Conservation of Habitats and Species Regulations 2017 (as amended)

Wildlife and Countryside Act 1981 (as amended)

Wildlife Licensing Service
Natural England
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LICENCE - Mitigation

This licence authorises actions 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.

Natural England Reference:	**2024-68253-EPS-MIT**
Date issued:	**09/05/2024**
Licence valid from:	**09/05/2024**
Licence expiry date:	**31/01/2030**

Under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended) Natural England has granted this licence for the purpose of:

Imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment, under regulation 55(2)(e) and section 16 (3)(j) relating to:

Renovation and extension of house with roof repair.

To:

LICENSEE (full name):	**Alan Bull**
Company name (if relevant):	
LICENSEE Address:	**Woolmers, Brighton Road, Mannings Heath, Horsham, West Sussex, RH13 6HZ**

This licence is granted subject to the Licensee, including servants and named agents, adhering to the conditions, notes and licence documents specified below. The following person is authorised to act on behalf of the Licensee:

NAMED ECOLOGIST (full name):	**Craig Williams**
Company name (if relevant):	**Arbtech Consulting Ltd.**
NAMED ECOLOGIST Address:	**Arbtech Consulting, Unit 3, Well House Barns, Chester, Cheshire, CH4 0DH**

At (locations):

Site name:	**Woolmers**
Address:	**Brighton Road, Mannings Heath, Horsham**
County:	**West Sussex**
Postcode:	**RH13 6HZ**
OS Grid Reference:	**TQ201284**

For the following species, maximum numbers and licensable activities:

PLEASE NOTE

The maximum number(s) stated in the table below refers to the maximum number of individuals of the stated species that can be captured or transported under the terms of the 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. The activities permitted below must be conducted by the methods as specified under the terms of this licence.

Species (Scientific name)	Maximum number of individuals	Roost Type(s)	Maximum number of roosts	Activities
Common Pipistrelle	**3**	**Day**	**3**	**Capture; Transport; Disturb; Destroy Resting Place**
Soprano Pipistrelle	**1**	**Day**	**1**	**Capture; Transport; Disturb; Destroy Resting Place**
Brown Long-Eared	**1**	**Transitional**	**1**	**Capture; Transport; Disturb; Destroy Resting Place**

Licence documents

The Licensee, Named Ecologist and all persons authorised in writing by the Licensee must adhere to the specific details given in the documents, if referenced below with a date, and complied with in accordance to this licence.

Reference	Document name	Date
Figure D	Impact Plan	**11/04/2024**
Figure E2	Non-standard capture and exclusion apparatus	**N/A**
Figure E3	Specifications for mitigation / compensation	**11/04/2024**
Figure E4	Monitoring, management and maintenance	**N/A**
Other	N/A	**N/A**

Anything done otherwise than in accordance with the terms and conditions of the licence may constitute an offence.

Signed on behalf of Natural England (the relevant licensing body):

Signature:	Zhou, Rhea	Date:	09/05/2024

WARNING

- **This licence authorises acts that would otherwise be offences under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (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) and the Wildlife and Countryside Act 1981 (as amended).**

LICENCE CONDITIONS

1. The Licensee is responsible for ensuring that all terms and conditions of this licence are complied with.
2. The Licensee and Named Ecologist are responsible for all activities undertaken by Accredited Agents and Assistants (as described under 'Definitions' below) and of other persons they have appointed in relation to activities permitted by this licence.
3. The Licensee shall ensure that at least one copy of this licence is retained on each site until at least the expiry date of this licence. A copy of this licence shall be made available for inspection on each site and shall produce it on demand to any police officer or officer of Natural England.
4. No person shall carry out any activity permitted by this licence unless so authorised in writing by the Licensee. Each person shall produce a copy of their written authorisation from the Licensee on demand to any police officer or officer of Natural England.
5. Prior consent must be obtained from all relevant landowners and/ or occupiers before commencing any activities that are permitted by this licence. The role of the Licensee, Named Ecologist and any other persons so authorised under this licence does not itself confer any right of entry upon private land.
6. The Licensee shall permit, or shall ensure that measures are in place to permit until at least the expiry date of this licence, any officer of Natural England (accompanied by such persons as they consider necessary on production of their identification and stating the purpose of their presence, on demand) reasonable access to the site. The Licensee shall give all reasonable assistance to an officer of Natural England and to any accompanying persons.
7. All activities authorised by this licence must be undertaken in accordance with the requirements of any relevant animal welfare legislation, and all equipment used in relation to this licence must avoid cruelty, unnecessary injury or distress to any species covered by the relevant legislation.
8. Disturbance of bats and damage and/or destruction of bat roosts and habitats will be limited to those areas and structures shown in licensed Figure D. Where necessary, additional information is provided in the table below. No other bat or bat roost is permitted to be subject to disturbance, damage or destruction under this licence.

Additional details of location
As shown on Figure D **N/A**

Methodology

9. Prior to the commencement of licensed activities, the Named Ecologist or an Accredited Agent must ensure that all persons to be directly involved with these activities understand:

    a. where and when bats are potentially present;
    b. the legislation relating to bats;
    c. the methodology and activities that will be undertaken to safeguard bats,
    d. contingencies to be followed if bats are found, particularly if unexpectedly;
    e. that all activities relating to bats and bat roosts are restricted to the terms and conditions of this licence, and that bats and bat roosts are otherwise protected by law.

    A copy of a written or otherwise accessible version of the presentation to persons about licensed activities and written confirmation that it has been provided to all relevant persons (including the date and persons' names) must be retained by the Licensee and Named Ecologist. This must be made available to any officer of Natural England or any police officer on demand.

10. The locating, capturing and handling of all bats, and fitting of all bat exclusion devices must only be undertaken by the Named Ecologist or an Accredited Agent, or an Assistant directly supervised by the Named Ecologist or Accredited Agent. All works must be undertaken using best practice methodology to ensure minimal risk to bats. Mitigation must be in line with the requirements set out in the most up-to-date edition of the '*Bat Mitigation Guidelines*'. Persons acting under this licence must abide by the advice on excluding bats, handling bats and working in bat roosts in the most up-to-date edition of the '*Bat Mitigation Guidelines*' and '*Bat Workers' Manual*'. In addition to this:

    a. Where bats are discovered and taken under this licence they must either be relocated to an alternative roost (see Definitions) suitable for the species, or where bats are temporarily held this must be done safely and bats released on site at dusk in, or adjacent to, suitable foraging/ commuting habitat in safe areas within, or directly adjacent to, the pre-works habitat. Where a bat is unexpectedly discovered in adverse weather conditions, condition 16 must be followed.

    b. [x] Temporary and permanent exclusion must be carried out using techniques specified in the most up-to-date edition of the '*Bat Workers' Manual*'. If one-way exclusion devices are to be used, each device must remain in position for a period of at least 5 consecutive nights throughout an uninterrupted spell of suitable weather conditions or will remain longer until these conditions prevail.

    c. [x] Prior to destructive works, an inspection using torches and/or an endoscope must be performed internally to search for the presence of bats. If any licensed vesper bat species is found and is accessible, each will be captured by gloved hand or hand-held net, given a health check and then each placed carefully inside a draw-string, calico cloth holding bag or similar for transport. If any licensed horseshoe bat species is found, the capture methods outlined in (e) will only be used after it has been shown that overnight dispersal or exclusion are no longer practicable methods.

    d. [x] Following inspection and exclusion operations, the removal of any feature with bat roost potential will only be performed by hand or hand-tools in suitable weather conditions and under direct ecological supervision. Where applicable, materials will be removed carefully away and not rolled or sprung to avoid potential harm to bats. Removed and detached materials must be checked by the Named Ecologist or Accredited Agent for bats that may be clung to them. Mechanical demolition (see 'Definitions' below) of the roost must only be undertaken after the roost has been declared free of bats by the Named Ecologist or Accredited Agent.

e. [x] For sites where the presence of horseshoe species has been confirmed, the following exclusion method will be used: prior to work commencing, the Named Ecologist or Accredited Agent will conduct a thorough internal inspection for the presence of horseshoe bats. Only after the void is shown to be unoccupied will the destructive search commence, or all apertures into that void be closed and sealed (windows, doors, etc) by use of boarding, sealed tarpaulin or similar.

If a horseshoe bat is encountered, it will be left undisturbed during daylight. After all bats have dispersed overnight, the void will be sealed as described above. If all bats have not emerged, the Named Ecologist will either use torchlight and non-tactile human presence to disturb the bat to encourage it to emerge and disperse, during night only, or through use of a hand-held net. Only after all bats have emerged from the building or void will it be sealed.

f. **N/A**

11. A written record must be kept of any bat capture and exclusion undertaken, and of any other bat dispersal during destructive works. This must include dates, weather conditions with minimum overnight temperature and of any precipitation; also, the numbers of each bat species captured, transported, or displaced; and the duration of bat excluder device use. This record must be provided with the Report of Action. This must be made available to any officer of Natural England or any police officer on demand (see condition 25).

12. Provision must be made for prompt assistance to appropriately tend and care for any bat injured, such as during the exclusion and demolition process. Any injured or dead bats must be reported to Natural England (see condition 24).

13. For sites with potential to support hibernating bats, the timing of damage and or destruction activities must avoid the hibernation period of November to February inclusive.

14. Where bat access points/entrance into roosts are to be retained or reinstated this must be in accordance with Figure E3.

15. All bat boxes being provided as an alternative roost (see Definitions) must be installed prior to the start of damage and/or destruction activities.

16. If individual bats are discovered unexpectedly, including if not covered under this licence or/ and if during periods of adverse weather, the following steps must be taken:
    a. Works to that building/ structure must stop immediately. If the Named Ecologist or an Accredited Agent is not on site, they must be contacted immediately to attend site.
    b. Do not expose any bats or cause them to fly out of the roost on its own accord.
    c. The bat must only be handled by the Named Ecologist or Accredited Agent except if it is in immediate danger. The bat must be carefully placed in a lidded ventilated box with a piece of clean cloth and a small shallow container with some water. The box must be kept in a safe, quiet location.
    d. Care must be taken to avoid rousing the bat during transfer to a suitable location – which may be a suitable hibernation box or other alternative roost providing a safe, quiet environment with suitable temperature and humidity levels appropriate for bats roosting at that time of year, that is safe from further disturbance.
    e. The Named Ecologist must re-assess the structure and determine whether works can continue under this licence, or whether a modification to the licence is required prior to works re-commencing. A written record must be kept of this decision and be made available to Natural England or any police officer on request. This incidence must also be reported on this licence return form.
    f. Any underweight or injured bats must be taken into temporary care by an experienced bat carer and be looked after until such time that the bat can be transferred to a suitable replacement roost at the same site, when weather conditions are suitable for release at the same site.

Mitigation and Compensation

17. Mitigation and compensation measures: [X] as shown on Figure E3 must be provided.

18. Where it is necessary to use any wood timber treatments, only treatments on the approved list of 'Bat roost and Timber products (TIN 092)' may be used.

19. Where it is necessary to install a roof membrane and this has the potential to be exposed to any bat, Bitumen type 1F felt with a hessian matrix, or a non-bitumen coated roofing membrane (NBCRM) with a test certificate approved by Natural England, must be used.

20. The installation of compensation features, such as roost structures and/or access points, must be completed within the first year following the completion of the development.

Post-development maintenance

21. Any bat boxes or compensation roost structure/s provided under this licence (shown on Figure E3) which do not / does not show evidence of bat use must be retained for a minimum of 5 years beyond the date of completion of the development. (Note: any structure which is used by bats is legally protected under the legislation.)

22. Lighting restrictions under this licence include: **Any external lighting on site will be designed to meet the minimum recommendations of the Guidance Note 8 – Bats and Artificial Lighting in the UK, published in 2018 by the Bat Conservation Trust and Institute of Lighting Professionals.**

Post-development monitoring and reporting requirements

23. Monitoring must be undertaken in the time periods and years as specified:
N/A A single presence / absence survey between May – September (inclusive) is to be undertaken within the licence period. This must not take place in the first year following completion of development and the installation of compensation features unless otherwise agreed with Natural England, or
N/A

24. The Licensee must submit a written report of actions taken under this licence, even if no action is taken, and send it to Natural England at the address shown at the top of the report form, to arrive no later than 14 days (two weeks) after the expiry of the licence. The following interim licence report is also required:
N/A

25. All records are to be made available to Natural England for inspection at any reasonable time.

NOTES

a) The following mitigation or compensation is being provided as part of a planning permission or other consent but is not required by Natural England to be provided as part of this licence: **N/A** It is the Licensee's responsibility to ensure that they comply with planning permissions and other consents as necessary.

b) Under Regulation 60 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. Failure to comply with a condition of a licence issued under The Wildlife & Countryside Act 1981 (as amended) could result in offences being committed.

c) Under Regulation 59 of the Conservation of Habitats and Species Regulations 2017 (as amended), it is an offence to make, or to recklessly make a false statement, representation or supply information for the purposes of obtaining a licence.

d) If the start of licensable activities are delayed by 12 months then additional surveys must be carried out, unless otherwise agreed with Natural England, to confirm that the licence still covers the necessary species and impacts.

e) Natural England advises that where any individual is likely to come into contact with a bat in the operation of this licence, they should ensure that they wear suitable clothing, gloves and face masks, and have been vaccinated against European Bat Lyssavirus (EBL).

f) 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.

g) If this licence has been issued as a result of a modification to replace the previous version of this licence, licensed totals will only relate to the period that this re-issued licence is valid.

h) A licence is not required for the short-term keeping of injured bats that were obtained legally for the purpose of tending them in order to release them when no longer disabled. However, if the bats are to be kept for longer than 6 months then the carer should apply for a licence to possess bats. This can be done using the

possession licence application form WML-A37 (found at: https://www.gov.uk/government/publications/european-protected-species-apply-for-a-licence-to-possess-them).

i) To avoid transmitting COVID-19 from people to wild mammals, you should: stay at least 2 metres from live wild mammals at all times; only capture or handle live wild mammals if necessary and avoid going within 2 metres of known breeding or regularly used resting sites of mammals. If you cannot follow these guidelines, then you should minimise the time spent in close proximity and handling mammals; limit the number of people that come into close proximity or handle mammals, and keep animals separate from other individuals as far as possible.

j) Persons acting under this licence should follow good hygiene practices, including wearing of disposable gloves, or clean and disinfected non-disposable gloves; wearing a face covering when handling and in close proximity to any mammal, and washing hands before and after close proximity or handling of any mammal. Face coverings, non-disposable gloves and overalls or other clothing should be washed / disinfected between uses when handling mammals.

k) You should not carry out activities under this licence if you feel unwell, test positive for COVID-19 or live with someone who has or might have COVID-19.

l) Any products used to clean and disinfect equipment should be safe for use where there could be contact with animals and used at an effective and safe dilution rate. ‘Safe4’ is considered to be an appropriate disinfectant for this purpose and is considered effective against the virus at a dilution of 1:50. Other products can be used to clean and disinfect equipment.

m) How we use your personal information is set out in the Wildlife Licensing privacy notice which can be found here https://www.gov.uk/government/publications/natural-england-privacy-notices

DEFINITIONS

1. The "**Licensee**" named on the licence is responsible for ensuring that all activities carried out on site in relation to the licence comply with the terms and conditions of the licence. All persons authorised to act under the licence must comply with the licence and its conditions (see 'Offence of breaching licence condition' in Regulation 60 of the Conservation of Habitats and Species Regulations 2017). This means that those persons authorised by the Licensee also have a responsibility for ensuring that the licence is understood and complied with.

2. The "**Named Ecologist**" is a professional ecological consultant who has satisfied Natural England that they have the relevant skills, knowledge and experience of the species concerned and is responsible for undertaking and/or overseeing the work undertaken in respect of the licensed species. The 'Named Ecologist' has a responsibility for ensuring that the licence is complied with. They are responsible for advising the Licensee on the suitability and competence of any Accredited Agents or Assistants employed on site to undertake the required duties and may include the direct supervision of Assistants where appropriate.

3. An "**Accredited Agent**" is a suitably trained and experienced person who is able to carry out work under a licence without the personal supervision of the Named Ecologist. Any Accredited Agent must be appointed by the Licensee and be in possession of a letter signed by the Licensee confirming their appointment. Agents shall carry a copy of the said letter when acting under the licence and shall produce it to any police or Natural England officer on request.

4. An **"Assistant**" is a person assisting a Named Ecologist or Accredited Agent. Assistants are only authorised to act under this licence whilst they are under the direct supervision of either the Named Ecologist or an Accredited Agent.

5. Definition of roost types for the purpose of this licence are set out in the Method Statement document.

6. For the purpose of this licence the following licensed methods are defined as:

    a. **Destructive search by soft demolition:** the taking apart of a bat structure in a controlled and careful manner by hand, or in some instances with the assistance of hand-held tools and machinery, under direct ecological supervision. Only the Named Ecologist, Accredited Agent or a directly supervised Assistant may take any bats found.
    b. **Mechanical demolition**: destruction of a structure that previously supported a bat roost using mechanical means after the structure has been declared free of bats by the Named Ecologist or Accredited Agent. Mechanical demolition usually is preceded by a soft demolition exercise or completion of an exclusion process.