
STATUTORY INSTRUMENTS

2018 No. 771

The Wildlife Licence Charges (England) Order 2018

Exemptions, reductions and remissions

- 4.—(1) An applicant is exempt from a charge payable under article 3—
- (a) where the licence is issued—
 - (i) for the purposes of preserving public health or public safety;
 - (ii) for the purposes of preventing serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber or any other form of property;
 - (iii) for the purposes of preventing the spread of disease;
 - (iv) under section 16(1)(e) of the 1981 Act, for the purposes of falconry; or
 - (v) in connection with development, within the meaning of section 55 of the Town and Country Planning Act 1990(1), which is granted planning permission—
 - (aa) pursuant to article 3 of, and Part 1 of Schedule 2 (development within the curtilage of a dwelling house) to the Town and Country Planning (General Permitted Development) (England) Order 2015(2); or
 - (bb) following the making of a householder application within the meaning of article 2 of the Town and Country Planning (Development Management) (England) Order 2015(3);
 - (b) where the principal purpose or purposes of the project or activity to which the licence relates is or are—
 - (i) scientific, research or educational purposes relating to a protected species or habitat;
 - (ii) to maintain or improve the conservation of a protected species or habitat; or
 - (iii) to maintain or improve the conservation of an historic property; or
 - (c) where the applicant maintains or improves the conservation of bats through measures taken to avoid damage or destruction to an existing bat roost or to preserve access to that roost.
- (2) For the purposes of paragraph (1)(b)(iii), “historic property” includes—
- (a) a scheduled monument (within the meaning of section 1(11) of the Ancient Monuments and Archaeological Areas Act 1979)(4);
 - (b) a listed building (within the meaning of section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990)(5);
 - (c) a place of worship;

(1) 1990 c. 8. Section 55 was amended by the Planning and Compensation Act 1991 (c. 34) sections 13 and 14, and paragraph 9 of Schedule 6, the Planning and Compulsory Purchase Act 2004 (c. 5), section 49 and paragraph 1 of Schedule 9; and S.I. 1999/293.

(2) S.I. 2015/596; relevant amending instruments are S.I. 2016/332, 2017/391, 571 and 1012, and 2018/119.

(3) S.I. 2015/595. There are amendments to article 2 but they are not relevant to this Order.

(4) 1979 c. 46, to which there are amendments not relevant to this Order.

(5) 1990 c. 9. Section 1 was amended by the Historic Environment (Wales) Act 2016 (anaw 4), sections 26(1)(a) and (b), and the Enterprise and Regulatory Reform Act 2013 (c. 24), paragraphs 7 and 8 of Schedule 17.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (d) a traditional farm building to which a relevant commitment relates, where a “relevant commitment” is a commitment entered into under Title III of Regulation (EU) No. 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development⁽⁶⁾.
- (3) For the purposes of paragraph (1)(c), a “bat roost” means a maternity, day or hibernation roost, used by three or more bats concurrently, within a building or structure.
- (4) Natural England may, in any case—
 - (a) reduce, or
 - (b) remit in whole or in part,any charge payable under article 3, as it sees fit.

⁽⁶⁾ OJ L 347 20.12.2013, p.487, as last amended by Commission Delegated Regulation (EU) No. 2018/162 of 23 November 2017 (OJ No L 30, 2.2.2018, p 6).