

Important note: If at any point you are uncertain as to how to proceed with planning or actual works, **STOP** and seek advice from Legal Services and/or an ecologist

1 Purpose

Network Rail is able to control certain bird species in the interests of public health and public safety under general licence GL35 (see NR/GN/ESD23). However, this only covers a specific range of species, including crows, magpies and feral pigeons. In order to control birds of those species not listed within GL35, Network Rail must apply for, and be granted, a specific licence (A08) before undertaking any control activity. This document incorporates a template licence together with some completion notes. This specific licensing guidance is only relevant in England.

2 The licence

The licence required is ‘Application to disturb, kill or take wild birds and their eggs for public health and safety (A08)’ and is found, partially completed, in part b (NR/GN/ESD24b – ESD24 (part b) Licence A08 to control wild birds (England) – template to complete) to this guidance note and blank version on the Natural England [website](#). The subsections below will guide applicants through the process to complete the form in this guidance.

2.1 1. – Applicant Details

Applicant should be the person locally responsible for the asset being affected by the presence of birds / birds’ nests.

2.1.1 New Customer Registration

Unless the applicant has previously applied on behalf of Network Rail, a New Customer Registration will be required.

1. Applicant Details

Please enter the details of the person or company who will become the licensee
(For guidance please see attached annex)

- If the applicant **is** already registered as a customer please complete Registered Customer Details (a)
- If the applicant **is not** already registered as a customer please complete the New Customer Registration (b)

(a) Registered Customer Details

*Customer Number	*Surname	*Forename	*Postcode
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

(b) New Customer Registration

*Email Address

*Title (please tick as appropriate) Mr Mrs Ms Other (Please Specify)

*Forename Middle Name *Surname

Add any relevant professional membership accreditations.

For 'Business Title' enter Region, Route and Delivery Unit in box (i).

The address to be used will be the business address of the applicant.

Professional Membership (e.g. CIEEM, IEMA, etc)		<input type="text" value="X"/>	
If you represent an organisation please complete (i) (ii) and (iii)	(i) *Business Title	(ii) *Company	(iii) *Position
	<input type="text" value="[Add (all of) Region / Route / Delivery Unit]"/>	<input type="text" value="Network Rail Infrastructure Limited"/>	<input type="text"/>
	House Name / No.	<input type="text"/>	
*Address Line 1	<input type="text" value="X"/>		
*Address Line 2	<input type="text" value="X"/>		
Address Line 3	<input type="text"/>		
Town	<input type="text"/>	*Country	<input type="text" value="X"/>
*Postcode	<input type="text" value="X"/>	Country	<input type="text"/>
Either 'Telephone No.' or 'Mobile No.' must be completed.			
Telephone No.	<input type="text"/>	Mobile No.	<input type="text" value="X"/>
Fax no.	<input type="text"/>		

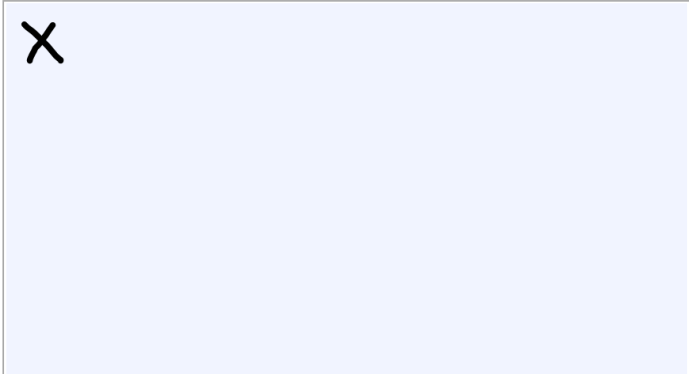
2.2 4. – Purpose

Confirm whether the application is for preserving public health or public safety by ticking one box.

4. Purpose	
* Please confirm the purpose of the application:	
<input type="checkbox"/>	Preventing serious damage to livestock, foodstuffs for livestock under section 16(1)(k)
<input type="checkbox"/>	Preventing serious damage crops, vegetables or fruit under section 16(1)(k)
<input type="checkbox"/>	Preventing serious damage to growing timber under section 16(1)(k)
<input checked="" type="checkbox"/>	Preserving public health, under section 16(1)(i)
<input type="checkbox"/>	Preserving public safety, under section 16(1)(i)
<input type="checkbox"/>	Preserving air safety, under section 16(1)(i)
<input type="checkbox"/>	Preventing the spread of disease 16(1)(j)
<input type="checkbox"/>	Conserving wild birds under section 16(1)(c)
<input type="checkbox"/>	Conserving flora and fauna under section 16(1)(cb)

2.3 5. – Justification

Provide the summary of the need to apply of a licence in box (a). The text will depend on whether the application is to preserve public health (2.3.1) or public safety (2.3.2).

5. Justification	
<p>(a) * Please provide a summary of your need to apply. Please give any evidence demonstrating that the species applied for is causing the issue.</p>	

2.3.1 Preserving public health

Not to be used for issues with birds' nests and overhead powerlines.

Enter;

Presence of birds in station buildings can lead to build up of faecal material on surfaces used by people (e.g. tables, seats, etc.) with associated risk of contamination in and around commercial food outlets and areas where the public eat. In addition, faecal matter has been implicated in a number of slips and falls on station platforms, which in one instance almost resulted in the party falling on to the tracks. Blocked guttering of station buildings, by nesting material, has caused flooding issues during rain storms.

2.3.2 Preserving public safety

Not to be used for issues where birds are posing a health risk

Enter;

Nest building in and on overhead line electrification equipment on the railway network not only has the potential to cause delay to train operations as twigs/sticks and flying birds can short out the electrical systems. Delays, especially at peak times can lead to overcrowding of station concourses which will be managed by train operator and Network Rail station staff based safety risk assessments. Fundamentally, the repeated shorting of power lines carrying 25kV whilst under tension can damage the wire and eventually lead to breakage.

2.4 6 – Conservation Considerations

Important note: This guidance applies only to activities outside of designated sites, e.g. Areas of Outstanding Natural Beauty, Sites of Special Scientific Interest, etc. If nests and birds affecting public health and safety are within any designated sites seek advice from Legal Services and/or an ecologist **before** submitting an A08 licence application

2.5 8. – Application Details

Specify the **Counties** relevant to the organisational unit for which the licence is needed.

County →	[add County names]		
*OS Grid Reference: <i>(In format XX123456)</i>	n/a		
<i>(Please note for <u>agricultural damage applications</u> you must provide the RLR field numbers for the fields where the action is requested or OS Grid References for each field).</i>			
Detailed Location	On and around the railway infrastructure including particularly overhead line equipment, associated stations and depots in [add County names] ←		

Enter date of application as the 'Proposed Date From'.

Proposed Date From	X		
Proposed Date To	31-Dec-19		

2.6 9. – Authorised individuals

Enter address details – the address to be used will be the business address of the applicant (section 2.1.1).

	Person 1	Person 2	Person 3
*Title:	Any Network Rail employee or contractor		
*Forename:	n/a		
Middle Name:			
*Surname:	n/a		
House No.:			
*Address Line 1:	[as per 2.1.1]		
*Address Line 2:	[as per 2.1.1]		
Address Line 3:			
Town:			
*County:	[as per 2.1.1]		
*Postcode:	[as per 2.1.1]		

Please note: The licensee and anyone acting under the licence are responsible for their actions and for complying with the licence conditions. In addition, no-one under the age of 18 may be authorised by the licensee without specific written permission from Natural England for licences that permit shooting.

2.7 Part 6 – Declaration

Complete the declaration by electronic signature or use the check box and add the date.

13b. Applicant Declaration.

I have read and understood the privacy notice above.

- Where required, I undertake to obtain permission from landowners / occupiers of land to exercise any licence resulting from this application, and to allow any employee or representative of Natural England to monitor or inspect the work described in this application.
- I have read and understood the guidance provided in the application form and on the Wildlife Licensing Internet guidance pages. I declare the particulars given are correct to the best of my knowledge and belief.
- I declare the particulars given are correct to the best of my knowledge and belief, and I apply for a licence in accordance with the information I have provided.

I agree to the declaration above.

Signature of Applicant:

For electronic applications, please insert an electronic signature above or tick this box to confirm with the declaration.

Name: *(In BLOCK letters)* Date:

2.8 Submit application

Send to wildlife@naturalengland.org.uk together with accompanying letter emphasising the urgency of application. Copy in the Environment Specialist to allow records of licence applications to be kept.

2.8.1 Timescales

Be aware it may take up to 30 days for Natural England to make a decision on this licence application and whilst the accompanying letter may reduce this time, there may be situations when more immediate action is required. In these situations, seek advice from Legal Services immediately and do not carry out bird control until informed otherwise.

2.9 Next steps

2.9.1 Licence determination

Once the licence has been granted, it will be valid until the end of the calendar year (31st December). Any person carrying out activity under the licence must be in possession of a copy of the licence whilst doing that work and use the reporting form (NR/GN/ESD25 – Reporting form for licences 19-01 GL35 and A08 (England)) to record all activity.

Any activity can only be for bird species and the activities listed on the licence. Any other activity may need to be licensed separately.

2.9.2 Rejected applications

If the application is rejected, seek advice from Legal Services immediately and do not carry out bird control until informed otherwise.

2.9.1 Control methods

Even though the granting of a licence allows killing of birds and destruction of eggs, all activities under licence should ideally be non-lethal methods. Regular inspection of infrastructure and removal of nesting materials and destruction of any nests prior to any egg laying should be common practice before resorting to lethal control. If eggs are present, consider the potential to move the nest to a safe location before lethal control.

3 Other resources

3.1 Licence guidance

NR/GN/ESD23 – Legally working around birds (England)

NR/GN/ESD25 – Reporting form for licences 19-01 GL35 and A08 (England)

Natural England guidance ([Gov.UK](https://www.gov.uk/government/guidance/natural-england-guidance));

- <https://www.gov.uk/environment/environmental-management-wildlife-habitat-conservation-birds>

