

Conservation of Habitats and Species Regulations 2017 (as amended)

LICENCE –Mitigation



This licence authorises acts that would otherwise be offences under the above legislation

Any request for information in this licence will be considered under the Environmental Information Regulations 2004 and the Freedom of Information Act 2000 as appropriate.

Wildlife Licensing Service
Natural England
Horizon House
Deanery Road
Bristol
BS1 5AH

Tel: 0208 026 1089

Email: wildlife@naturalengland.org.uk

Licence number:

2022-60462-EPS-NSIP1

Under the Conservation of Habitats and Species Regulations 2017 (as amended) Natural England has granted this licence for Great crested newts for the purpose of:

Imperative reasons of overriding public interest including those of a social economic nature and beneficial consequences of primary importance for the environment under section 55(2)(e)

Name (in full)

[REDACTED]

Address

National Grid
Unit 10 Holford Drive
Birmingham, West Midlands
B6 7UG

Project Description:

Licensable activities associated with development works consented under the HS2 Act

Between the dates of:

30 March 2022

and

31 October 2022

inclusive, subject to the conditions specified.

At locations:

Site/Location Name	County	OS Grid Reference
HS2 Tx28 Gas Pipeline Diversion	Staffordshire	SK008235

For the following species

Species Common Name (Taxonomic Name)	Activity	Method
Great crested newt (Triturus cristatus)	Capture Disturb Transport Damage resting place Destroy resting place	By hand Hand search Destructive search Exclusion by temporary one-way amphibian fencing

For the following licensable activities and maximum numbers:

Licensable Activity	Permitted Species Common Name	Maximum Number
Capture	Great crested newt (Triturus cristatus)	50
Disturb	Great crested newt (Triturus cristatus)	Number not specified
Transport	Great crested newt (Triturus cristatus)	50
Damage resting place	Great crested newt (Triturus cristatus)	See Annex for special conditions
Destroy resting place	Great crested newt (Triturus cristatus)	See Annex for special conditions

Please Note

The maximum number(s) stated in the above table refers to the maximum number of individuals of the stated species that can be captured or transported under the terms of this licence and the maximum number/s of resting places or breeding sites that can be damaged or destroyed under this licence (if applicable). Maximum numbers cannot be specified and do not apply to disturbance activities. Where applicable, please also refer to the special conditions outlined in your licence Annex for further details on how this/these maximum number(s) applies/apply to the activities permitted under your licence.

This licence is granted subject to the licensee, including servants and named agents, adhering to the conditions and notes specified below and to the activities agreed in the Method Statement, or Annex and Work Schedule, between the licensee and Natural England. The Method Statement, or Annex, for the mitigation scheme is appended to this licence. The following person is authorised to act on behalf of the licensee:

Consultant Name:

Address:

Postcode:

Name

Date:

(for Natural England on behalf of the Secretary of State, Department for Environment, Food and Rural Affairs)

Warnings, licence conditions and notes

Important Advice

- This licence authorises acts that would otherwise be offences under the Conservation of Habitats and Species Regulations 2017 (as amended). Any departure from the conditions relating to this licence may be an offence under that legislation;
- This licence conveys no authority for actions prohibited by any other legislation;
- This licence can be modified or revoked at any time by Natural England, but this will not be done unless there are good reasons for doing so. The licence is likely to be revoked immediately if it is discovered that false information had been provided which resulted in the issue of the licence.
- Bodies corporate and their directors/secretaries are liable for offences under the Conservation of Habitats and Species Regulations 2017 (as amended).

Licence conditions

1. The licensee is responsible for ensuring that operations comply with all terms and conditions of the licence.
2. While engaged in the activities to which this licence applies the licensee shall make a copy of the licence (including any Annex and Work Schedule if applicable) available for inspection on each site where the activities are taking place and shall produce it on demand to any constable or an officer of Natural England.
3. No agent of the licensee shall carry out any of the activities to which this licence (including any Annex and Work Schedule if applicable) applies unless authorised in writing by the licensee, appointing them the licensee's agent. The agent shall make a copy of the authorisation available for and shall produce it on demand to any constable or officer of Natural England.
4. The licensee must submit a written report of actions taken under the licence (including any Annex and Work Schedule if applicable), even if no action is taken, and send it to the Natural England officer at the address shown at the top of the report form, to arrive not later than 14 days (two weeks) after the expiry of the licence. Failure to make reports may result in the licence being revoked and/or the refusal to grant subsequent licences. Please note some licences may have additional reporting requirements specified in an attached Annex.
5. It is a condition of the licence (including any Annex and Work Schedule if applicable) that any post development monitoring data (e.g. survey data and habitat assessment) including nil returns are submitted to Natural England to arrive no later than 14 days (two weeks) after the expiry of the licence or as specified in any Annex. Post development survey data (except nil returns) must also be sent to the relevant Local Biological Records centre within this time period.
6. A person authorised by the licensee shall provide him/her with such information as is within his/ her knowledge and is necessary for the report, which the licensee is required to make to Natural England.
7. The licensee shall permit an officer of Natural England, accompanied by such persons as he/ she considers necessary for the purpose, on production of his/her identification on demand, reasonable access to the site for monitoring purposes and to be present during any operations carried out under the authority of this licence for the purpose of ascertaining whether the conditions of this licence are being, or have been, complied with. The licensee shall give all reasonable assistance to an officer of Natural England and any persons accompanying him/her.
8. The licensee, including servants and named agents, must adhere to the activities; the licensable methods; the numbers per species (if relevant) and the timescales agreed between the Licensee and Natural England in the Method Statement or, if applicable, in the Annex and Work Schedule attached to the licence.
9. All activities authorised by this licence, and all equipment used in connection herewith shall be carried out, constructed and maintained (as the case may be) so as to avoid cruelty, unnecessary injury or distress to any species covered by this licence.
10. Methods used in connection with the execution of this licence must comply with the relevant published mitigation guidelines, unless otherwise agreed with Natural England.
11. Good practice and reasonable avoidance measures must be followed at all times.
12. All records are to be made available for inspection at any reasonable time by Natural England.
13. The licensee and named ecologist are responsible for all activities of the persons they have appointed in connection with this licence.

14. The ecologist named on the licence is authorised to appoint such persons in writing to enable them to handle Great crested newts for the specific task of relocating animals from pitfall traps and/or artificial refugia (e.g. carpet tiles) either to the opposite side of the exclusion fencing or to the receptor site, as appropriate. Those appointed persons will be classed as assistants and will only be covered by this licence if they have received appropriate training which includes the handling and welfare of the species. Such persons, who may be site staff or field workers are not required to hold individual Great crested newt licences and may work unsupervised. Persons appointed as assistants by the ecologist named on this licence will be required to produce on demand their written authorisation to a police constable or an officer of Natural England.
15. It is a condition of this licence that you must have obtained prior consent from all landowners and/or occupiers before commencing any activities that are authorised by this licence.
16. **Special conditions apply to this mitigation licence that are in addition to the standard conditions listed above. These are detailed within the attached Annex and all persons acting under this licence must ensure that operations comply with all these terms and conditions (including any Annex and work schedule if applicable)**

Notes

- a. Under Regulation 60(1) of the Conservation of Habitats and Species Regulations 2017 (as amended), it is an offence to contravene or fail to comply with a licence condition. This includes all persons authorised to act under this licence.
- b. Any person who provided a false statement or information to obtain this licence is guilty of an offence and may be liable to prosecution.
- c. Please read the details of your licence carefully to ensure that you comply with it paying particular attention to the number and species licensed as this may differ to what was requested in your application.
- d. If this licence has been issued as a result of a modification request then the licensed number excludes any animals or plants permitted to be captured/taken/disturbed/transported/etc. under your previous licence and this modified licence replaces your previous licence.
- e. It is the responsibility of the Licensee (and those acting on their behalf in respect of this Licence) to resolve, as far as is reasonably practicable, the potential for conflict between the Licence conditions, any Planning Conditions and/or Permits relevant to the licensable activity under this Licence. In the event that there is a likelihood that the Licensee is unable comply with the terms and Conditions of this Licence as a result of conflict with Planning Conditions and/or Permits, the licensee should notify Natural England in writing as soon as possible and take steps to resolve the conflict and confirm as soon as practicable to Natural England once this has been done