

General and Class Licence Consultation – February 2014

Annex C: Assessment of Regulatory Impact

As part of this consultation we have undertaken an initial assessment of the business impact, i.e. the impact proposed changes would have on businesses. This is part of our commitment under Accountability for Regulator Impact (<http://www.naturalengland.org.uk/ourwork/regulation/betterregulation/ari-scheme.aspx>). Natural England is aware that changes it makes can involve additional cost. Sometimes, changes involving additional costs are unavoidable but we are committed to understanding and being transparent about those, and will seek as far as possible to minimise them. The impact is assessed both in terms of time and financial cost, using a number of average costings and assumptions. This Annex provides details of our assessment, including the costings and assumptions used.

It is possible to make such estimates where changes are proposed to activities currently covered by individual or Class Licences, based on applications, registrations and reported information. Estimates are more difficult for activities currently carried out under General Licence, where information on use of the licence is not reported to us.

In either case it should be noted that our assessment is an estimate based on standardised cases. Cases do vary in complexity, but we hope that the consultation responses will provide more detailed information to help us better understand the impacts, and we encourage respondents to quantify any change in cost (positive or negative) that proposed changes may have. If extra cost is likely to be involved, introduction of the change may still be unavoidable, but we will make clear the level of additional cost and why this is required.

Table 2 below contains details of our assessment for each of the potential changes discussed in the consultation document. The reference numbers correspond to those given in Table 1 in the consultation document, and Table 1 should be referred to for full details and background. Table 2 provides a brief description of the proposed change only. Some changes are 'Proposals' (i.e. a firm proposal which Natural England may put into place dependent on responses to this consultation). In other cases we are simply gathering views at this stage, and we would expect to consult again on any further proposals, unless these are minor in their impact on licence users. The saved or added cost given in the Regulatory Impact column is the impact on licence users, and is calculated using numbers of licences issued in 2011/2, the data set upon which our regulatory costs baseline was set. We have no reason to believe that figures in 2012 would be unusually skewed for any reason.) The calculation assumes either all new applications, all repeat applications, or half of each, dependent on which scenario is closest to the actual 2012 figures.

Table 3 below provides details of the figures and assumptions we have based our assessment on. We are happy to receive evidence from consultees offering alternative views on these figures and assumptions.

TABLE 2

Ref	Licence catalogue number (if applicable)	Change	Regulatory Impact
THEME: Managing Conflict Species			
1	WML-GL04 WML-GL06	<p><u>General Licences for the purposes of preventing serious agricultural damage or disease, and conserving flora and fauna</u></p> <p>Proposal: Add the following species to General Licence WML-GL04 permitting action to prevent serious agricultural damage or disease:</p> <ul style="list-style-type: none"> • Greylag goose (<i>Anser anser</i>) • Egyptian goose (<i>Alopochen aegyptiacus</i>) (Note this species is already included on General Licence WML-GL06, for the purpose of conserving flora and fauna). <p>Proposal: Add the following species to General Licence WML-GL06 permitting action for the purpose of conserving flora and fauna:</p> <ul style="list-style-type: none"> • Sacred ibis (<i>Threskiornis aethiopicus</i>) • Indian house-crow (<i>Corvus splendens</i>) <p>Gathering views on the General Licence WML-GL04 (preventing serious agricultural</p>	<p>Moving greylag goose from individual to General Licence would save 30 individual licences per annum, or 127.5 hours, or £2685.</p> <p>Moving Egyptian goose from individual to General Licence would currently save 1 individual licence per annum, but this saving is likely to increase in line with Egyptian goose numbers.</p> <p>The addition of sacred ibis and Indian house-crow to General Licence is proposed in order to allow timely action in the event of establishment of these species. No action has previously been required. In the event of requiring action, there would be a significant saving in time and financial cost of acting under a General Licence rather than requiring an individual licence.</p> <p>Any removal of species from</p>

		<p>damage or disease) continuing to permit control of the following species:</p> <ul style="list-style-type: none"> • Collared dove (<i>Streptopelia decaocto</i>) • Jackdaw (<i>Corvus monedula</i>) • Jay (<i>Garrulus glandarius</i>) <p>Gathering views on the General Licence WML-GL06 (conserving flora and fauna) continuing to permit control of the following species:</p> <ul style="list-style-type: none"> • Jackdaw (<i>Corvus monedula</i>) • Jay (<i>Garrulus glandarius</i>) 	<p>General Licence would result in that species being controlled under Class or individual licence, hence adding burden. The average estimated costs of applying for individual and Class Licences are given in Table 3. We do not quote an overall impact here as we do not know how many people use this licence.</p>
2	WML-GL05	<p><u>General Licence for the purpose of preserving public health and safety</u></p> <p>Proposal: Add the following species to paragraph 2(ii) of General Licence WML-GL05 permitting taking, damaging and destroying of nests, and taking and destroying of eggs, for the purpose of preserving public health and safety:</p> <ul style="list-style-type: none"> • Greylag goose (<i>Anser anser</i>) • Mallard (<i>Anas platyrhynchos</i>) <p>Gathering views on pied wagtail, robin and/or starling being added to paragraph 2(ii) of General Licence WML-GL05 permitting taking, damaging and destroying of nests, and taking and destroying of eggs, for the purpose of preserving public health and safety.</p>	<p>Adding greylag goose and mallard as proposed would save 12 individual licences (51 hours, or £1074) and 7 individual licences (32 hours, or £674) respectively per annum.</p> <p>If pied wagtail, robin and starling were added, this would save 10 individual licences per annum, 65 hours, or £1370.</p>
3	<p>New Class Licences</p> <p>WML-GL04 WML-GL05 WML-GL06</p>	<p><u>Large gulls</u></p> <p>Gathering views on the introduction of a Class Licence to permit control of herring gulls and lesser black-backed gulls for the purpose of conserving flora and fauna. Any such Class Licence would be issued in conjunction with removing lesser black-backed gulls from the conservation General Licence (WML-GL06).</p> <p>Gathering views on the introduction of Class Licences to permit control of herring gulls and lesser black-backed gulls for the purpose of preserving public health and safety. Any such Class Licence would be issued in conjunction with removing lesser black-backed gulls from the public health and safety General Licence (WML-GL05).</p> <p>Gathering views on the removal of lesser black-backed gulls from the General</p>	<p>Such Class Licences would replace 109 individual conservation licences, and 34 individual public health and safety licences. Taking into account the requirement to register for a Class Licence, this equates to savings of 27.25 hours / £545 and 85 hours / £1785 respectively.</p> <p>Figures are not available for action taken against lesser black-backed</p>

		Licence for the purpose of preventing serious agricultural damage and disease (WML-GL04).	gulls under General Licence, but moving this species to a Class Licence would add burden. The average estimated costs of applying for Class Licences are given in Table 3 (see 'Birds' section). However in many cases both herring gulls and lesser black-backed gulls are controlled together (especially for conservation purposes), so only one registration would be required, resulting in an overall saving.
4	WML-GL04 WML-GL05 WML-GL06 WML-CL-12	<p><u>Crow species</u></p> <p>Proposal: Change the wording 'Crow <i>Corvus corone</i>' to 'Carrion crow <i>Corvus corone</i>' at paragraphs 2(i)(a) and 6 in following General and Class Licences:</p> <ul style="list-style-type: none"> • WML-GL04 (preventing serious agricultural damage or disease) • WML-GL05 (preserving public health and safety) • WML-GL06 (conservation of flora and fauna) • WML-CL12 (preserving air safety) 	<p>None (clarification rather than change in requirements)</p> <p>The average estimated costs of applying for an individual licence to control hooded crows, if necessary, are given in Table 3.</p>
5	WML-CL-12	<p><u>Air safety Class Licence</u></p> <p>Proposal: Make prior registration a requirement for users of the air safety Class Licence WML-CL12.</p> <p>Proposal: Make annual reporting, including nil returns, a requirement for all persons registered to use the air safety Class Licence WML-CL12.</p>	<p>We estimate that around 150 civil and military aerodromes would use the Class Licence. In 2012, 21 aerodromes submitted an annual report.</p> <p>As registration would be automatic upon receipt of an annual report, a registration requirement would result in a one-off added cost of 96.75 hours, or £2041.33.</p>

		<p>Proposal: Add the following species to Class Licence WML-CL12 permitting action for the purpose of preserving air safety:</p> <ul style="list-style-type: none"> • Stock dove (<i>Columba oenas</i>) • Greylag goose (<i>Anser anser</i>) • Curlew (<i>Numenius arquata</i>) • Oystercatcher (<i>Haematopus ostralegus</i>) • Egyptian goose (<i>Alopochen aegyptiacus</i>) 	<p>If it is assumed that all those aerodromes which did not submit an annual report in 2012 would submit a nil return* if this were a requirement, this would result in an added cost of 129 hours, or £2732.22.</p> <p>*Note this is likely to be an over-estimate, as we believe that not all aerodromes currently using the Class Licence are submitting annual reports as required.</p> <p>If these species were added to this Class Licence, this would save around 75 individual licences per annum, 150 hours, or £3150.</p>
6	WML-CL03	<p><u>Food premises Class Licence</u></p> <p>Proposal: Add the following species to Class Licence WML-CL03 permitting trapping and release of birds from food premises for the purpose of preserving public health and safety:</p> <ul style="list-style-type: none"> • Pied wagtail (<i>Motacilla alba</i>) • Blue tit (<i>Cyanistes caeruleus</i>) 	<p>If these species were added to this Class Licence, this would save around 5 licences per annum, 23.75 hours, or £500.</p>

		<ul style="list-style-type: none"> • Great tit (<i>Parus major</i>) • Dunnock (<i>Prunella modularis</i>) • Starling (<i>Sturnus vulgaris</i>) • House sparrow (<i>Passer domesticus</i>) • Song thrush (<i>Turdus philomelos</i>) 	
THEME: Trapping and welfare			
7	WML-GL04 WML-GL05 WML-GL06 WML-GL21 WML-CL03 WML-CL-12	<p><u>Trapping Code of Practice</u></p> <p>Gathering views on the use of a Code of Practice, such as that at Annex G, to replace licence conditions and provide guidance on best practice.</p>	<p>Much of the Code of Practice will replace licence conditions (giving more detail), and draw attention to requirements under Animal Welfare legislation. We believe that using the Code of Practice will be clearer and more informative, but with minimal additional requirements and hence minimal additional impact. Therefore we don't foresee added costs, but are seeking views on this.</p>
8	WML-GL04 WML-GL05 WML-GL06 WML-CL-12	<p><u>Keeping trapped birds as decoys</u></p> <p>Gathering views on whether there should be a maximum time for which decoy birds can be continuously kept within a trap, and if so, what time limit and minimum time period before the bird could be returned to a trap is considered appropriate.</p> <p>Gathering views on whether there should be a maximum time period for which birds can be retained as decoys, and if so, what that time period should be.</p> <p>Gathering views on whether the options for birds caught under General or Class Licence should be restricted to dispatch, release or keeping as a decoy.</p>	<p>N/A – no current proposal</p> <p>We are seeking views and evidence for costs associated with limiting the time for which birds can be kept within a trap, and also not being able to keep birds as decoys for long periods (e.g. over winter).</p> <p>We believe that the regulatory impact of preventing the keeping of birds other than as decoys</p>

			would be none , but would be interested in views on this.
9	WML-GL04 WML-GL05 WML-GL06 WML-GL21 WML-CL-12	<u>Referenced tagging system for traps</u> Gathering views on whether there is merit in the use of a referenced tagging system for traps set under General or Class Licence, and if so, suggestions for how such a system would be organised and what the costs and benefits would be?	Currently we are seeking suggestions for how such a scheme could be organised, and what the costs and impacts of each suggestion would be.
10	WML-GL04 WML-GL05 WML-GL06 WML-CL-12	<u>Use of Larsen-Mate Traps ('Clam' or 'Butterfly Traps')</u> Gathering views on whether Larsen-Mate traps should be specifically permitted for use under relevant General and Class Licences, and if so, what restrictions would be considered appropriate regarding use of this type of trap.	We are seeking views , including the resulting impacts, on several options for this type of trap: prohibiting their use, restricting their use, or requiring an individual licence for their use.
11	WML-GL04 WML-GL05 WML-GL06 WML-GL21 WML-CL-12	<u>Humane dispatch</u> Proposal: Add the recommendation: "All reasonable precautions must be taken to ensure that unnecessary suffering of birds is avoided. Wounded birds are to be pursued and humanely despatched where practicable." to the following General and Class Licences: <ul style="list-style-type: none">• WML-GL04 (preventing serious agricultural damage or disease)• WML-GL05 (preserving public health and safety)• WML-GL06 (conservation of flora and fauna)• WML-GL21 (control of ruddy ducks for the purpose of conservation of flora and fauna)• WML-CL12 (preserving air safety)	None / minimal additional , as this should already be done as best practice.
THEME: Sales and exhibition			
12	WML-GL18	<u>Live bird sales</u> Proposal: Add the following species to Appendix 2 of General Licence WML-GL18	Adding these species would save around 40 individual licences per

		<p>permitting the sale of certain captive bred species of live bird:</p> <ul style="list-style-type: none"> • Mandarin (<i>Aix galericulata</i>) • Carolina duck (<i>Aix sponsa</i>) • Canada goose (<i>Branta canadensis</i>) • Barnacle goose (<i>Branta leucopsis</i>) • Ruddy shelduck (<i>Tadorna ferruginea</i>) • Blue-winged teal (<i>Anas discors</i>) • Green-winged teal (<i>Anas carolinensis</i>) <p>Proposal: Specify the 'teal' species (<i>Anas crecca</i>) listed on Appendix 2 of General Licence WML-GL18 as common teal.</p>	<p>annum, 180 hours, or £3,800.</p> <p>Specifying <i>Anas crecca</i> as common teal is a clarification, and hence the impact is considered to be none.</p>
13	WML-GL17	<p><u>Dead bird sales – defining 'small numbers'</u></p> <p>Proposal: Add to WML-GL17 a licence condition stating:</p> <p>'The small number of birds that can be sold under this licence is defined as an annual maximum of 25 specimens of 'General Licence species' and 5 specimens of all other species. ('General Licence species' are any species permitted to be killed or taken under General Licences WML-GL04, WML-GL05 or WML-GL06.) Sale of higher numbers may be permitted under individual licence or the Taxidermy Class Licence WML-CLXX as appropriate. For further information on applying or registering for individual or Class Licences, please see http://www.naturalengland.org.uk/ourwork/regulation/wildlife/licences/default.aspx'.</p>	<p>We believe that most people selling more than the defined numbers are likely to be taxidermists, and hence would be covered by the proposed Class Licence (See Ref. 18 for details and impact assessment).</p> <p>For non-taxidermists not covered by the proposed Class Licence and seeking to sell in excess of the defined numbers, the added individual licence costs given in table 3 below would apply.</p>
14	WML-GL17	<p><u>Species exempt from sale of dead birds General Licence</u></p> <p>Proposal: Amend paragraph 2(iii)(a) of WML-GL17 from:</p> <p>"birds listed on Part I of Schedule 2 or on Parts II or III of Schedule 3 to the Act..."</p> <p>to:</p>	<p>Although there were no applications for licences to sell dead Part I of Schedule 2 species in 2012, there have been small numbers (up to 4) in previous</p>

		“birds listed on Parts II or III of Schedule 3 to the Act...”	years. While removing the exemption of Part I of Schedule 2 from this General Licence would result in a small saving by removing the need for any individual licences, the main reason for this proposal is to improve clarity.
15	WML-GL17	<u>Sale of dead mute swans</u> Proposal: Add to WML-GL17 an exclusion preventing the sale of dead mute swans (or parts of dead mute swans) under this General Licence.	We are unsure of the number of mute swans sold under this General Licence. The proposal would result in mute swan sales requiring an individual licence. The added individual licence costs given in Table 3 below would apply.
16	WML-GL23	<u>Sale of black-headed gull eggs (taken under separate individual licence)</u> Proposal: Amend licence condition 6 of WML-GL23 from ‘No egg may be sold under this licence after 31 May in any year’ to ‘No egg may be sold under this licence after 30 June in any year’.	Currently these eggs can only be legally sold in June under an individual licence, so the proposed change is considered to be a saving . We are currently uncertain of the demand for June sales and hence the level of saving, and are seeking views on the impact of this proposed change.
17	WML-GL14	<u>Bird exhibition</u> Proposal: Remove Annex 1 and Explanatory Note d from General Licence WML-GL14. Proposal: Remove the reference to Annex 1 from Licence condition 4 of General Licence WML-GL14, so that it reads: ‘Any bird competitively shown under this licence must be ringed with a legible individually numbered metal close ring, which is	We are unsure of the number of birds currently listed on Annex 1 of this General Licence that are shown, and hence are seeking views on the impact of requiring these birds to be rung in order to be shown under this General

		<p>a ring or band in a continuous circle (without any break, join, or any signs of tampering since it was manufactured) and which cannot be removed from the bird when its leg is fully grown. For any bird competitively shown under this licence which is on Schedule 4 to the Act, the close ring must comply with the Regulations (see Note c).’</p> <p>Proposal: Remove the following wording from Explanatory Note I of General Licence WML-GL14: ‘References to rings are only relevant to birds that are required to be rung (see Annex 1).’</p>	Licence.
18	WML-GL16	<p><u>Keeping of birds in show cages for training purposes</u></p> <p>Gathering views on which of the following licence conditions would provide the most appropriate restriction on the length of time a bird can be confined under General Licence WML-GL16:</p> <p>(i) No bird shall be kept or confined in such a cage for longer than one hour in any period of twenty four hours.</p> <p>(ii) No bird shall be kept or confined in such a cage for longer than three hours in any period of twenty four hours.</p> <p>(iii) No bird shall be kept or confined in such a cage for longer than six hours in any period of twenty four hours.</p>	We are not aware of any financial impact of altering this restriction, but are seeking views on the regulatory impact of any change.
19	WML-GL19	<p><u>Sale of amphibians</u></p> <p>Proposal: Revoke General Licence WML-GL19, and require individual licence applications to be made for the sale of species currently covered on this General Licence, i.e.:</p> <ul style="list-style-type: none"> • Common frog (<i>Rana temporaria</i>) • Common toad (<i>Bufo bufo</i>) • Smooth newt (<i>Triturus vulgaris</i>) • Palmate newt (<i>Triturus helveticus</i>) 	We believe that few people use this licence, but are seeking views on the level of impact of revoking it.
<p><i>Please note: proposal reference 20 below also refers to sales</i></p>			

THEME: Possession		
20	WML-GL02	<p><u>Taxidermy</u></p> <p>Proposal: General Licence WML-GL02 is reissued as a Class Licence.</p> <p>Proposal: In addition to the possession and transport of dead specimens of animal species listed on Annex IV of the Habitats Directive (as currently permitted by WML-GL02), the Taxidermy Class Licence would also permit the sale of dead wild birds under the Wildlife and Countryside Act 1981 (as amended), up to an annual maximum of 50 specimens of 'General Licence species' and 25 specimens of all other species. ('General Licence species' are any species permitted to be killed or taken under General Licences WML-GL04, WML-GL05 or WML-GL06.)</p>
		<p>General Licence WML-GL02 already requires registration and reporting, hence this is a simple reclassification and the regulatory impact of reissuing as a Class Licence is considered to be none.</p> <p>Permitting sale of increased number of birds under this licence is anticipated to replace the higher numbers of birds currently sold under General Licence WML-GL17 (no individual licences to sell higher numbers of birds were issued in 2012). The added cost of using a Class Licence rather than a General Licence is given in Table 3 below.</p>
21	WML-GL07 WML-GL09 WML-GL11	<p><u>Rearing and keeping of Schedule 4 birds</u></p> <p>Proposal: Remove the following licence conditions from WML-GL07:</p> <ul style="list-style-type: none"> • 6. 'The authorised person shall, within 4 days commencing with the day on which he takes into his possession or control a disabled wild-bred Schedule 4 bird, notify that fact in writing to Wildlife Licensing and Registration Service (Animal Health), Defra, 1/17 Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6EB.' • 10. 'Within four months of the date on which a licensed person takes into possession or control a disabled wild-bred Schedule 4 bird, that person shall send a copy of the record maintained in accordance with 11 above to Wildlife Licensing and Registration Service (Animal Health), Defra, 1/17 Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6EB.'
		<p>These proposals (including potential change to WML-GL11 on which we are seeking views) will reduce the regulatory burden on licensees. However we anticipate that the likely main effect of these changes will be to increase compliance, as it has come to our attention that the information required by these licence conditions is not usually provided.</p> <p>The theoretical saving, if this information was being provided, is estimated to be 300 hours (0.5</p>

		<p>Proposal: Remove the following licence conditions / notes from WML-GL09 (if this General Licence remains – see Ref. 20 below):</p> <ul style="list-style-type: none"> • Condition 6. ‘The person keeping birds under the terms of this licence must notify the Wildlife Licensing and Registration Service (Animal Health), Defra, 1/17 Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6EB of: <ul style="list-style-type: none"> (i) the birds which are being kept under the provisions of this licence. The notification to include details of the species, age and sex of the bird(s), ring number(s), the name and address of the person from whom the birds were seized and all the alleged offences involving the birds; (ii) the outcome of the prosecution; and (iii) the outcome of any appeal.’ • Note d) ‘Licensees are reminded that the Wildlife Licensing and Registration Service of Animal Health should be informed immediately of the name and address of any new keeper to whom a bird is transferred under the provisions of this licence. Birds kept under the provisions of this licence must be registered with the Department when legal proceedings are completed. See www.defra.gov.uk/animalhealth/cites/birdregistration/howtoregister.htm.’ <p>Proposal: Remove the following licence condition from WML-GL11:</p> <ul style="list-style-type: none"> • 5. ‘Any person incubating and hatching live chicks of Schedule 4 birds must send a copy of the record collated, within three months, to the Wildlife Licensing and Registration Service (Animal Health) at Room 1/17, Temple Quay House, 2 The Square, Temple Way, Bristol, BS1 6EB.’ <p>Gathering views on extending the period that chicks of Schedule 4 bird species can be kept under WML-GL11 before registration from 15 days after hatching to 30 days after hatching.</p>	<p>hours per application, for around 600 active keepers regularly registering birds), or £6329.70 per annum.</p>
22	WML-GL09	<p><u>Investigation of offences – keeping Schedule 4 birds</u></p> <p>Gathering views on the need to retain General Licence WML-GL09.</p>	<p>We believe that this licence is predominantly used by the Police and other organisations who are already issued with Organisational Licences. Covering this activity on</p>

			those Organisational Licences would result in a small added burden of reporting on this activity (estimated to be 0.5 hours per licence).
23	WML-GL10	<p><u>Investigation of offences – possession of tissue samples</u></p> <p>Proposal: Remove licence condition 4 ('This licence only applies to samples originally obtained for DNA analysis as part of a forensic investigation') from WML-GL10.</p>	This proposal is considered to allow potential savings , by widening the scope of this licence beyond DNA analysis. However we are not aware of an individual licence ever having been issued for activities brought into scope.
24	New General Licence	<p><u>Disposal of carcasses of cetaceans washed up on beaches</u></p> <p>Gathering views on whether a General Licence permitting the disposal of cetacean carcasses would be useful, and the likely frequency of use of such a licence.</p>	Such a licence is considered to allow potential savings , but we are unsure of the scale as we are not aware of an individual licence ever having been issued for this activity. We are therefore seeking views on the need for such a licence.
25	New General Licence	<p><u>Pond dipping</u></p> <p>Proposal: Issue a new General Licence permitting the taking and temporary possession of great crested newts, by schools and educational facilities for educational purposes. This licence would be subject to a number of conditions, including restricting the methods of taking, ensuring captive great crested newts are kept in suitable conditions and the length of time of possession.</p>	This proposed General Licence would replace 145 individual licences, resulting in a saving of 1305 hours and £54,520.
THEME: Compliance			
26	All General and Class Licences	<p><u>Introduction of a 'Read and understand' licence condition</u></p> <p>Proposal: Add a statement to all General and Class Licences that licence users</p>	None (clarification rather than change in requirements)

		must, before taking the licensed action, have read (or had read to them) in full and understood all terms and conditions of this licence.	Our licence costings assign 0.5 hours for reading and understanding the licence, for all licence types. It is essential that anyone acting under any of our licences, including General Licences, understands the terms and conditions they are acting under. Therefore we do not consider that specifying this as a licence condition has any regulatory impact.
27	All General and Class Licences issued under the Wildlife and Countryside Act 1981 (as amended)	<p><u>Breaching licence conditions</u></p> <p>Proposal: Add the following wording to all General and Class Licences: ‘Please note that breaching the conditions of this licence means that you cannot rely on this licence to carry out an activity that would – except under the provisions of this licence - be an offence. For example, failing to satisfy the conditions relating to provisioning of a decoy bird would mean an offence under section 8 of the Wildlife and Countryside Act 1981 (as amended) is committed if the trap is too small for the bird to stretch its wings freely.</p>	None (clarification rather than change in requirements)
28	All General Licences	<p><u>Sanction for breaches of General Licences</u></p> <p>Proposal: Amend the following text on the current General Licences:</p> <p>‘Failure to act within the purpose of this licence as set out in paragraph 1 or failure to comply with the terms and conditions may mean that the licence cannot be relied upon and an offence could therefore be committed. The maximum penalty available for an offence under the Act is, at the time of the issue of this licence, a level 5 fine (£5000) and/or a six month custodial sentence.’</p> <p>To:</p> <p>‘This licence authorises acts that would otherwise be offences under the</p>	None (clarification rather than change in requirements)

		<p>legislation referred to above. Failure to comply with its terms and conditions:</p> <p>i. may be an offence against that Act or mean that the licence cannot be relied upon and an offence could therefore be committed. The maximum penalty available for an offence under the Act is, at the time of the issue of this licence, a level 5 fine (£5000) and/or a six month custodial sentence; and</p> <p>ii. may result in your permission to use this licence being withdrawn. Natural England will inform any person or organisation whose permission to use this licence is withdrawn in writing. This sanction may be applied to other similar licences .’</p> <p>Proposal: Include the following advice in the notes section of all General Licences:</p> <p>‘Any person not permitted to use this General Licence on account of a relevant conviction (see Condition XX) or who has had their permission to use this licence withdrawn may still apply to Natural England for a specific licence for the purpose(s) and activities covered by this licence. Any such application will be considered on its merits.’</p>	
THEME: EU Birds Directive Obligations			
29	Any General or Class Licences lacking a reporting requirement. Particular focus on licences permitting the lethal control of protected	<p><u>Monitoring and reporting</u></p> <p>Proposal: Introduce a voluntary reporting scheme, to allow users of General Licences permitting lethal control of protected species to submit records of action taken under these licences.</p> <p>Gathering views on whether it is desirable for all lethal control (including action taken against nests or eggs) carried out under General Licence to be reported on, why, and the additional burden of doing so.</p> <p>Gathering views on whether it is desirable for all lethal control (including action taken against nests or eggs) carried out under General Licence to be reported only when the action is taken on a designated site (i.e. SSSI, SPA, SAC), why, and the additional burden of doing so.</p>	<p>We estimate that reporting will add 0.5 hours, or £10.55 per licence. Note that the proposal to introduce reporting is on a trial voluntary basis.</p> <p>If reporting was required on designated sites only, this would affect that proportion of the 4447 designated sites in England (320 SPAs & SACs + 4127 SSSIs), managed by approximately 19750 people, where activity covered by</p>

	species, including WML-GL04 WML-GL05 WML-GL06		General Licence is undertaken. We are seeking views on the level of impact of requiring reporting on designated sites.
30	General Licences permitting the lethal control of protected species, including WML-GL04 WML-GL05 WML-GL06 WML-GL21	<p><u>Action taken on European designated sites (SPAs and SACs)</u></p> <p>Proposal: Add the following text to all General Licences permitting the lethal control of protected species:</p> <p>‘This licence does not authorise any action against a species that is a qualifying feature of a European designated site (Special Protected Area (SPA) or Special Area of Conservation (SAC)) on that site.’</p> <p>Proposal: Add the following text to all Class Licences permitting the lethal control of protected species:</p> <p>‘This licence does not authorise any action against a species that is a qualifying feature of a European designated site (Special Protected Area (SPA) or Special Area of Conservation (SAC)) on that site, unless such use of this licence is specifically permitted by Natural England.’</p> <p>Proposal: Add the following text to the Important Information / Explanatory Notes of all General and Class Licences permitting the lethal control of protected species:</p> <p>‘Potential adverse impacts to European designated sites, i.e. Special Protected Areas (SPAs) and Special Areas of Conservation (SACs) must be considered. This includes impacts from off-site activities. Where there is the potential for adverse impacts, advice must be sought from Natural England’s regional teams (www.naturalengland.org.uk/contact/ or Telephone 0845 600 3078).’</p>	<p>Restricting action under General Licence as proposed would currently only affect action against lesser black-backed gulls. See Ref. 3 above for the impact assessment for potential changes to the licensing of control of gull species.</p> <p>We are seeking views on the impact of restricting action under Class Licence as proposed.</p> <p>The proposed requirement to consult Natural England regarding off-site impacts is estimated to cost an additional 1 hour, or £21.10 per activity. However we are seeking views on the scale of this impact.</p>
31	WML-GL04 WML-GL05 WML-GL06	<p><u>No Satisfactory Alternative</u></p> <p>Proposal: Amend the wording of the following condition from:</p> <p>"In respect to the species listed at paragraph 2(i)(a) above, this licence can only be relied on in circumstances where the authorised person is satisfied that appropriate legal methods of resolving the problem such as scaring and proofing are either</p>	None (clarification rather than change in requirements)

		ineffective or impracticable" to: "In respect to the species listed at paragraph 2(i)(a) above, this licence can only be relied on in circumstances where the authorised person has taken reasonable and appropriate steps to resolve the problem, such as scaring and proofing".	
THEME: Miscellaneous			
32	WML-GL12	<u>Removal of abandoned eggs from nest boxes</u> Proposal: Amend the wording of the following licence condition from: "Eggs (or parts of eggs) may only be removed from nest boxes not currently in use by birds, during the period 1 August to 31 January." To: "Eggs (or parts of eggs) may only be removed from nest boxes not currently in use by birds, during the period 1 September to 31 January."	None / minimal additional – an individual licence would be required if removal of abandoned eggs could not wait until September, but we anticipate very few, or no, situations will require this.
33	New Class Licence	<u>Temporary moving of eggs and chicks within nests for recording purposes</u> Gathering views on the need for a new Class Licence to allow people who are monitoring nests for the Nest Recording Scheme (run by the British Trust for Ornithology (BTO)) to temporarily move eggs and chicks within the nest cup to facilitate accurate recording and submission of data to the BTO.	Currently this activity would require an individual licence to be undertaken lawfully. However we do not receive applications for individual licences, most probably because an application for a bespoke licence is considered to be disproportionately onerous. This Class Licence would allow a low impact activity (which would benefit bird conservation) to be undertaken lawfully without the need for an individual licence. In principle, we therefore consider that such a Class Licence would help avoid costs, but are seeking

			views on this.
34	New Class Licence	<p><u>Falconry</u></p> <p>Proposal: Issue a new Class Licence permitting professional falconers to kill or take the following species:</p> <ul style="list-style-type: none"> • Canada goose (<i>Branta canadensis</i>) • Carrion crow (<i>Corvus corone</i>) • Collared dove (<i>Streptopelia decaocto</i>) • Common gull (<i>Larus canus</i>) • Feral pigeon (<i>Columba livia</i>) • Herring gull (<i>Larus argentatus</i>) • Jackdaw (<i>Corvus monedula</i>) • Jay (<i>Garrulus glandarius</i>) • Lesser black-backed gull (<i>Larus fuscus</i>) • Magpie (<i>Pica pica</i>) • Monk parakeet (<i>Myiopsitta monachus</i>) • Rook (<i>Corvus frugilegus</i>) • Woodpigeon (<i>Columba palumbus</i>) <p>This licence could only be relied upon where the activities are carried out for the purpose of preserving public health or public safety, and users must comply with licence terms and conditions. These conditions would include the requirement that the user must be satisfied that legal (including non-lethal) methods of resolving the problem are ineffective or impracticable.</p>	<p>Based on 2012 figures, the proposed Class Licence would replace 11 individual licences issued for the purpose of Falconry, plus an additional 7 licences issued for the purpose of public health and safety (for species not already covered by General Licence).</p> <p>Hence this Class Licence would replace around 20 individual licences per annum, resulting in a saving of 5 hours and £100.</p>
35	New Class Licence	<p><u>Disturbance of Schedule 1 birds for pre-development surveys</u></p> <p>Proposal: Issue a new Class Licence permitting appropriately experienced persons to disturb barn owls (<i>Tyto alba</i>) for the purpose of conservation of wild flora and</p>	<p>The proposed new Class Licence covering barn owls would replace 288 licences per annum, saving</p>

	<p>fauna, specifically in the course of surveys to inform development proposals.</p> <p>Gathering views on covering the disturbance of peregrines during pre-development surveys on a Class Licence, and an estimate of likely demand for such a licence.</p>	<p>1008 hours or £42,048.</p> <p>We estimate that including peregrines on such a Class Licence would provide a further saving of around 33 licences per annum, 115.5 hours or £4818. However we are seeking views on the need for this species to be covered.</p>
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TABLE 3

This table shows the estimate average times and costs we assign to different types of licence application. These figures have been used to calculate the Regulatory Impacts given in Table 2. A number of assumptions are listed below the table.

App Type	Science and Conservation				Birds*			Falconry and Sales		
Sub Type (Complexity)	New: Complex (projects)	New: Simple	Renewals	Class Regstn	New	Renewals	Class Regstn	New	Renewals	Class Regstn
Hrs per std case (No visit)	13.5	9	5.25	1.75	4.5	2	1.75	4.5	2	1.75
Hrs per case if visited	N/A	N/A	N/A	N/A	6.5	3	N/A	4.5	2	N/A

Cost per case (no visit)	£564	£376	£219	£73		£95	£42	£37		£95	£42	£37
Cost per case if visited	N/A	N/A	N/A	N/A		£137	£63	N/A		N/A	N/A	N/A

* Costings for bird applications for the purposes of preventing damage, preserving health & safety, and conservation. Excludes applications for fish-eating birds for the purpose of preventing damage to fisheries.

Assumptions

These cost assessments account for the following process steps (where applicable):

- Research the application requirement
- Complete application
- Complete Method Statement
- Complete Reasoned Statement
- Submit application
- Host visit
- Assessment telephone call
- Understand licence
- Report action taken

These cost assessments are based on Natural England's estimates of standard times taken, converted into monetary values using figures suggested in the Defra Standard Cost model (Hourly rate of £16.83 + 30% overheads = £21.099). For ecological consultancy costs, we are aware that an average rate of £62.50 is charged for this type of professional expertise; cost estimates for science and conservation licensing are based on 50% at higher rate and 50% at lower rate, reflecting the mixed customer bases for this type of licensing.

