the problems using non-lethal methods.
- The problems caused by gulls are a result of human behaviours.
- Concerns over the competence of those undertaking gull management to correctly identify particular species.
- There needs to be guidance to help licence applicants prepare management plans.
- NRW’s approach to licensing of gulls should be revisited once the Welsh Government seabird strategy is complete, as this may inform whether encouraging urban birds to relocate to rural areas is realistic given the factors driving the population changes.
- Gull licensing should be based on robust scientific evidence of the problems they cause and of the effectiveness of controlling them.
- Oiling of eggs should be used to control gulls.
- Lethal control of any gull species which is amber or red listed (for example declining due to overfishing) should be fully justified: simply being considered a nuisance is not sufficient justification.

Themes in the ‘disagree’ responses

- General disagreement with the proposal for management plans:
 - gulls are a nuisance and require controlling;
 - gull control should be under a general licence.
- Practical problems with management plans:

- in some situations the problem is very specific and short term, for example needing to remove a single gull's nest – requiring a management plan is disproportionate;
- gulls are intelligent – non-lethal deterrents don't work.
- Alternatives to lethal control should be used:
 - improved urban hygiene and reducing litter would be a more practical solution than lethal control;
 - licence applicants should be encouraged and supported in preparing gull management plans using only non-lethal methods;
 - several gull species are now in decline and therefore do not require further management in the form of lethal control.

Preserving air safety

Questions 60 and 61: Licensing for the purpose of preserving air safety

We proposed to continue to authorise lethal control of wild birds for air safety purposes under specific licences rather than under a general licence, and to require licence applications for air safety purposes to include an appropriate management plan for how wildlife risks at the aerodrome site will be managed.

Q60. Do you agree that NRW should continue to licence lethal control of wild birds for the purpose of preserving air safety through specific licences?

Themes in the 'agree' responses

- Class or general licences are not necessary or proportionate, given the small number of aerodromes in Wales.
- Given that not controlling birds could put lives at risk, licences should be granted but killing birds should be a last resort. Non-lethal means should always be attempted first.

Themes in the 'disagree' responses

- A general licence for air safety would be a more practical and flexible approach.
- NRW should consider a class licence for air safety, as in England.
- NRW should not be issuing licences to destroy wildlife in order to facilitate an unsustainable form of transport.
- Non-lethal methods should be used to deter birds from airports and airfields.
- Licences to control birds for air safety are not necessary anyway, because of the defence under section 4 of the Wildlife and Countryside Act.

Q61. Do you agree that applications to control birds for air safety purposes should be required to include an appropriate management plan for how wildlife risks at the aerodrome site will be managed?

Themes in the 'agree' responses

- Wildlife management plans should set out a clear and methodical approach, tailored to the particular site and species concerned.
- Applicants should provide evidence that non-lethal methods are always tried before resorting to lethal control.
- Management plans should always acknowledge the use of lethal measures where required.
- Not all wildlife poses a risk to air safety.

Themes in the 'disagree' responses

- Air safety should be a priority over all other considerations - bureaucracy should not be a barrier.
- Existing risk assessments and mitigation measures relating to bird strike ought to satisfy NRW's proposed requirement for a management plan.

Fish-eating birds

Question 62: Specific licences for the lethal control of cormorant and goosander

We proposed that any lethal control of cormorant and goosander for the purposes of preventing serious damage to fisheries and for the conservation of flora and fauna should continue to be regulated through specific licensing.

Q62. Do you agree that any lethal control of cormorant or goosander for the purposes of preventing serious damage to fisheries or for conserving flora or fauna should continue to be subject to specific licensing?

Themes in the 'agree' responses

- Benefits of specific licensing over general licences:
 - general licencing is too open and could lead to abuse - specific licensing enables NRW to set limits on numbers of birds killed and apply strict conditions, based on scientific evidence;
 - the relatively localised distribution and habitat-specific nature of cormorant and goosander, and the seasonal nature of their impact, means that specific licensing is a proportionate approach or both species.

- Lethal control of fish-eating birds should not be done in isolation:
 - lethal control should only be implemented in combination with other measures to conserve fish populations, such as removal of obstacles to fish migration/movement;
 - unlike with general licences, specific licence applications require the applicant to demonstrate that they have tried non-lethal methods.
- The definition of ‘fisheries’ is critical. Fish eating birds should not be killed for the benefit of recreational fisheries, but only where there is scientific evidence demonstrating that a local population of wild fish is threatened by a local population of fish-eating birds.
- The NRW Fish-eating Birds Advisory Group is best placed to advise on this matter.

Themes in the ‘disagree’ responses

- The impact of cormorant and goosander justifies their inclusion on a general licence:
 - predation by fish-eating birds is possibly the main significant contributing factor to explain the dramatic decline of salmon stocks in Welsh rivers;
 - cormorant and goosander should be added to general licences but only in catchments classified as ‘At Risk’ or ‘Probably at Risk’ for conservation limits for salmon and sea trout;
 - Welsh populations of both species are increasing;
 - there should be consistency with the approach, for example carrion crow on GL001 is listed for the purpose of preventing serious damage to livestock - impact of fish-eating birds on fisheries is equivalent.
- Specific licensing is bureaucratic and too slow. By the time licences are granted, the damage has already occurred.
- NRW’s proposal to regularly review general licences against population of the licence target species should be a sufficient safeguard for addressing any concerns about the impact of control under a general licence on cormorant and goosander populations.

Questions 63 to 67: Development of tools and approaches for licensing the lethal control of cormorant and goosander

We sought views to help inform the ongoing work of the Fish-eating Birds Advisory Group on:

- **developing and applying a population viability analysis modelling tool to predict the impact of different levels of licensed lethal control on cormorant and goosander populations in Wales;**

- **applying a licensing threshold that sets a limit on the number of cormorant and goosander that may be licensed to be controlled in Wales, informed by population modelling;**
- **applying area or catchment-based licences for lethal control of cormorant and goosander in Wales;**
- **the efficacy of non-lethal and lethal methods for control of cormorant and goosander;**
- **the need for management plans to support specific licence applications for any lethal control of cormorant and goosander.**

Q63. Do you have any views on the development and application of a population viability analysis modelling tool to predict the impact of different levels of licenced lethal control on cormorant and goosander populations in Wales?

- An evidence based and scientific approach should be taken to the development and application of population viability analysis.
- Predictive modelled outputs and conclusions should be peer-reviewed.
- There is a need for further evidence on both the population status of cormorants and goosanders and fish populations in Wales to be gathered.
- The level of uncertainty of predictive modelled outputs needs to be considered and mitigated.

Q64. Do you have any views on the application of a licensing threshold that sets a limit on the number of cormorant and goosander that may be licensed to be controlled in Wales, informed by population modelling?

- An evidence based and scientific approach should be taken to the development and application of licensing thresholds.
- Proposed thresholds for lethal control of cormorant and goosander should be peer-reviewed.
- There should be limits on the numbers of birds controlled so as to ensure that lethal control does not have a negative impact on the conservation status of cormorant or goosander.
- There is a need for catchment-based culling of cormorant and/or goosander populations within identified catchments.
- The uncertainty of predictive modelled outputs to determine thresholds needs to be identified and considered.

Q65. Do you have any views on the application of area or catchment-based licences for lethal control of cormorant and goosander in Wales?

- Safeguarding important salmonid rivers, especially spawning beds and smolt aggregations, is a good justification for introducing river/catchment scale licences.
- The approach on the River Usk should be considered as a model for the scope and application of area based licensing.
- There is a need for flexibility in the scope, scale and administration of area based licensing.
- River/catchment-based licences must be underpinned by evidence.
- Concerns that birds will be displaced/moved to other sensitive areas outside the licensing area.
- Class licences should be considered as an alternative option.
- Licensing a larger geographical area would reduce the number of individual licences NRW needs to process.
- Catchment based licences are too broad and may be open to being misused.

Q66. Do you have any views on the efficacy of non-lethal and lethal methods for control of cormorant and goosander?

- Need for and benefits of lethal control:
 - practical, proportionate and effective;
 - reduces predation pressure on fisheries both nationally and locally;
 - there is no other satisfactory solution to reduce predation impact by fish-eating birds on fish stocks;
 - non-lethal methods move the problem elsewhere, possibly to other sensitive sites where fish species are unable to withstand predation pressure.
- Need for and benefits of non-lethal measures:
 - non-lethal deterrents can be applied successfully;
 - allowing lethal control may hinder the development of non-lethal measures and gathering of evidence demonstrate effectiveness;
 - emphasis should be on restoring natural balance in ecosystem, which is more sustainable and effective in the long term than lethal control.

Q67 Do you have any views on the need for management plans to support specific licence applications for any lethal control of cormorant or goosander?

- Support for management plans:
 - they would help ensure that specific licences are regulated effectively;

- they should require applicants to provide additional and relevant information, including particularly that the applicant has considered all management options including the method, frequency and effectiveness of non-lethal techniques.
- Criticism of management plans:
 - unnecessarily bureaucratic and burdensome;
 - an over-regulating measure which would place additional restrictions on control measures;
 - difficult to monitor and enforce.
- The application of management plans should be restricted to a specific fishery interest, for example, wild, unstocked fisheries or still waters.
- NRW should take a lead on the role in controlling fish-eating birds as part of Wales fisheries management strategies.

Invasive non-native species of birds

Questions 68 and 69: Licensing the lethal control of invasive non-native species of birds

We proposed to continue to grant general licences allowing the killing or taking of ruddy duck and Canada goose. We proposed that general licences allowing the lethal control of any other non-native species of wild birds should be considered as and when the need arises.

Q68. Do you agree that we should continue to authorise the control of ruddy duck and Canada goose under general licences?

Themes in the ‘agree’ responses

- Ruddy duck is close to being eradicated from the UK and retaining the general licence will help ensure this.
- Canada goose cause significant damage to crops and grassland.

Themes in the ‘disagree’ responses

- Control of these species should be under specific licences, and only where there is evidence of a problem.
- Control under general licences lacks adequate monitoring and collection of data on numbers of birds killed. General licences authorise arbitrary indiscriminate action with no accountability.

- NRW should not be issuing licences allowing killing of birds.
- Non-lethal approaches should be considered for Canada goose and it should be accepted that the birds will naturally migrate to new areas.

Q69. Do you agree with the approach we propose to take in relation to other invasive non-native species of wild birds?

Themes in the ‘agree’ responses

- GL005 should be regularly reviewed and updated in relation to other invasive non-native species.
- Invasive non-native species should only be on general licences if there is a national eradication programme.
- A general licence is not necessarily the best method for pursuing eradication of a species as there is no reporting. The usefulness of general licences in this context would be greatly enhanced by having a reporting requirement, otherwise no means of assessing the efficacy of the control measures.
- There must be scientific evidence that a species actually causes harm before it is included on a general licence.
- Guidance from the Chief Veterinary Officer for Wales in relation to invasive non-native species is to ‘find it fast’ and take prompt action.
- There should be a GB-wide approach to control of invasive non-native species, rather than England, Scotland and Wales taking different approaches.

Themes in the ‘disagree’ responses

- NRW’s proposed approach is leaving it too late:
 - other species should be on general licences in anticipation of when a problem occurs, rather than waiting until the species is present, so as to allow immediate action to be taken - by the time a species has been deemed invasive, it may be too late (example given of parakeets in southern England);
 - other invasive non-native species have already been included on general licences in England - given that we have a GB-wide non-native species strategy, there is no good reason for not doing the same in Wales;
 - as soon as the generic contingency plan for Invasive Non-native Terrestrial Vertebrates (Wales) is finalised, NRW should issue a general licence for common myna, Indian house crow, sacred ibis and monk parakeet;
 - Egyptian goose should be added to general licences to protect crops and conserve wild birds.
- Disagreement with allowing lethal control of invasive non-native species:

- better land management and non-lethal methods should be used rather than killing;
- non-native species should not be killed at all – everything has a right to live;
- captive bred/released game birds (pheasants and partridges) cause more harm than Canada goose and other non-native species.
- Climate change is a contributing factor to invasive non-natives establishing themselves in Wales.
- Adding species to a general licence half-way through the year could cause significant confusion to licence users.

Other matters relating to how NRW regulates the lethal control of wild birds

Question 70: Other views or comments

We sought any other views about how we regulate the lethal control of wild birds in Wales, which have not been provided in response to any of the previous consultation questions.

Q70. Do you have any other views or information which you think may be relevant to this consultation and which you would like to share with us?

Themes relating to evidence

- Issuing of licences should be based on evidence of the problem and scientific data:
 - currently there is a lack of scientific data that justifies killing of birds;
 - NRW should be investing more in reviewing scientific literature and reviewing the effectiveness of deterrence methods;
 - evidence is required that undertaking lethal control under a general licence actually achieves the desired objective(s).
- NRW should be considering the knowledge and expertise of practitioners who use the general licences in Wales as evidence, alongside scientific data.
- NRW should be looking at flyway and national populations, and seeking to understand the natural environmental and climatic variations that are reflected in bird population trends.

Themes relating to broad support for general licences

- Changing the general licences which have been in place for many years potentially threatens our countryside flora and fauna. Without general licences, farmers will lose crops and livestock.

- Since NRW's general licences were deemed to be legal in court, any changes should be very minimalistic and not deviate significantly from the current licences.
- Control of birds under a general licence should be 365 days a year and should not be limited to specific dates/periods of the year.

Themes relating to broad criticism of general licences

- General licences in their current format appear to give legal sanction to people to hunt birds for pleasure rather than for legitimate and genuine reasons. NRW should consider issuing specific licences instead.
- The general licence system is not underpinned by any rigorous science or evidence and is not fit for purpose. There is no way of knowing how many people are using the licences, the number of birds killed or which species.
- NRW provides no information on the conservation benefits supposed to derive from the killing of wild birds for conservation purposes.
- NRW issues general licences with conditions, but there is no way of knowing if individuals are complying to those conditions, as NRW does not know who is using the licences and does not monitor and enforce them.
- The licensing system needs a complete overhaul and general licences should be ended.

Suggestions on how general licences are issued and used

- Different locations have different problems. A blanket general licence for all of Wales may not be appropriate.
- Decisions relating to general licences should be taken in accordance with ethical principles for wildlife management. This includes reviewing human behaviour to determine whether the conflicts requiring lethal control can be mitigated by changes in human behaviour, for example management of food waste.
- If NRW grants general licences, shooters/users should be able to clearly identify different species. NRW should aid with this.
- Many general licence users do not have access to computers and printers. This should be considered when issuing any future general licences, to make the user experience as easy as possible.
- The general licences must be workable and practical for users on the ground and must be clear and easy to understand.

Themes relating to specific licences

- Applicants should be required to provide scientific evidence of need, and details as to species, numbers, location, timescale, methods and details of personnel. Accountability needs to be more prominent and feedback required.

- If an application is refused, the applicant should be given clear reasons why the licence was refused, and have access to an appeals process.
- Currently there is no means for the public to understand the number of licences issued, number of birds killed or eggs/nests taken or destroyed in any given year unless going through the Freedom of Information route or via the Environmental Information Regulations, which makes it appear as if NRW are hiding this information.
- NRW should issue an annual report on wild bird licensing.

Themes relating to the control of particular species

- Control of cormorant and goosander needs urgent attention in order to protect migratory fish stocks.
- Rook should be included on conservation general licence as they prey on small birds.
- Magpie, crows and gulls are observed in large groups. However chaffinch, bullfinch and greenfinch are barely ever observed due to being predated by the gulls/crows/magpies.
- All invasive non-native species should be included on a general licence.
- Sacred ibis does not cause significant damage/harm and should not be controlled under a general licence. It only interbreeds with the scarlet ibis which is not a UK species.

Themes relating to use of lethal vs. non-lethal methods

- Non-lethal approaches should always be promoted and prioritised.
- Killing birds should always be the last resort, but this does not seem to be the case. It seems to be cheaper to kill birds as the first resort.
- NRW should focus their effort on land management rather than authorising the killing of birds.
- Trials of non-lethal methods of deterring gulls were successful in Scotland last year and should be tried in Wales.
- Killing of animals should not be undertaken at all. Lethal methods at best only provide a short term solution.
- There's an assumption in the consultation that lethal control is an acceptable management tool. Natural balance should be the long-term aim.
- There are no humane ways of trapping any animals or birds.

Themes relating to gamebirds

- No licensing provisions should be made for protecting released gamebirds such as pheasant and red legged partridges. There is no scientific data to back this up and these species are practically invasive non-native species themselves.
- The game shooting industry is already having an adverse impact on biodiversity and the natural environment, by breeding and releasing huge numbers of non-native game birds every year and through the widespread use of lead shot.

Appendix 1: Numbers of respondents by question

Consultation question		Number of responses (% of all responses)	% of responses		Other
			Yes	No	
Proposals concerning our overall approach to licensing the lethal control of wild birds					
General licences					
7	Do you agree with the principles we are proposing to apply for deciding whether to grant a general licence?	612 (96)	71	29	n/a
8	Do you think there are other principles or tests we should apply before deciding whether to grant a general licence?	247 (40)	52	48	n/a
9	Do you think that magpie is suitable for inclusion on general licences in Wales in light of evidence of decline in their population in Wales?	614 (99)	21	79	n/a
9b	If you answered No to question 9, do you think we should...?	485 (78)	n/a	n/a	(1) Not include magpie on general licences straight away, so that they would not be included on any general licences we grant in 2022: 90%

Consultation question		Number of responses (% of all responses)	% of responses		Other
			Yes	No	
					(2) Wait until the next published BoCC Wales assessment before making the decision: 4% (3) Take another approach: 6%
10	Do you think there are other species which may be suitable for inclusion on a general licence?	607 (98)	17	83	n/a
11	Do you agree that general licences should be subject to regular review?	612 (99)	95	5	n/a
12	Do you agree with the way in which we propose to carry out a regular review of general licences?	604 (97)	17	83	n/a
13	Do you agree that general licences should continue to be issued for one year, and run from January to December?	610 (98)	79	21	n/a
14	Do you have any other suggestions concerning the regular review and reissue of general licences?	251 (40)	35	65	n/a
15	Do you have any comments on the format of general licences or any suggestions on how we could improve them in terms of presentation?	599 (96)	80	20	n/a
16	Do you agree that a person authorised by a landowner or occupier to carry out actions under a general licence, should be authorised in writing by the landowner or occupier?	610 (98)	84	16	n/a

Consultation question		Number of responses (% of all responses)	% of responses		Other
			Yes	No	
17	Do you agree that general licences should include a condition requiring users to first try to address the problem using alternative non-lethal methods, and to continue to make reasonable efforts to do so?	614 (99)	80	20	n/a
18	Do you agree that general licence users should be advised to keep records of the actions they have taken under the licences?	611 (98)	23	77	n/a
19	Do you agree with our proposed approach to addressing protected site requirements when granting general licences?	600 (97)	84	16	n/a
20	Do you agree with the list of sites and buffer zones where we are proposing that general licences should not apply?	199 (32)	46	54	n/a
Specific licences					
21	Do you have any suggestions on how the process of applying for a specific licence, including the application forms, could be improved?	200 (32)	37	63	n/a
22	Do you have any suggestions on how the requirement to provide reports on activity carried out under specific licences, including the reporting forms, could be improved?	196 (32)	26	74	n/a

Consultation question	Number of responses (% of all responses)	% of responses		Other	
		Yes	No		
Licensing the use of lethal methods					
23	Do you agree with the overarching principles we have set out for deciding which methods should, and should not, be licensed for the killing or taking of wild birds?	189 (30)	65	35	n/a
24	Do you think there are other matters we should take into account in deciding which methods should and should not be licensed?	181 (29)	35	65	n/a
25	Do you agree that general licences granted by NRW for the lethal control of wild birds should allow the use of ALL methods which are not prohibited by section 5 of the Wildlife and Countryside Act 1981?	184 (30)	81	19	n/a
26	Do you agree that any general licences granted by NRW should continue to allow the use of semi-automatic weapons and cage traps?	194 (31)	73	27	n/a
27	Do you agree that any method which is allowed under general licences should also be allowed, if applied for, under specific licences?	184 (30)	88	12	n/a
Regulating the use of cage traps					

Consultation question		Number of responses (% of all responses)	% of responses		Other
			Yes	No	
28	Do you agree that NRW general and specific licences should specify the types of cage trap that may be used?	586 (94)	91	9	n/a
29	Do you agree with the types and specifications of cage trap which we propose to authorise for use under any general licences we grant?	579 (93)	91	9	n/a
30	Do you agree with the proposal not to allow the use of meat-based baits under any general licences granted by NRW?	582 (94)	82	18	n/a
31	Do you agree that continuing to allow the use of diced meat as feed for decoy birds achieves the right balance between mitigating the risk of catching non-target species and the welfare of decoy birds?	567 (91)	86	14	n/a
32	Do you agree that licences should include a condition requiring captured birds of the target species to be killed out of sight of other captured birds and decoys, except in relation to multi-catch traps?	574 (92)	86	14	n/a
33	Do you agree with the proposal to allow users of multi-catch traps discretion to kill trapped birds within sight of other birds where they consider that the additional delay and handling caused by moving out of sight to kill each bird would cause more distress?	556 (90)	60	40	n/a

Consultation question		Number of responses (% of all responses)	% of responses		Other
			Yes	No	
34	Do you agree that trap users should be required to kill trapped birds (of the target species) as soon as reasonably practicable after discovery?	579 (93)	98	2	n/a
35	Do you agree that NRW licences should specify, as a licence condition, the matters that must be addressed at each cage trap inspection?	581 (94)	93	7	n/a
36	Do you agree with our proposal to specify a maximum interval between inspections of 25 hours?	573 (92)	51	49	n/a
37	Do you agree with our proposal to include a condition prohibiting the use of wing-clipped birds as cage trap decoys?	580 (93)	92	8	n/a
38	Do you agree that we should introduce a dedicated general licence containing standard terms and conditions for the use of cage traps?	578 (43)	88	12	n/a
39	Do you have any views on whether a mandatory scheme of trap registration and tagging in Wales would be beneficial?	582 (94)	87	13	n/a
40	Do you have any additional views on the approach that NRW should take towards regulating the use of cage traps for lethal control of wild birds?	570 (92)	83	17	n/a
Considering other regulatory approaches					

Consultation question		Number of responses (% of all responses)	% of responses		Other
			Yes	No	
41	Do you have any views on areas of wild bird control licensing where the use of an alternative approach to specific and general licences could be beneficial?	207 (33)	33	67	n/a
Proposals concerning our approach to licensing the lethal control of wild birds in specific contexts					
Preventing serious damage or spread of disease to livestock, foodstuffs, crops, vegetables or fruit					
42	Do you agree that we should continue to grant a single general licence for the prevention of serious damage?	212 (34)	71	29	n/a
43	Do you agree that a general licence for the prevention of serious damage should specify which particular 'species to purpose' combinations are authorised for lethal control?	204 (33)	51	49	n/a
44	Do you have any comments on the particular species to purpose combinations we are proposing should be authorised for lethal control for the prevention of serious damage?	187 (30)	26	74	n/a
45	Do you agree that a general licence for the prevention of serious damage should not specify limits on the times of year when the licence can be used?	207 (33)	67	33	n/a
46	Do you agree with the way in which we propose to continue to define livestock?	180 (29)	76	24	n/a

Consultation question		Number of responses (% of all responses)	% of responses		Other
			Yes	No	
Conservation of wild birds, animals or plants					
47	Do you agree with our proposed principles for licensing the lethal control of wild birds for conservation purposes?	559 (90)	19	81	n/a
48	Do you think there are any other principles we should follow when deciding whether to grant licences for conservation purposes?	167 (27)	44	56	n/a
49	Do you think we should...?	580 (93)	n/a	n/a	(1) Retain a general licence for conservation purposes: 22% (2) Not grant a general licence for conservation purposes: 72% (3) Gather evidence on use of GL004 prior to making any changes: 3% (4) Adopt another approach: 3%
50	Do you agree that the most appropriate basis for identifying the beneficiary species of a general licence for conservation of wild birds is: red or amber listed species which regularly breed in Wales and which are considered vulnerable to predation by one or more of the corvid species concerned?	585 (94)	90	10	n/a
51	Do you agree that a general licence for the purpose of conserving wild birds should continue to be limited to conserving only the chicks or eggs of the beneficiary species?	577 (93)	82	18	n/a

Consultation question		Number of responses (% of all responses)	% of responses		Other
			Yes	No	
52	Do you think that a general licence for the purpose of conserving wild birds should include restrictions on the time of year when the licence can be relied upon?	584 (94)	79	21	n/a
53	Do you agree that carrion crow should continue to be included on a general licence for the purpose of conserving wild birds?	584 (94)	28	72	n/a
54	Do you agree that jay should continue be included on a general licence for the purpose of conserving wild birds, but only in relation to the conservation of woodland bird species?	588 (95)	18	82	n/a
55	Do you agree that jackdaw should no longer be included on a general licence for the purpose of conserving wild birds?	588 (95)	40	60	n/a
56	Do you think that magpie is suitable for inclusion on a general licence for the purpose of conserving wild birds in light of the evidence of its impact?	587 (95)	22	78	n/a
Preserving public health or public safety and preventing the spread of disease					
57	Do you agree that we should continue to grant a general licence allowing lethal control of feral pigeon for the purpose of preserving public health?	258 (42)	76	24	n/a

Consultation question		Number of responses (% of all responses)	% of responses		Other
			Yes	No	
58	Do you agree that we should not grant a general licence for public health purposes allowing lethal control of any species other than feral pigeon?	249 (40)	44	56	n/a
59	Do you agree that NRW should require a gull management plan as part of any licence application to control gulls in an urban situation?	255 (41)	69	31	n/a
Preserving air safety					
60	Do you agree that NRW should continue to licence lethal control of wild birds for the purpose of preserving air safety through specific licences?	247 (40)	73	27	n/a
61	Do you agree that applications to control birds for air safety purposes should be required to include an appropriate management plan for how wildlife risks at the aerodrome site will be managed?	258 (42)	85	15	n/a
Fish-eating birds					
62	Do you agree that any lethal control of cormorant or goosander for the purposes of preventing serious damage to fisheries or for conserving flora or fauna should continue to be subject to specific licensing?	304 (49)	64	36	n/a

Consultation question		Number of responses (% of all responses)	% of responses		Other
			Yes	No	
63	Do you have any views on the development and application of a population viability analysis modelling tool to predict the impact of different levels of licenced lethal control on cormorant and goosander populations in Wales?	235 (38)	39	61	n/a
64	Do you have any views on the application of a licensing threshold that sets a limit on the number of cormorant and goosander that may be licensed to be controlled in Wales, informed by population modelling?	237 (38)	46	54	n/a
65	Do you have any views on the application of area or catchment-based licences for lethal control of cormorant and goosander in Wales?	220 (35)	40	60	n/a
66	Do you have any views on the efficacy of non-lethal and lethal methods for control of cormorant and goosander?	226 (36)	45	55	n/a
67	Do you have any views on the need for management plans to support specific licence applications for any lethal control of cormorant or goosander?	227 (37)	47	53	n/a
Invasive non-native species of birds					
68	Do you agree that we should continue to authorise the control of ruddy duck and Canada goose under general licences?	263 (42)	69	31	n/a

Consultation question		Number of responses (% of all responses)	% of responses		Other
			Yes	No	
69	Do you agree with the approach we propose to take in relation to other invasive non-native species of wild birds?	230 (37)	64	36	n/a
Other matters relating to how NRW regulates the lethal control of wild birds					
70	Do you have any other views or information which you think may be relevant to this consultation and which you would like to share with us?	361 (58)	34	66	n/a

Appendix 2: Organisations which responded to the consultation

- Airbus UK
- Angling Trust
- Animal Aid
- Animal and Wildlife Solutions
- British Association for Shooting and Conservation
- British Pest Control Association
- Bryn Bach Angling Club
- Catholic Action for Animals / Also Laudato Si Group, a parish green group
- Coetir Anian
- Countryside Alliance
- Country Land and Business Association Cymru
- Crogen
- Farmers' Union of Wales
- Game and Wildlife Conservation Trust
- Game Farmers' Association
- Humane Wildlife Solutions
- Imblefield Farms Ltd, including A/R Pest Control
- International Wildlife Bond
- Killgerm Chemicals Ltd
- Nanhoron Estate
- NFU Cymru
- National Gamekeepers' Organisation
- North Wales Rivers Trust
- Richard Thomas and Co. (Hydro) Ltd
- Royal Society for the Protection of Birds Cymru
- Royal Society for the Prevention of Cruelty to Animals
- Salmon & Trout Conservation Cymru
- Tawe and Tributaries Angling Association
- Welsh Ornithological Society
- Welsh Pest Control
- Wild Justice
- Wildlife Trusts Wales