

## Natural England Consultation on General Licences

**Please use this form to reply to the General Licence consultation. This document also includes a general feedback form.**

Responses may be returned by email to: [wildlifeconsultation@naturalengland.org.uk](mailto:wildlifeconsultation@naturalengland.org.uk)

We would prefer responses to be submitted electronically but if you prefer to respond in writing, please submit your response to: Natural England General Licences Consultation, c/o Dr Edel McGurk, Natural England, Government Buildings, Otley Road, Lawnswood, Leeds. LS16 5QT.

<b>Organisation</b>	British Falconers' Club
<b>Respondee Name</b>	Graham Irving

The following table lists all of the questions posed in the consultation document. For each question, please indicate whether you support the proposal using the tick boxes, and provide an explanation and evidence in support of your view in the space provided. Where you do not have a view on a particular proposal, please tick 'No Comment'.

**The form is designed to be completed on screen; free text boxes will expand as you type.**

### Confidentiality

We will respect requests for confidentiality. If you wish the information you provide to be treated as confidential, please record your request below; it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances.

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## Responses to Proposals

### **THEME: Obligations to Protected Sites**

Question 1: Do you agree with Natural England's proposal to address this concern by drawing attention to the existing obligations on Statutory Undertakers?

Yes  No  No Comment

With reference to the sport of falconry only, we consider that restrictions of this sort would possibly put our members at risk of prosecution as, once a hawk/falcon has left its owners fist, we would be unable to ensure 100% control of the raptor whilst in free flight. Falconry is recognised as a low or nil impact past time in relation to the quarry species hunted and we feel that the wording of this section of the general licences should reflect this. These restrictions could prove a hindrance to our ability to practice our sport.

### **THEME: Non-Native Species**

Question 2: Do you agree with our proposal to use regulatory measures to facilitate the control or invasive non-native species?

Yes  No  No Comment

Consideration needs to be given in any future legislation to ensure that its wording does not impact upon our members' ability to practice our chosen sport. The issue of non native species used within falconry is completely different from the issue of non native species as a threat to wild species through territory invasion or inbreeding. Falconers always take great steps to prevent loss of their hawks and in the event of a loss, rapid recapture is always our goal.

Question 3.1: Do you agree with our proposal to add Ring-necked and Monk Parakeets to the general licence issued for the purpose of conserving wild birds (s.16(1)(c) of the Wildlife and countryside Act 1981)?

Yes  No  No Comment

Question 3.2: Do you agree with our proposal to add Canada Geese and Egyptian Geese to the general licence issued for the purpose of conserving wild birds (s.16(1)(c) of the Wildlife and Countryside Act 1981)?

Yes  No  No Comment

Question 4.1: Do you agree with our proposal to permit the killing/taking of Ring-necked and Monk Parakeet species for the purpose of preventing serious damage to crops, etc (s.16(1)(k) of the Wildlife and Countryside Act 1981)?

Yes  No  No Comment

Question 4.2: Do you agree with our proposal to issue a separate licence for this purpose for invasive non-native species?

Yes  No  No Comment

Question 5.1: Do you agree with our proposal to permit the killing/taking of Monk Parakeet species under a general licence for the purpose of preserving public health or public or air safety (s.16(1)(i) of the Wildlife and Countryside Act 1981)?

Yes  No  No Comment

Question 5.2: Do you agreed with our proposal to issue a separate licence for this purpose for invasive, non-native species?

Yes  No  No Comment

#### **THEME – Review of species listed**

Question 6.1: Do you agree that Great Black-backed Gull should only be listed on the general licence permitting take/kill birds for the purpose of preserving air safety? Please provide evidence in support of your view.

Yes  No  No Comment

A/ This species of gull is proven to be a predator of ground nesting birds, their young and eggs. Removing the ability to control this species for bird conservation reasons could potentially have a localised impact on species of waders and game birds (grouse & black cock as an example) to maintain a hold in upland areas (heather moorland in particular).

B/ This species of gull is a traditional, but specialist quarry for falconers, it is our belief that it should be retained on a general licence specifically for falconers to allow us to continue to practice our sport without fear of possible prosecution. As the licences are worded at the moment, falconry is not listed as an authorised method for the control of any birds listed on any of the various general licences, which potentially puts falconers in a catch 22 situation, they are regularly called upon to control these species within the remit of the general licences but are actually potentially putting themselves at risk of prosecution. This area needs clarifying and resolving as a matter of urgency

C/ This species of gull is subject to population increases during the winter months due to migration of birds from northern Europe, it would appear that this issue has not been considered when proposing this change to the current range of general licences, basing the decision purely on the fact that there are less of these gulls about during the summer than there is during the winter months also needs to be considered when proposing amendments of any species not just this one.

D/ This species of gull is an issue to professionals involved in bird control and clearance services in such locations as landfill sites, residential and industrial estates and the like. As mentioned above, the population of this species increases during the cold periods of the year due to migration trends. On landfill sites in particular, gulls of all species are required to be controlled as a requirement of a sites operating licence (legislated requirement) and removal of this species from the public health and safety and the control of the spread of disease licences would leave bird clearance contractors and landfill site operators unable to comply at short notice with the conditions required of them.

The Scottish Executive have cleared up the anomaly of falconers being able to work within the remit of the general licences by adding falconry as an authorised method to all the general licences they have issued this year, should England and Wales not follow them to ensure that falconers do not fall foul of the law?

Question 6.2: Do you agree that the Herring Gull should only be listed on the general licences permitting

a. the killing/taking of birds for the purpose of preserving air safety?

Yes  No  No Comment

b. the destruction of eggs and nests for the purpose of preserving public health and public safety? Please provide evidence in support of your view.

Yes  No  No Comment

All comments raised in relation to question 6.1 are applicable to this reply

Question 7.1 Do you agree with our proposal to issue a limited general licence permitting the taking/killing of House sparrow, Starling, Robin and Blackbird in food production/handling premises for the purpose of preserving public health or public safety (s.16(1)(i) of the Wildlife and Countryside Act 1981)?

Yes  No  No Comment

A/ We agree that this is a good idea and support the intention, but, we are of the opinion that this proposal should be extended to include agricultural storage areas (i.e. grain barns) and poultry rearing units for the purpose of preventing the spread of disease. It seems ridiculous to us that a tesco warehouse can legally cull a few starlings to prevent them defecating on palletised goods, but the likes of a Bernard Matthews rearing unit with 1000's of turkeys in it cannot immediately cull a few starlings that manage to gain entry to the premise and may potentially have come to the UK on migration via a country with an avian flu outbreak. Common sense needs to be applied in all such cases.

If these changes are implemented then the use of falconers' birds needs to be added to the list of authorised methods listed on the licences.

Question 7.2 If such a licence is issued, do you agree that it is appropriate to require users of the licence to register their first use of the licence with Natural England and to keep written records of action taken under the licence?

Yes  No  No Comment

If, as you state in the consultation document, the number of request for this type of licence are historically very low, why do you feel the need to and extra bureaucracy to the principals of ease of use that the general licences are supposed to allow?

**THEME – Sales of birds**

Question 8.1: Do you agree with the proposal to consolidate the sales licences?

Yes  No  No Comment

Not applicable to falconry

Question 8.2: Do you agree with the proposal to continue to allow the birds listed on the appendix (and their eggs) to be sold without a ring?

Yes  No  No Comment

Not applicable to falconry

Question 8.3: Is the list of species that are exempt from ringing correct (see draft licence for list)? If you disagree, please state why and provide evidence.

Yes  No  No Comment

Not applicable to falconry

Question 9.1: Do you agree with our proposal that no species be excluded from sale under the general licence on the grounds of risks to their conservation status from illegal take from the wild? If you disagree, please provide grounds and evidence for your position? If you do disagree, please provide grounds and evidence for your position.

Yes  No  No Comment

Not applicable to falconry

Question 9.2: Do you agree that Ruddy Duck and Egyptian Goose should continue to be excluded from the general licence permitting sales on the grounds of potential risks to native species, and that Canada Goose should be added to the list of exclusions?

Yes  No  No Comment

Not applicable to falconry

Question 9.3: Do you agree that sales of Eagle Owls under the general licence should be subject to a registration scheme on the grounds of potential risks to native species?

Yes  No  No Comment

Although eagle owls are kept primarily for avicultural purposes rather than for falconry use, we feel that a response on this issue is required. The issue of whether the current incidents of wild living/breeding eagle owls within the UK is a debate that attracts controversy in some quarters. It is our opinion that it would be better to gather hard evidence by initially trapping the small current wild **breeding** population and firstly establish the likelihood of them being of captive decent or if they are migratory individuals. As for the intention to implement a small scale registration scheme to cover the movement of this species, we feel that the current need for this species to have article 10 certificates to be sufficient to full fill this need. This new registration requirement would also go against the recent moves by the UK government to streamline and simplify the licensing of captive raptors.

The issue of Scotland and Wales not following your lead on this issue would, in our minds, make the scheme unworkable as you would have incomplete records.

Question 9.4: Do you believe that other bird species should be added to this list of exclusions on the grounds of potential risks to native species? Please consider the possible candidates suggested above; you may suggest other species and explain why, providing evidence.

Yes  No  No Comment

It is our belief that it would be far simpler and more constructive to make the licences applicable to **all** non native or hybrid species rather than adding one or two individuals here and there. This approach could allow the rapid intervention in a local or nation problem without having to wait for another consultation to take place. A system could be put in place, outlined on the relevant licences that allows individuals or groups to approach Natural England to allow a rapid response and control or prevention of a possible threat from an un foreseen non native or hybrid species

Question 10: Do you agree with our proposal that sales of dead Barnacle Goose and White-fronted Goose (Greenland race) be permitted under the general licence?

Yes  No  No Comment

Question 11.1: Do you agree that Natural England should provide guidance on what might

constitute suitable documentary evidence?

Yes  No  No Comment

Question 11.2: Do you agree that the wording we propose is appropriate? If not, please provide alternative wording.

Yes  No  No Comment

### **THEME – Understanding and awareness of the general licences & their conditions**

Question 12.1 Do you believe that there is sufficient widespread understanding of the General Licences, the circumstances in which they may be used and the conditions that apply. Please provide evidence in support of your answer where possible.

Yes  No  No Comment

A/ in relation to the sport of falconry, it is our belief that a new general licence, specifically to cover our sport and quarry species should be introduced by all three parliaments to ensure country wide parity. Falconry has a history covering several thousand years and for it not to be provided for in this modern time needs to be fully resolved in our opinion.

B/ in relation to falconers being able to fly hawks or undertake work within the remits of the current general licences as they are currently worded, needs expanding and clarifying to assist us in provided a service to industries and for our members to continue to continue to practice our sport without fear of prosecution.

Although it is not within the scope of this consultation to solve this during the current consultation, it is our wish that these issues are noted and acted upon in the near future.

Question 12.2 Do you have any suggestions as to how we could raise the level of awareness?

When the comments in 12.1 above are to be discussed, it is the request of the British Falconers club that the author of this response is contacted to provide input in to future dialogue on this subject.

Please scroll down to the next part of this form if you wish to provide us with general feedback on this consultation package and exercise.