

Date: 08 April 2021
Our Ref: 2021-51654-EPS-MIT
Your Ref: C202742



Wildlife Licensing
Natural England
Horizon House
Deanery Road
Bristol
BS1 5AH
T: 0208 026 1089
F: 0845 601 3438

Mr Neil Mason
23a, Newbigg
Crowle
Scunthorpe
North Lincolnshire
DN17 4NA

Dear Mr Mason,

CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 (AS AMENDED)

Your application for a Mitigation licence:

WML-A13-1 - Mitigation has been granted.

Your Licence numbered 2021-51654-EPS-MIT is attached and it is valid from 08 April 2021 to 31 December 2027.

Please ensure that you have read and understand all of the conditions and notes applicable to the licence and that you comply with them at all times.

Failure to do so could result in you committing an offence. Please note that most wildlife offences carry a maximum penalty not exceeding level 5 on the standard scale (currently £5000) and/or 6 months in prison.

Please also ensure that you submit all necessary returns information. Your return is due on 14 January 2028.

If you have any queries please email eps.mitigation@naturalengland.org.uk or call 0208 026 1089, quoting your customer ID and the above reference number.

Yours sincerely,

Dawn Southworth
Customer Services,
Wildlife Licensing
eps.mitigation@naturalengland.org.uk

cc: Miss Natasha Estrada

**Conservation of Habitats and Species Regulations
2017 (as amended)**



LICENCE - Mitigation

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

Wildlife Licensing
Natural England
Horizon House
Deanery Road
Bristol
BS1 5AH
T: 0208 026 1089

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 Ref: 2021-51654-EPS-MIT

Under the Conservation of Habitats and Species Regulations 2017 (as amended) Natural England has granted this licence for Bats 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 section 55(2)(e)

to:

Name (in full):	Mr Neil Mason
Company Name:	N/A
Address:	23a, Newbigg Crowle Scunthorpe
County:	North Lincolnshire
Postcode:	DN17 4NA

Between the dates of:

08 April 2021	and	31 December 2027	inclusive
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Project Description:

Licensable activities associated with development works consented under reference number PA/2020/599

At (locations):

Site/Location Name	County	OS Grid Reference
Low Cross Street	North Lincolnshire	SE770481

For the following Species; activities and methods:

Species Common Name (Taxonomic Name)	Activity	Method
Common pipistrelle (<i>Pipistrellus pipistrellus</i>)	Capture; Destroy resting place; Disturb; Transport	By endoscope; By hand; By static hand-held net; Destructive search by soft demolition; Mechanical demolition; Permanent exclusion

For the following licensable activities and maximum numbers:

Licensable Activity	Permitted Species Common Name	Maximum Number
Capture	Common pipistrelle	4
Destroy resting place	Common pipistrelle	See Additional Condition for details
Disturb	Common pipistrelle	Not Specified
Transport	Common pipistrelle	4

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:	Miss Natasha Estrada
	Well Cottage Woodsetts Road Gildingwells Worksop
County:	Nottinghamshire
Postcode:	S81 8AU

Signature:	Dawn Southworth	Date:	08 April 2021
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(for and on behalf of Natural England)

WARNING

- **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.

LICENCE CONDITIONS

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. 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.

Additional Condition(s):

AC01 Special conditions apply to this mitigation licence that are in addition to the standard licence 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

1. 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.
2. 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).

NOTES

3. Any person who provided a false statement or information to obtain this licence is guilty of an offence and may be liable to prosecution.
4. 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.
5. 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.

Additional Note(s):

Additional Authorised Individuals

The additional authorised individuals listed below are also authorised to act under the terms and conditions of this licence:

Nil

ANNEX: SPECIAL CONDITIONS TO INDIVIDUAL BAT MITIGATION LICENCE



IMPORTANT: These special conditions are in addition to the standard licence conditions of this licence.

Where there are several options you are required to do those that are indicated by .

Natural England Reference:

2021-51654-EPS-MIT

Summary table of permitted damage/destruction of resting places

Licensable activity	Permitted species	Maximum number of roosts (if applicable to activity)
Damage of resting place		
Destruction of resting place	Common Pipistrelle	2 (two) roosts to be destroyed

General:

- Persons acting under this licence must abide by the most up to date iterations of the relevant species guidance. In this context the relevant species guidance includes:
 - The advice in the “Bat Mitigation Guidelines” (see ‘Licence Note’ c),
 - “Bat Workers’ Manual” (see ‘Licence Note’ c), and
 - “BCT Bat Surveys for Professional Ecologists – Good Practice Guidelines” (see ‘Licence Note’ c).
- Figures: D **05/02/2021**; E3 **05/02/2021**; E4 ; Other, as specified, , must be complied with (see end of Annex for list of Figures).
- The Named Ecologist or an Accredited Agent must ensure that all those involved with the licensable works understand by way of a ‘tool box talk’ that bats are present; the legislation relating to bats; measures that will be used to protect them; good working practices; licensable activities and what to do should bats be found. This information must be provided before any licensable works commence on site. A written record that this has been

undertaken, and that it covers the above points, must be kept by the Named Ecologist or Accredited Agent and made available to Natural England or any police officer on request.

Impacts:

4. Disturbance of bats and damage and/or destruction of bat habitats will be limited to those areas and structures shown in Figure D.
5. Species, type and location of features and roost/s to be disturbed / damaged / destroyed under this licence. (See Definitions of roost type in condition 28):

Roost type or feature	Permitted?	Species and locations of roost / feature details and action.
Day	<input type="checkbox"/> N/A; <input checked="" type="checkbox"/> Yes	2x common pipistrelle day roosts located at Low Cross Street, R/O 19, Crowle, Scunthorpe, North Lincolnshire, DN17 4NA. Grid Ref. SE 77061 13343 to be destroyed
Night	<input type="checkbox"/> N/A; <input type="checkbox"/> Yes	
Feeding perch	<input type="checkbox"/> N/A; <input type="checkbox"/> Yes	
Transitional / occasional	<input type="checkbox"/> N/A; <input type="checkbox"/> Yes	

Methodology:

6. All relevant animal welfare legislation must be complied with at all times.
7. Where capture and/or handling of bats are necessary, only the Named Ecologist or an Accredited Agent or an Assistant directly supervised by the Named Ecologist or Accredited Agent may do so.
8. 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. The use of endoscopes, artificial light from torches, destructive search by soft demolition (see Definitions), temporary obstruction of roost access, temporary or permanent exclusion methods (including installation) and use of static hand held nets must only be undertaken or directly supervised by the Named Ecologist, or an Accredited Agent.
 - b. Where capture and/or handling of bats are necessary, only the Named Ecologist, Accredited Agent, or an Assistant directly supervised by the Named Ecologist may do so. Capture/handling/exclusion of bats must only be undertaken in conditions suitable for bats to be active.
 - c. 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 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.
 - d. Endoscopes and hand held nets are only to be used to assist with the locating and capture of bats.
 - e. 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 days/ nights throughout a spell of suitable weather conditions, or will remain longer until these conditions prevail.
 - f. 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 (h) will only be used after it has been shown that overnight dispersal or exclusion are no longer practicable methods.

- g. Following inspection and exclusion operations, the removal of any feature with bat roost potential, will be only performed by hand 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. The undersides of materials will be checked by the Named Ecologist or Accredited Agent for bats that may be clung to them before removal.
- h. 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.

- i. Other:

- 9. A written record must be kept of capture and exclusion efforts undertaken, including weather conditions (including over-night minimum temperature and rainfall), numbers and species of bats captured/taken and duration of exclusion process.
- 10. 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.
- 11. Provision must be made for prompt assistance to deal with any injured bat. Any injured or dead bats must be reported to Natural England on licence return form WML-LR-BATANN.
- 12. Mechanical demolition (see Definition in condition 29) of the structure must only take place after the structure has been declared free of bats by the Named Ecologist or their Accredited Agent.
- 13. Where bat access points/entrance into roosts are to be retained or reinstated this must be in accordance with Figure E3.
- 14. All bat boxes being provided as an alternative roost (see Definition in condition 28) must be installed prior to the start of damage and/or destruction activities.
- 15. Lighting restrictions under this licence include:

N/A;

- 16. If individual bats are discovered unexpectedly, including during periods of adverse weather, then 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, he/she must be contacted immediately to attend the site.
 - b. Do not expose the bat or cause it to fly out of the roost on its own accord.
 - c. The bat must only be handled by the Named Ecologist or an Accredited Agent unless 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 constructed, providing a safe, quiet environment with stable, suitable temperature and relatively high humidity, 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 before works re-commence. A written record must be kept of this decision and made available to Natural England or any police officer on request. This incidence must also be reported on the licence return form WLM-LR-BATANN.
- f. Any underweight or injured bats must be taken into temporary care by an experienced bat carer and looked after until such time that the bat can be transferred to a suitable replacement roost at the same site, or weather conditions are suitable for release at the same site.

Compensation and mitigation:

17. Compensation & mitigation measures:

- N/A;
- As shown on Figure E3 must be provided.

- 18. Should it be necessary to use any wood timber treatments, only treatments on the approved list of 'Bat roost and Timber products' may be used (see 'Licence Note' f). Guidance on their use in the Bat Workers' Manual, Chapter 10 must be followed (see 'Licence Note' c).
- 19. Should this licence require the use of roof membranes, Bitumen type 1F felt with a hessian matrix 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 site maintenance and habitat management requirements:

- 21. Any bat boxes or compensation roost structure/s provided under this licence (shown on Figure E3) which do not / does not show signs of bats 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.)

Post-development monitoring and reporting requirements

22. Monitoring must be undertaken in the time periods and years as specified:

- N/A, or
- 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
-

An assessment of bat habitat provided under this licence must also be made at this time. Should survey and habitat assessment indicate compensation provided is failing, measures must be taken to remedy this as soon as practically possible. Details of such actions must be included within the licence report.

23. It is a condition of this licence that the following reports are completed and returned to Natural England as specified:

- Report of action following the completion of the development and the installation of compensation features (if applicable).
- Report of Action within 14 days (two weeks) after the expiry of the licence (which includes any 'nil' reports).

Definitions used in this annex:

- 24. 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 Regulation 60(1) of the 2017 Regulations). This means that those persons authorised by the Licensee also have a responsibility for ensuring that the licence is understood and complied with.

25. 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.
26. 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.
27. 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.
28. For the purpose of this licence the following roost types are defined as:
 - a. **Day roost**: a place where individual bats, or small groups of males, rest or shelter in the day but are rarely found by night in the summer.
 - b. **Night roost**: a place where bats rest or shelter in the night but are rarely found in the day. May be used by a single individual on occasion or it could be used regularly by the whole colony.
 - c. **Feeding perch**: a place where individual bats or a few individuals feed during the night but are rarely present by day.
 - d. **Transitional / occasional roost**: used by a few individuals or occasionally small groups for generally short periods of time on waking from hibernation or in the period prior to hibernation.
 - e. An ‘**alternative roost**’ shall include: a purposely installed bat box; an existing roost which will not be impacted by the works; or other new/enhanced roosting opportunities. Any alternative roost must be suitable for the species, within or close to the existing roost and free from additional disturbance or development pressure.
29. 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.

Licence 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: . It is the licensee’s responsibility to ensure that they comply with planning permissions and other consents as necessary.
- b) This licence does not confer any right of entry upon land.

- c) The "[Bat Mitigation Guidelines](#)" and the "[Bat Workers' Manual](#)". "[BCT Bat Surveys for Professional Ecologists - Good Practice Guidelines](#)" is available from the BCT website. You are expected to check whether this guidance has been updated and if so, to ensure that you act in accordance with the most up to date version.
- 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) Post development monitoring [report form](#) should be used for reporting purposes and sent to the above address at the each report interval.
- f) Bat roost and Timber products (TIN 092) can be found [here](#).
- g) 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>).
- h) Persons acting under this licence should abide by the advice described in "Coronavirus (COVID-19): *surveying and mitigation works affecting wildlife*" issued by Defra to Natural England, as a minimum precaution to reduce the risk of accidental transmission of the virus that causes COVID-19 from humans to wild mammals. "Coronavirus (COVID-19): *surveying and mitigation works affecting wildlife*" is available at <https://www.gov.uk/guidance/coronavirus-covid-19-surveying-and-mitigation-works-affecting-wildlife> or on request from Natural England (eps.mitigation@naturalengland.org.uk). You should check whether this advice has been updated and if so, should ensure that you act in accordance with the most up to date version. 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.

Issued by and on behalf of Date
 Natural England on

07 April 2021

Figure references:

Those marked with an '' are mandatory and are included as part of each annexed bat licence, and those marked '***' are applicable to specific licences only.** Special Condition 2 details which Figures form part of this particular licence and its conditions and they must be complied with. Figures are not sent back out to the Licensee or Named Ecologist when the licence is granted as dated and referenced copies are already held by those persons.

D* – Impacts: disturbance of bats, habitat damage and/or destruction.

E2** – Non-standard capture and exclusion apparatus.

E3** – Specification for mitigation / compensation.

E4** – Management, maintenance and monitoring map, showing habitats and structures covered by the licence.