



Scottish Natural Heritage
Dualchas Nàdair na h-Alba

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

Licensing Section
Scottish Natural Heritage
Great Glen House
Leachkin Road
Inverness
IV3 8NW
01463 725364
LICENSING@snh.gov.uk

Licensing Arrangements for Shooting Birds to Prevent Serious Damage to Fisheries

GUIDANCE NOTES FOR FISH FARMS

Power to grant licences

1. Scottish Natural Heritage has authority under section 16(1)(k) of the Wildlife and Countryside Act 1981 to grant licences to permit the killing or taking of wild birds for the purpose of preventing serious damage to fish farms. If the killing complies with the terms of such a licence then the prohibition in section 1 of the Act will not apply. In Scotland, Scottish Natural Heritage is the licensing Authority for licences to shoot birds which damage fish farms.

Arrangements for the granting of licences

2. Scottish Natural Heritage has made the following arrangements for the granting of licences:

2.1 licences for the protection of fish farms will normally only be granted to the owner or occupier;

2.2 licences will only be granted where alternative non-lethal methods of control have proved unsuccessful or impractical. **Even where a licence has been granted, shooting should be undertaken in the first instance to scare rather than kill**, where this is a feasible option;

2.3 for predation occurring, or likely to occur, at fish farms applications for licences will normally be considered to shoot cormorants (*Phalacrocorax carbo*), goosanders (*Mergus merganser*), mergansers (*Mergus serrator*), herons (*Ardea cinerea*) and eider ducks (*Somateria mollissima*);

2.4 normally licences will only be issued for a specified period between 1 September and 30 April; and

2.5 Scottish Natural Heritage will consult advisors from Marine Scotland and the Scottish Agricultural Science Agency (SASA).

Evidence of Serious Damage

3. Evidence of serious damage occurring, or likely to occur, **must** be provided before consideration will be given to granting a licence, i.e. you **must** complete the instructions given in 3.1 and 3.2 below. Please attach all information as copies of actual records, or compiled information, to the back of the application form if necessary.

3.1 Evidence of declining fish stocks will normally include the following:

For fin-fish farms, this will include information from all ponds, tanks, cages, raceways where the stock is susceptible to damage by birds including:-

- species/variety of fish;
- dates, numbers, size and purchase cost of stocked fish;
- dates, numbers and size of on-grown/harvested fish, with income from sales (please indicate whether net or gross);
- estimated numbers and size of fish taken by birds;
- estimated income lost due to fish taken/damaged by birds;
- any further information on problems associated with the presence of the birds.

For shell-fish farms, this will include information from all long-lines, rafts or bags:-

- species of shellfish;
- total number of long-lines, rafts or bags of shellfish on the farm;
- total number of dropper lines on the (mussel) farm;
- time taken between seeding to harvest;
- estimated tonnage of shellfish at harvest per year;
- net and/or gross income (please indicate which) per tonne per year;
- number of droppers or bags lost, or severely damaged, by birds each year;
- estimated tonnage of shellfish taken by birds per year;
- estimated income lost due to shellfish taken by birds per year;
- any further information on problems associated with the presence of the birds.

3.2 Evidence of impact of birds on the fish farm will include regular bird counts.

3.3 Bird counts on or in close proximity to the site should take place *at least* once a day if staff are present on the site on a daily basis. If the site is not manned daily, then counts should take place several times a week. Counts should take place immediately prior to any scaring activities (see section 4.), and must be undertaken at the time of year that damage occurs.

3.4 You must complete the form in Annex A. If you are applying for a licence to shoot more than one species, please complete a separate sheet for each species. Use new sheets for each month; you need only complete sheets for those months when you wish to shoot birds.

3.5 The number of birds counted is the maximum number of birds that were counted on a single occasion during the day. Do not give the cumulative number of birds seen as a result of several counts in one day.

Non-lethal methods used to deter birds

4. Licences to shoot piscivorous birds are granted only where there is no other satisfactory solution. All applicants must detail the methods that have been used to deter birds from the site including the lengths of time during which various methods were operating. Bird deterrence at these sites can be achieved by the use of bird scaring devices. A *general* list of bird scaring devices is included.

4.1 Officials from Scottish Natural Heritage may visit the site of alleged damage during assessment of an application, in order to verify any information provided on the application form and to discuss, for example, any preventative measures currently employed or used in the past.

Licence conditions

5. Licences, if issued, will include a number of stipulations and conditions. These **must** be adhered to, and can vary from licence to licence. Scottish Natural Heritage has the power to revoke, without prior notice, any licences granted.

Offences

6. Under the Wildlife and Countryside Act 1981:

6.1 failure to comply with the terms of a licence may make the licensee liable to prosecution for an offence; and

6.2 applicants should also note that section 5 of the Act prohibits the use of certain methods of killing or taking wild birds: traps, snares, hocks, nets, bird lime and similar substances, electrical devices, poisonous and stupefying substances, bows and cross-bows, explosives other than fire-arm ammunition, shotguns with large diameter barrels, automatic and semi-automatic weapons capable of holding more than 2 rounds in the magazine, illuminating and sighting devices for night shooting, artificial lighting, mirror and other dazzling devices, gas and smoke chemicals, wetting agents, sound recordings, tethered or maimed live birds as decoy and mechanically propelled vehicles in immediate pursuit.

When to apply for a licence

8. Anytime from July onward, bearing in mind that all licence applications **must** be submitted **at least 6 weeks prior to the requested start date of the licence**. Failure to adhere to this may result in any decision to grant a licence being delayed.

How to apply for a licence

9. Postal applications for a licence should be made on the attached form, which should be completed and sent to:

Licensing Section

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

Tel: 01463 725364

Email: LICENSING@snh.gov.uk

All applications should be accompanied by a map (of suitable scale), with the boundary of the fish farm clearly marked on it.

Further Information

10. Further information regarding licensing arrangements can be obtained from the above address.

ANNEX A: BIRD COUNT RECORDING FORM

MONTH/YEAR/.....

Name of applicant:	Site named on application form:
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Date	Time of count	Number of *..... counted	Bird activity (F=fishing; L=loafing)	Notes, e.g. weather conditions at time of count
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