

# CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2010 (as amended)

## LICENCE ISSUED UNDER REGULATION 53(1) IN RESPECT OF CERTAIN EUROPEAN PROTECTED SPECIES:



**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 Unit  
Natural England  
Temple Quay House  
2 The Square  
Bristol, BS1 6EB.  
T 0845 6014523  
F 0845 6013438

**Natural England Ref:** **EPSM2012-5175**    **Suffix: J**

Natural England, in exercise of the powers conferred on the Secretary of State by Regulation 53 of the Conservation of Habitats and Species Regulations 2010 (as amended), is satisfied that:  
there is no satisfactory alternative and the action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range.

This licence is granted for the purpose of **Imperative Reasons of Over-riding Public Interest**

<b>To:</b> Name in full:	[REDACTED]
Company Name:	<b>Vinci PLC</b>
Address:	<b>Astral House, Imperial Way, Watford, .</b>
County:	<b>Hertfordshire</b>
Postcode:	<b>WD24 4WW</b>

To (authorised actions):	By means of (method):
<b>Capture. Disturb. Transport. Damage or Destroy Breeding Place. Damage or Destroy Resting Place. .</b>	<b>By hand. . . . .</b>
<b>Species Group: Other mammals</b>	
<b>The Max No:</b>	<b>Of the following species: Common Name (Latin Name):</b>
60	Dormouse: Muscardinus avellanarius

CONTINUED OVERLEAF

Project Work Consented:

As set out in Planning permission ref RR/2474/CC(EIA)

At Location:	<b>Bexhill to Hastings Link Road</b> <b>From Bexhill off A259(T) to Hastings (Queensway)</b> <b>Bexhill</b>  <b>East Sussex</b>  OS Grid Ref: <b>TQ738802</b>		
between the dates of:	<b>18/09/2013</b>	and	<b>30/11/2019</b> inclusive:
<b>This licence is granted subject to the licensee, including servants and named agents, adhering to the terms and conditions specified below and to the activities agreed in the Method Statement, or annex, 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:</b>			
Consultant Name:	<b>(Jacobs UK Ltd)</b>		
Consultant Address:	<b>1180 Eskdale Road, Winnersh Triangle, Wokingham, , Berkshire, RG41 5TU</b>		

Signature:		Date:	<b>18/09/2013</b>
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*(for Natural England on behalf of the Secretary of State, Department for Environment, Food and Rural Affairs)*

### Important Advice:

- This licence authorises acts that would otherwise be offences under the Conservation of Habitats and Species Regulations 2010 (as amended). Any departure from the terms or conditions of the licence will be an offence against that Act;
- This licence conveys no authority for actions prohibited by any other legislation;
- This licence can be modified or revoked at any time by the Secretary of State or 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. Any person who provided a false statement or information to obtain this licence is guilty of an offence and may be liable to prosecution;
- Bodies corporate and their directors/secretaries are liable for offences under the 2010 Regulations (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 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 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 licence, even if no action is taken, and sent to the Natural England officer at the address shown on 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 this licence that any post development monitoring data (e.g. survey data and habitat assessment), including nil returns, are submitted to Natural England to arrive not 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 and timescales agreed in between the licensee and Natural England in the Method Statement or, if applicable, in the Annex 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. The Licensee and Named Ecologist are responsible for all activities of the persons they have appointed in connection with this licence.
13. All records are to be made available for inspection at any reasonable time by Natural England.

Special Conditions:

None

**Great crested newt licences only.**

14. The ecologist named on this 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.

**Notice for Information**

- a) Under Regulation 58(1), it is an offence for a person to contravene or fail to comply with a licence condition. This includes all persons authorised to act under this licence.

a).

**Recommendations (Bat Licences only)**

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 and gloves and have been vaccinated against European Bat Lyssavirus (EBL).

18 September 2013  
Our Ref: EPSM2012-5175 J



To: [REDACTED]  
Co. Name: Vinci PLC  
Address: Astral House  
Imperial Way  
Watford  
  
County: Hertfordshire  
Postcode: WD24 4WW

Christian Gregory  
Natural England  
Wildlife Licensing Unit  
First Floor, Temple Quay  
House, 2 The Square  
Bristol, BS1 6EB  
  
T 0845 601 4523  
F 0845 601 3438

Dear [REDACTED]

**CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2010 (as amended)  
LICENCE APPLICATION IN RESPECT OF CERTAIN EUROPEAN PROTECTED SPECIES**

**SITE:** Bexhill to Hastings Link Road, From Bexhill off A259(T) to Hastings (Queensway),  
Bexhill, , East Sussex,

I refer to your application for a licence in respect of the above site. Please find enclosed licence numbered:

**EPSM2012-5175 J**

It is essential that you read the conditions of the licence and make it available on site for inspection.

If there are any changes to the works detailed in the agreed Method Statement you should inform us as soon as possible. Such changes will likely require a modification to the licence and will need to be agreed by us before a modified licence can be issued.

To help, please send us one copy of the revised Method Statement on CD, by email if less than 5MB in size or alternatively three paper copies (see the note below for specific requirements\*). This must be sent to the Wildlife Licensing Unit, not a Wildlife Adviser.

**Covering Letter**

A modification submission should include a covering letter outlining the changes required and providing justification for the alterations. Please ensure the licence reference number is included in the covering letter to ensure the modification is processed as quickly as possible.

In addition, the following information must be provided either in the covering letter or, in the case of Great crested newt applications, on the cover sheet of the Method Statement itself:

A summary of progress with the licensed development/ operation;

A summary of the animals captured/ disturbed during the licensed works so far;

A summary of the changes to the licensed Method Statement and other documents;

Describe any implications for the 'favourable conservation status' of the species licensed as a result of the changes proposed.

### **Changes to the Method Statement**

Changes must be identified using one or more of the following methods:-

- Underline new text/strikeout text;
- Use different font colour;
- Block- coloured text, or all of the above.

The modified Method Statement must include:

An updated timetable which shows any changes to the programme and allows sufficient time for the assessment of the modified Method Statement by Natural England.

Updated maps, diagrams and figures, as appropriate.

Any further documents needed to support the application, including any discussed with the Wildlife Adviser or Senior Licensing Officer assessing the application.

**\*Please note: Method Statement requirements below.**

#### **Method Statement for Bats, Dormouse and other EPS (excluding Great crested newts).**

For bat, dormouse and EPS (excluding Great crested newt) licence modifications (or resubmissions following a minded-to-refuse), please submit Document 2 (Delivery Information), together with any photos, maps and plans relevant to the Delivery Information. You only need submit Document 1 (Background Information) if you have altered anything in this document (for example, licensable activities, further survey information, etc).


#### **Method Statements for Great crested newt.**

For GCN licence modifications (or resubmissions following a minded-to-refuse), please submit the Method Statement in its entirety, together with all maps, plans, photos and appendices.

**If you have any questions relating to this licence or future European Protected Species licence applications, please take the time to read our document called 'How to get a licence' which can be found at the following link on the Natural England website;**

[www.naturalengland.org.uk/Images/WML-G12\\_tcm6-4116.pdf](http://www.naturalengland.org.uk/Images/WML-G12_tcm6-4116.pdf)

Yours sincerely,

  
Senior Licensing Officer