

Conservation of Seals Act 1970

Application for a licence to kill/take seals

NATURAL
ENGLAND

- Please complete this application form using **dark ink** and BLOCK CAPITALS
- All questions must be answered. The completed application should be sent to Natural England at the address given opposite.
- Natural England will aim to determine whether a licence should be issued within 30 working days of receipt of the completed application.
- If you experience any problems completing this application, please contact the Wildlife Licensing Unit or your local Wildlife Adviser (details opposite).

Wildlife Licensing Unit
Natural England
Burghill Road
Westbury-on-Trym
Bristol BS10 6NJ
T 0845 601 4523
F 0845 601 3438

This form should be used only for applications relating to England and the territorial waters thereof.

The **Conservation of Seals Act 1970** prohibits the killing or taking of seals by certain methods and during specified close seasons. **The Conservation of Seals (England) Order 1999** extends this protection to **any time of year** for the counties of England bordering the North Sea, from Northumberland to East Sussex, and adjacent territorial waters.

Close seasons for seals (outside the area covered by the 1999 Order) are:

- Common/Harbour Seals (*Phoca vitulina*) - 1 June to 31 August inclusive
- Grey Seals (*Halichoerus grypus*) - 1 September to 31 December inclusive

Exceptions provided by the legislation, which do not require a licence, include the killing or attempted killing of any seal to prevent it causing damage to a fishing net or fishing tackle, or to fish held in a net, provided it was in the vicinity of the net or tackle at the time.

Under Section 10(1) of the 1970 Act, Natural England, under powers conferred by the Secretary of State, has authority to grant licences to permit:

the killing or taking of any seal during the close season or within the area covered by the 1999 Order

for the following purposes:


- science or education;
- any zoological gardens or collection;
- prevention of damage to fisheries;
- reduction of a population surplus of seals for management purposes;
- the use of a population surplus of seals as a resource; or
- the protection of flora or fauna in certain designated conservation areas.

Where the action proposed involves the use of **prohibited methods** of killing or taking seals a licence may also be required under The Conservation (Natural Habitats &c) Regulations 1994. Where appropriate, this application will also be considered to be an application under those Regulations.

Licences to prevent damage will normally only be issued where:

- the seals are causing or are likely to cause sufficiently serious damage to justify a licence;
- other methods of control have been shown to be ineffective or impractical and not just difficult to implement;
and
- the licensed activity is likely to be successful in solving the problem being caused.

1. (a) Name of applicant

 Title (e.g. Mr, Mrs, Miss, Ms) Forename Surname

Business Title
(if appropriate)

(b) Address of applicant

County Postcode

Contact telephone no. (incl. national dialling code)

Mobile no.

Fax no.

Email address

If you would like us to acknowledge receipt of this application, please tick ONE of the following boxes to indicate your preferred method: Email Telephone Fax Letter

2. Previous applications

(a) Have you applied for a licence under the Conservation of Seals Act before?.....YES NO

(b) Date of most recent application.....

(c) Was a licence granted?..... YES NO

(d) Please give licence reference number.....

3. Species to be taken or killed

Grey seal

Common seal

(a) Which species do you wish to take/kill?

(b) Number of each species to be taken alive

(c) Number of each species to be killed

(d) Dates between which seals are to be killed or taken

4. Location of proposed licensed action

(a) Where do you propose to kill or take seals?
Please give details of the location(s), e.g. name of site, O.S. References (as applicable)

(b) Have you applied or do you intend to apply for a licence to kill or take seals in Scotland, Wales or their territorial waters, and if so, where and when?

5. Land-based actions

Licences concerning action on land or the foreshore, above mean high water springs, or on privately owned foreshore, will only be granted to the owner or occupier or a person authorised by the owner or occupier.

(a) Are you the owner or occupier of any land referred to at question 4(a) above YES NO N/A

(b) If **NO** give the position you hold in relation to the area concerned

N.B. Where you are not the owner or occupier you should attach the owner or occupier’s written consent for you to make this application. It is your responsibility to find out who the owner/occupier is (please use the format of the proforma at page 8).

6. Conservation considerations

Under the Wildlife and Countryside Act 1981, Natural England is obliged to take conservation factors into account when considering your application. Natural England’s Local Conservation Teams should be consulted if licensed action is to take place on or adjacent to designated areas including: National Nature Reserves (NNR), Marine Nature Reserves (MNR), Sites of Special Scientific Interest (SSSI), Special Protection Areas (SPA), Special Areas of Conservation (SAC), Ramsar sites.

Please note that this may affect how long it takes to process your application.

Will the proposed licensed action be in an area covered by or adjacent to a designated site, e.g. NNR, MNR, SSSI, SAC, SPA, Ramsar?

Tick as appropriate

YES NO

If **YES**, have you consulted with your local Natural England Conservation Team for advice on the implications of your application on the protected site?

YES NO

In the box below please give either the outcome of your consultations or the reason why you have not consulted. Please enclose any relevant correspondence.

7. Purpose for which seals are to be killed or taken

(please tick the appropriate box and give full details in the box at (h) below)

(a) Scientific Study. Include below details of the nature and specific purpose of the study and any published references for related work you have previously carried out.

(b) Education. Include below details of the nature and objectives of the proposed action.

(c) Zoological Garden or Collection. Include below:

- (i) name and address of zoological garden or collection;
- (ii) number of each species of any seals currently held there;
- (iii) details of accommodation presently occupied by them;
- (iv) reasons why the additional seals proposed are required;
- (v) details of accommodation that will be available for the additional seals.

(d) Prevention of damage to fisheries. Include below:

- (i) details of damage incurred or expected;
- (ii) reasons for regarding it as attributable to seals;
- (iii) details of preventative methods already tried and an explanation as to why you do not consider them sufficient, or an explanation as to why preventative control measures are considered ineffective or impractical

(e) Reduction of a population surplus of seals for management purposes. Include below:

- (i) why the population is believed to be in surplus (including published reports/studies);
- (ii) why it is considered necessary/desirable to reduce the population;
- (iii) what the objectives are of the intended management;
- (iv) what, if any, consultation has been undertaken on these management proposals.

(f) Use of a population surplus of seals as a resource Include below:

- (i) why the population is believed to be in surplus (including published reports/studies);
- (ii) why the use of seals to provide this resource is necessary/desirable;
- (iii) evidence that there is a demand for this resource;
- (iii) what, if any, alternative sources there are which might satisfy this demand.

(g) Protection of flora or fauna. Include below:

- (i) name of the designated site and relevant details of the site designation
- (ii) details of flora or fauna to be protected
- (iii) reasons for believing protection from seals is needed.
- (iv) details of preventative methods already tried and an explanation as to why you do not consider them sufficient, or an explanation as to why preventative control measures are considered ineffective or impractical

(h) Please provide details of any purpose identified in (a) to (g) above.

(Continue on a separate sheet if necessary)

8. Method of killing/taking seals

(a) How do you propose to take/kill seals?

NOTE: It is your responsibility to ensure that you have the right to shoot


(b) Please state why you propose to use these method(s) to take/kill seals.

(c) Please provide details of your experience in taking and/or killing seals

9. Authority to act under a licence

Up to four people (including the licensee) may normally be authorised to kill/take seals under a licence. They will be named on the licence.

It is your responsibility to ensure that you have the appropriate permissions to carry out the licensed activity; this especially applies to the use of firearms.

 Please list below the names and contact telephone numbers of all persons other than the licensee who are authorised to act under the proposed licence (normally maximum 4 if the licensee is not taking action). No-one under the age of 18 may be authorised to use firearms by the licensee without specific written permission from Natural England. The licensee and anyone acting under the licence are responsible for their actions and for complying with the licence conditions.

Any proposed changes to this list must be notified in writing to Natural England at the address at the top of this form.

Name of authorised person	Contact telephone number

10. Using and sharing your information

 The data controller is Natural England, Northminster House, Peterborough, PE1 1UA.

Your information will be stored and processed in accordance with the Data Protection Act 1998. This Act gives you, as an individual, the right to know what data we hold on you, how we use it, with whom we share it and for it to be accurate.


It will be used for processing your application. We may disclose your application and other information relating to it to third parties such as the Sea Mammal Research Unit of the National Environment Research Council.

Natural England or its appointed agents may use the name, address and other details on your application form to contact you in connection with occasional customer research aimed at improving the services that Natural England provides to you.

We will respect personal privacy, whilst complying with access to information requests to the extent necessary to enable Natural England to comply with its statutory obligations under the Environmental Information Regulations 2004, and the Freedom of Information Act 2000.

If you believe that any of the information we hold concerning you is incorrect or out of date, please provide us with the accurate information in writing together with supporting evidence (if appropriate). You should address your correspondence to: Wildlife Licensing Unit, Natural England, Burghill Road, Westbury-on-Trym, Bristol BS10 6NJ. Tel. 0845 601 4523; Fax. 0845 601 3438; Email: wildlife@naturalengland.org.uk

11. Have you, or any persons listed above, been convicted of any wildlife-related or animal welfare offence? YES NO

 If **YES**, please give details including dates

12. Declaration

I have read and understand the guidance provided in this application form. I declare that the particulars given are correct to the best of my knowledge and belief, and I apply for a licence in accordance with these particulars.

Signature of Applicant (person named at Q.1(a))

Date

Name in BLOCK LETTERS

WARNING

- **Natural England or the Secretary of State can revoke at any time any licence that may be issued but this will not be done unless there are good reasons for doing so. Any licence that is issued is likely to be revoked immediately if it is discovered that false information had been provided which resulted in the issue of a licence.**
- **Where a licence is issued to permit the killing or taking of seals that would otherwise be an offence under the Conservation of Seals Act 1970 or the Conservation (Natural Habitats &c) Regulations 1994 any person who in order to obtain such a licence knowingly or recklessly makes a statement or representation, or furnishes a document or information which is false in a material particular, shall be guilty of an offence and may be liable to criminal prosecution. Any person found guilty of such an offence may be liable to a fine not exceeding level 5 on the standard scale (currently £5000).**

Please ensure that you have:

- ❖ **Answered all questions fully and have signed the declaration**
- ❖ **Included a completed owner/occupier consent form (if applicable)**

What happens now?

If you requested an acknowledgement for your application (see page 2 of this form) you will receive this within 5 working days of receipt by Natural England. Your acknowledgement will provide information on the time that Natural England will take to process your application and provide you with a decision.

If this is your first application to kill/take seals you will also be contacted by a Natural England Wildlife Adviser. The Adviser will discuss your application with you and, if necessary to determine your application, will arrange to visit you at a mutually convenient time. The purpose of the visit is to enable the Adviser to assess the situation on site and provide you with the most appropriate advice on the options available. If you have held a licence for the same purpose, species and method in the previous year and your situation has not changed, a site visit will not normally be made prior to determining your application.

Natural England will notify you of the outcome of your application normally within 30 working days of receiving this application. You will receive either a licence or a letter explaining why a licence will not be issued.

The Licence

All licences will state:

- The species of seal that you are permitted to kill/take
- The method(s) that may be employed to kill/take the seals
- The maximum number of seals which may be killed/taken
- The location where the licensed action may be taken
- The period of validity of the licence

Activities carried out under licence are subject to a number of legally binding conditions. These are stated clearly on the licence, and **must be adhered to or the licence will no longer be valid.**

Monitoring

A monitoring telephone call or a pre-arranged site visit may be made by a Natural England Wildlife Adviser during the licence period. Natural England reserves the right to visit whenever it is considered necessary.

Licence Returns

A report of the action taken under licence, including nil returns, must be sent to Natural England within two weeks (14 days) of the expiry of the licence.

Information on the number of mammals killed, taken or disturbed under licence is required under European legislation. **Continued failure to provide a return may result in the revocation of that licence and refusal to grant a licence in future.**

Authority to act on behalf of a landowner or occupier in respect of a licence to kill/take seals under the Conservation of Seals Act 1970 and Conservation (Natural Habitats &c.) Regulations 1994.

For the attention of **Natural England**

Address Wildlife Licensing Unit
Natural England
Burghill Road
Westbury-on-Trym
Bristol BS10 6NJ

I hereby give permission for (name of applicant)

To make the enclosed application for a licence to kill/take seals or use Prohibited Methods under the Conservation of Seals Act 1970 or the Conservation (Natural Habitats &c) Regulations 1994 in relation to my land/property at:

I also give my permission for any employee or representative of Natural England to enter the above land /property in order to monitor or inspect the work described in this application.

Signature of landowner/occupier

Name in BLOCK CAPITALS

Date

Address of landowner/occupier

Post code