

## General Licences



# GL 04/2019: To kill or take certain birds to protect air safety

General Licences allow authorised people to carry out activities that would otherwise be illegal under the Wildlife & Countryside Act 1981 (as amended). They cover situations where we accept that there may be no other satisfactory solution. However, they should only be used as a last resort. Operators must be able to explain what other alternatives they have tried if challenged.

### Terms and conditions

If you operate under General Licence 04/2019 you must meet the following terms and conditions otherwise your actions may be illegal which could lead to prosecution.

<p><b>What can this General Licence be used for?</b></p>	<p>Authorised people (operators) can carry out the following activities for the purpose of protecting air safety;</p> <ul style="list-style-type: none"> <li>• to kill or take certain wild birds listed below</li> <li>• to attempt to kill those birds, where the attempt results in injury to the bird concerned</li> <li>• to take, damage or destroy the nests or eggs of those birds</li> <li>• to keep or confine particular species of wild birds for use as decoy birds in traps</li> </ul>
<p><b>Who is authorised to use this General Licence?</b></p>	<p>An operator may be the owner or manager of an airport or an aerodrome, or persons authorised by them or their deputies.</p>
<p><b>When and where is this General Licence valid?</b></p>	<p>Across Scotland from 1 January to 31 December 2019 unless previously revoked, or a restriction applies.</p>
<p><b>What restrictions apply to the use of this General Licence?</b></p>	<p>Those convicted of a wildlife crime on or after 1 January 2014 unless, in respect of that offence, they were either dismissed with an admonition, they are a rehabilitated person (for the purposes of the Rehabilitation of Offenders Act 1974 and that conviction is spent), or a court discharged them absolutely.</p> <p><b>Any person not able to use the General Licence can still apply to SNH for an individual <a href="#">licence</a>.</b></p>
<p><b>What other information must operators know before considering use of this General Licence?</b></p>	<p>Operators must:</p> <ul style="list-style-type: none"> <li>• understand this General Licence and comply with its terms and conditions</li> <li>• understand this General Licence only applies to airports or aerodromes that adhere to the guidelines set out in the Civil Aviation Authority document CAP 772, 'Wildlife</li> </ul>

	<p>Hazard Management at Aerodromes’.</p> <ul style="list-style-type: none"> <li>only use it if satisfied that appropriate non-lethal methods of control (e.g. scaring or bird proofing) are either ineffective or impractical.</li> </ul>																																								
<p><b>What are the reporting requirements for operators using this General Licence?</b></p>	<p>Operators must report back to SNH licensing team on all actions carried out under this General Licence by <b>31 January 2020</b>.</p>																																								
<p><b>What species may be taken or killed within or outwith the perimeter of the airport or aerodrome under this General Licence?</b></p>	<table> <tr> <td><b>Black headed gull</b></td> <td><i>Chroicocephalus ridibundus</i></td> </tr> <tr> <td><b>Common gull</b></td> <td><i>Larus canus</i></td> </tr> <tr> <td><b>Great black-backed gull</b></td> <td><i>Larus marinus</i></td> </tr> <tr> <td><b>Herring gull</b></td> <td><i>Larus argentatus</i></td> </tr> <tr> <td><b>Lesser black-backed gull</b></td> <td><i>Larus fuscus</i></td> </tr> <tr> <td><b>Feral pigeon</b></td> <td><i>Columba livia</i></td> </tr> <tr> <td><b>Woodpigeon</b></td> <td><i>Columba palumbus</i></td> </tr> <tr> <td><b>Stock dove</b></td> <td><i>Columba oenas</i></td> </tr> <tr> <td><b>Carrion crow</b></td> <td><i>Corvus corone</i></td> </tr> <tr> <td><b>Hooded crow</b></td> <td><i>Corvus cornix</i></td> </tr> <tr> <td><b>Jackdaw</b></td> <td><i>Corvus monedula</i></td> </tr> <tr> <td><b>Magpie</b></td> <td><i>Pica pica</i></td> </tr> <tr> <td><b>Rook</b></td> <td><i>Corvus frugilegus</i></td> </tr> <tr> <td><b>Starling</b></td> <td><i>Sturnus vulgaris</i></td> </tr> <tr> <td><b>Greylag goose</b></td> <td><i>Anser anser</i></td> </tr> <tr> <td><b>Canada goose</b></td> <td><i>Branta canadensis</i></td> </tr> <tr> <td><b>Mallard</b></td> <td><i>Anas platyrhynchos</i></td> </tr> <tr> <td><b>Eurasian curlew</b></td> <td><i>Numenius arquata</i></td> </tr> <tr> <td><b>Eurasian oystercatcher</b></td> <td><i>Haematopus ostralegus</i></td> </tr> <tr> <td><b>Northern lapwing</b></td> <td><i>Vanellus vanellus</i></td> </tr> </table>	<b>Black headed gull</b>	<i>Chroicocephalus ridibundus</i>	<b>Common gull</b>	<i>Larus canus</i>	<b>Great black-backed gull</b>	<i>Larus marinus</i>	<b>Herring gull</b>	<i>Larus argentatus</i>	<b>Lesser black-backed gull</b>	<i>Larus fuscus</i>	<b>Feral pigeon</b>	<i>Columba livia</i>	<b>Woodpigeon</b>	<i>Columba palumbus</i>	<b>Stock dove</b>	<i>Columba oenas</i>	<b>Carrion crow</b>	<i>Corvus corone</i>	<b>Hooded crow</b>	<i>Corvus cornix</i>	<b>Jackdaw</b>	<i>Corvus monedula</i>	<b>Magpie</b>	<i>Pica pica</i>	<b>Rook</b>	<i>Corvus frugilegus</i>	<b>Starling</b>	<i>Sturnus vulgaris</i>	<b>Greylag goose</b>	<i>Anser anser</i>	<b>Canada goose</b>	<i>Branta canadensis</i>	<b>Mallard</b>	<i>Anas platyrhynchos</i>	<b>Eurasian curlew</b>	<i>Numenius arquata</i>	<b>Eurasian oystercatcher</b>	<i>Haematopus ostralegus</i>	<b>Northern lapwing</b>	<i>Vanellus vanellus</i>
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<p><b>What methods of taking or killing are permitted under this General Licence?</b></p>	<ul style="list-style-type: none"> <li>Pricking of eggs</li> <li>Oiling of eggs using paraffin oil (also known as Liquid paraffin BP or light/white mineral oil)</li> <li>Destruction of eggs and nests</li> <li>A Larsen trap</li> <li>A Larsen mate trap</li> <li>A Larsen pod trap</li> <li>A multi-catch cage trap</li> <li>Shooting with any firearm, including semi-automatic firearms, shotguns or air guns</li> <li>Targeted falconry</li> <li>By hand</li> </ul>																																								
<p><b>What general welfare requirements are there when using this General Licence?</b></p>	<ol style="list-style-type: none"> <li>Operators are responsible for the welfare of any bird or other animal under their control and they must comply with all relevant legislation including the Animal Health and Welfare (Scotland) Act 2006. This includes providing decoy birds with adequate food, water and shelter and a suitable perch that does not cause discomfort to the bird’s feet. Decoy birds must also have adequate protection from the prevailing or anticipated wind and rain.</li> </ol>																																								

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	<ol style="list-style-type: none"> <li>2. Any bird which this General Licence allows you to kill must be dispatched humanely.</li> <li>3. Any bird which this General Licence allows you to trap and which can be killed under this Licence must be killed humanely as soon as reasonably practicable after discovery.</li> <li>4. Operators must release unharmed immediately any bird found in any trap which is not a species covered by this General Licence.</li> </ol>										
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<p><b>What conditions apply to the use of decoy birds?</b></p>	<ol style="list-style-type: none"> <li>1. Any dead or sickly decoy bird must be removed immediately from a trap.</li> <li>2. Only one decoy bird may be used in the Larsen trap and it must be kept in a separate compartment. Any decoy bird must be removed from the trap when the trap is not in use.</li> </ol>										
<p><b>What other trapping conditions are there?</b></p>	<ol style="list-style-type: none"> <li>1. Any trap must not be designed or used in such a way so as to be likely to cause injury or unnecessary suffering to any bird trapped.</li> <li>2. When in use, all traps must be checked at least once every day at intervals of no more than 24 hours except when not possible because of unexpected severe weather conditions. In such cases, operators must make every effort to inspect the trap as soon as possible. A check must be sufficient to determine whether there are any live or dead birds or other animals in the trap.</li> <li>3. Any trap not in use must be immobilised and rendered incapable of use. For multi-catch cage traps, the access doors must be removed from the site or securely padlocked open so that no bird can be confined. Other traps not in use must be rendered incapable of catching any birds or animals by either removing them from site or securing them shut with a padlock.</li> <li>4. Any Larsen mate or Larsen pod trap must be firmly pegged or staked down, or tethered prior to use so that the trap cannot be moved should a non-target species be caught.</li> </ol>										

<b>Notes</b>	<ol style="list-style-type: none"><li>1. A Larsen or multi-catch cage trap need not satisfy the dimension requirements of Section 8(1) of the 1981 Act.</li><li>2. This General Licence does not exempt any operator from complying with relevant firearms and public safety legislation.</li><li>3. Intentionally or recklessly killing, injuring or taking any wild bird of a species not authorised under General Licence is an offence. It is the responsibility of operator to ensure that any traps or methods of control permitted under this Licence do not intentionally or recklessly kill, injure or take any non-target species.</li><li>4. Operators proposing to use meat-based baits in Larsen-mate or pod traps will be asked to provide the names and contact details of trap operators, number and types of traps used and the area in which they will be used. This information can be provided by email to <a href="mailto:licensing@nature.scot">licensing@nature.scot</a> or by phone on 01463 725 364.</li></ol>
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## Definitions

For the purposes of this General Licence;

“Multi-catch cage trap” means a cage large enough to be entered by the operator, which is covered in mesh and uses either a roof-funnel, ground-funnel or ladder/letterbox entry point for birds to gain access to the cage.

"Larsen trap" means a portable cage-trap which has a closed compartment for confining a live bird as a decoy and one or more spring or gravity activated trap-doors which are either top or side mounted.

“Larsen mate trap” means a portable spring-operated cage-trap comprising two shell sections hinged along one edge connected by one or more springs and kept open by a split-rod/trip-perch (as manufactured by Elgeeco; or any trap which is equivalent to it in all relevant respects). When open (set) the minimum distance between any two corners of the trap must be 39 cm. The trap must not shut tightly along the majority of the length of the meeting edges.

“Larsen pod trap” means a portable spring or gravity operated cage-trap which has a single compartment with two side-mounted, spring activated trap-doors which can be set independently.

"humanely" means taking all reasonable precautions to ensure that any killing of birds under this Licence is carried out by a single, swift action.

"wild bird" means any bird of a species which is ordinarily resident in or is a visitor to any member State or the European territory of any member State in a wild state but does not include poultry. "Bird" includes all stages from chick to adult.

“wildlife crime” means any offence under the Wildlife & Countryside Act 1981, the Conservation (Natural Habitats &c.) Regulations 1994, the Protection of Badgers Act 1992, the Protection of Wild Mammals (Scotland) Act 2002, the Animal Health & Welfare

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(Scotland) Act 2006, the Protection of Animals (Scotland) Act 1912 and the Wild Mammals (Protection) Act 1996 (all as amended).



**Robbie Kernahan**  
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for and on behalf of Scottish Natural Heritage  
1 December 2018

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