

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 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:

2020-45270-EPS-NSIP1-6

Under the Conservation of Habitats and Species Regulations 2017 (as amended) Natural England has granted this licence for Bat 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)

Name (in full)

[REDACTED]

Address

LM – Joint Venture, Laing O'Rourke Murphy
6th Floor, Cornerblock
Two Cornwall Street
Birmingham
West Midlands, B3 2DX

Project description:

Licensable activities associated with development works for the construction of HS2 line through Warwickshire under HS2 royal assent April 2017

Between the dates of:

11 May 2022

and

30 September 2030

inclusive, subject to the conditions specified.

At locations:

Site/Location Name	County	OS Grid Reference
Stoneleigh Park	West Midlands	SP326716

For the following species

Species Common Name (Taxonomic Name)	Activity	Method
Brown long-eared bat (<i>Plecotus auritus</i>)	Capture/take Destroy resting place Disturb Transport	Endoscopes By hand Destructive search by soft demolition Mechanical demolition Permanent exclusion Other method – Soft felling
Whiskered bat (<i>Myotis mystacinus</i>)	Capture/take Destroy resting place Disturb Transport	Endoscopes By hand Destructive search by soft demolition Mechanical demolition Permanent exclusion Other method – Soft felling
Common pipistrelle (<i>Pipistrellus pipistrellus</i>)	Capture/take Destroy breeding site Destroy resting place Disturb Transport	Endoscopes By hand Destructive search by soft demolition Mechanical demolition Permanent exclusion Other method – Soft felling
Soprano pipistrelle (<i>Pipistrellus pygmaeus</i>)	Capture/take Destroy breeding site Destroy resting place Disturb Transport	Endoscopes By hand Destructive search by soft demolition Mechanical demolition Permanent exclusion Other method – Soft felling
Noctule (<i>Nyctalus noctula</i>)	Capture/take Damage resting place Disturb Transport	Endoscopes By hand Destructive search by soft demolition Mechanical demolition Permanent exclusion Other method – Soft felling
Brandt's bat (<i>Myotis brandtii</i>)	Capture/take Destroy resting place Disturb Transport	Endoscopes By hand Destructive search by soft demolition Mechanical demolition Permanent exclusion Other method – Soft felling

For the following licensable activities and maximum numbers:

Licensable Activity	Permitted Species Common Name	Maximum Number
Capture	Brandt's bat (<i>Myotis brandtii</i>)	3
	Brown long-eared bat (<i>Plecotus auritus</i>)	5
	Common pipistrelle (<i>Pipistrellus pipistrellus</i>)	20
	Noctule (<i>Nyctalus noctula</i>)	5
Disturb	Brandt's bat (<i>Myotis brandtii</i>)	Not specified
	Brown long-eared bat (<i>Plecotus auritus</i>)	Not specified
	Common pipistrelle (<i>Pipistrellus pipistrellus</i>)	Not specified
	Noctule (<i>Nyctalus noctula</i>)	Not specified
Transport	Brandt's bat (<i>Myotis brandtii</i>)	3
	Brown long-eared bat (<i>Plecotus auritus</i>)	5
	Common pipistrelle (<i>Pipistrellus pipistrellus</i>)	20
	Noctule (<i>Nyctalus noctula</i>)	5

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:

[REDACTED]

Address:

WSP | Parsons Brinckerhoff
1 Queens Drive, Birmingham

County:

West Midlands

Postcode:

B5 4PJ

Name:

[REDACTED]

Date:

11/05/2022

(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. 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.
15. **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. 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).
- c. Any person who provided a false statement or information to obtain this licence is guilty of an offence and may be liable to prosecution.
- d. 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.
- e. 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.
- f. 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
- g. 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

ANNEX: SPECIAL CONDITIONS TO BAT INDIVIDUAL 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:

2020-45270-EPS-NSIP1-6

Summary table of permitted damage/destruction of breeding sites and resting places

Licensable activity	Permitted species	Maximum number of roosts (if applicable to activity)
Damage of breeding site	- - - -	- - - -
Destruction of breeding site	Common pipistrelle Soprano pipistrelle - -	1 (one) 4 (four) - -
Damage of resting place	- - - -	- - - -
Destruction of resting place	Brown long-eared Common pipistrelle Soprano pipistrelle Whiskered Noctule Brandt's	9 (nine) 10 (ten) 32 (thirty two) 1 (one) 2 (two) 1 (one)

General:

1. 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:
 - (i) The advice in the “Bat Mitigation Guidelines” (see ‘Licence Note’ c),
 - (ii) “Bat Workers’ Manual” (see ‘Licence Note’ c), and
 - (iii) “BCT Bat Surveys for Professional Ecologists – Good Practice Guidelines” (see ‘Licence Note’ c).
2. The Licensee, including the Named Ecologist, Accredited Agents and Assistants (see Definitions in conditions 26-29), must adhere to the activities and timescales agreed in work schedule WML-A13a-E5a&b (dated and referenced **3rd May 2022, Stoneleigh Park, Stoneleigh Road, Warwickshire**) between the Licensee and Natural England*.

*Except for damage and destruction of breeding sites, carrying out licensable activities outside the periods specified within the licensed work schedule E5a is permitted provided that **all** of the following requirements are met:

- a. Licensable activities set out in the work schedule are carried out in the same chronological order; and
- b. Licensable activities involving the capture, and/or transport of the species are carried out no more than 8 months later than originally scheduled and outside the maternity/hibernation period; and
- c. Compensation for loss of hibernation sites must be created prior to the immediate hibernation period and no later than 31 October; and
- d. There is no additional impact on any known or potential breeding sites, or resting places (including hibernation sites) as a result of timing changes.

Post development works must be carried out in accordance with section E5b of the licensed work schedule. Should timings change such that one or more of requirements a-d will not be met, a modification request form must be submitted alongside a revised work schedule to enable Natural England to reassess the FCS test. This must be done as soon as it becomes clear that the work schedule is no longer deliverable. All other requirements in the licence and any annex must be complied with.

3. Figures: D **18/08/2021**; E2 -; E3 **14/09/2021**; E4 **14/09/2021**; Other, as specified, **Figure C5b Confirmed Tree Roost Licence App August 2021 Tree ID:44A 07/09/2021, Figure C5b Confirmed Building Roost Licence App September 2021 Building ID: B1.20 14/09/2021, Figure C6a Survey Results: Tree Roost 14/09/2021, Figure C6b Tree Roost Emergence / Re-entry Licence App August 2021 Tree ID: 44A dated 07/09/2021 and Figure C6b Roost Emergence / Re-entry Licence App September 2021 Building ID: B1.20 dated 14/09/2021**, must be complied with (see end of Annex for list of Figures).
4. 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:

5. Disturbance of bats and damage and/or destruction of bat habitats will be limited to those areas and structures shown in Figure D.
6. Species, type and location of features and roost/s to be disturbed / damaged / destroyed under this licence. (See Definitions of roost type in condition 30):

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	Brown long-eared day roosts, at the apex of the southern gable end of building B1.5 and inside B 1.5a, B1.14 and B1.20 and in holes in Trees 10A, 24A, 33A and 39A at Stoneleigh Park, to be destroyed.

		<p>Common pipistrelle day roosts in cracks in the block work walls or beneath barge boards at the corners of Buildings B1.7 and inside building B1.11, B1.5b and B1.20 and in holes in Trees SPT1, SPT2, 7A, 31A, 33A and A44 at Stoneleigh Park, to be destroyed.</p> <p>Soprano pipistrelle day roosts, at the apex of the southern gable end of building B1.5, in gaps in the fascia on the north elevation of Building B1.10, in cracks in the block work walls or beneath barge boards at the corners of Building B1.11, at the apex of northern gable end, between barge boards and under eaves on inner east elevation of Building B1.14, inside building B1.10, B1.5a, B1.5b and B1.20 and in holes in Trees SPT1, SPT2, SPT15, 3A, 5A, 6A, 8A, 9A, 12A, 15A, 17A, 19A, 21A, 25A, 26A, 27A, 29A, 30A, 33A, 34A, 38A, 40A, 41A and 43A at Stoneleigh Park, to be destroyed.</p> <p>Noctule day roosts in holes in Trees 14A, 18A, at Stoneleigh Park, to be destroyed.</p> <p>Whiskered day roost in holes in Tree 17A at Stoneleigh Park to be destroyed.</p> <p>Brand't day roost in holes in Tree 32A at Stoneleigh Park to be destroyed.</p>
Night	<input checked="" type="checkbox"/> N/A; <input type="checkbox"/> Yes	-
Feeding perch	<input type="checkbox"/> N/A; <input checked="" type="checkbox"/> Yes	Brown long-eared feeding roost, inside Building B1.12 at Stoneleigh Park, to be destroyed.
Transitional / occasional	<input type="checkbox"/> N/A; <input checked="" type="checkbox"/> Yes	Common pipistrelle transitional roost within a hole in Tree 36A at Stoneleigh Park to be destroyed.
Swarming or mating site	<input type="checkbox"/> N/A; <input checked="" type="checkbox"/> Yes	Soprano pipistrelle mating roost within a hole in Tree 16A at Stoneleigh Park to be destroyed.
Maternity	<input type="checkbox"/> N/A; <input checked="" type="checkbox"/> Yes	<p>Common pipistrelle maternity roost, under hanging tiles and inside the loft of Building B1.7 at Stoneleigh Park, to be destroyed.</p> <p>Soprano pipistrelle maternity roost, under hanging tiles, under the flat roof of the southern elevation and inside the loft of Building B1.7 and in holes in trees 7A, 10A, at Stoneleigh Park, to be destroyed.</p>
Satellite	<input checked="" type="checkbox"/> N/A; <input type="checkbox"/> Yes	-
Hibernation	<input type="checkbox"/> N/A; <input checked="" type="checkbox"/> Yes	Soprano pipistrelle hibernation roost in hole in Tree 37A at Stoneleigh Park, to be destroyed.
In sites meeting SAC/SSSI status due to bats (see Definitions)	<input checked="" type="checkbox"/> N/A; <input type="checkbox"/> Yes	-
Foraging areas	<input checked="" type="checkbox"/> N/A; <input type="checkbox"/> Yes	-
Commuting routes	<input checked="" type="checkbox"/> N/A; <input type="checkbox"/> Yes	-
Other:	<input checked="" type="checkbox"/> N/A; <input type="checkbox"/> Yes	-

Methodology:

7. All relevant animal welfare legislation must be complied with at all times.
8. 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.

9. 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 15 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 only be 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 before removal, by the Named Ecologist or Accredited Agent, for bats that may be clung to them.
 - 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:

All trees with moderate and high potential and confirmed roosts will be subject to an aerial inspection immediately prior to felling. If bat absence cannot be determined the trees will be subject to emergence survey.

One way exclusion devices will be installed in the roost features and left in accordance with the best practice guidelines when weather conditions are suitable for bat activity. The tree will then be subject to soft, sectional felling with the felled sections left, with any access/egress points facing away from the ground, for at least three nights.

Soft blocking or re-blocking of roosts or PRFs may only take place outside of the hibernation period (November to March inclusive).

Felling of trees with roosts or PRFs during the hibernation period must only take place where the roost feature has been previously fully inspected or excluded and blocked prior to the hibernation period and has remained inaccessible to bats.

Where roosts are present on the elevation adjacent to works areas, buffers will be created using Heras fencing to delineate working areas.

10. 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.
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 31) of the structure must only take place after the structure 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. Lighting restrictions under this licence include:
 - a. N/A;
 - b. There will be no direct lighting of the bat house or bat boxes, which are to remain in dark zones. there will be no lighting of the bridges crossing over the HS2 line.
15. 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:

16. Compensation & mitigation measures as below and as shown on Figure E3 must be provided:

Compensation and mitigation measure/s:	Including provision of:	Details: Location, area (ha), length (cm), dimensions, aspect specifications, materials, number, bat box type, bat access (as appropriate)
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Retention of roost/s and access points	Retention of roost space / area <input type="checkbox"/> N/A; <input checked="" type="checkbox"/> Yes	Soprano pipistrelle days roosts, beneath the stone bridge B1.1a over river Avon, inside Building B1.5a, Building B1.5b, Building B1.17a, building RB1 and building RB2 at Stoneleigh Park, to be retained.
	Retention of access points <input type="checkbox"/> N/A; <input checked="" type="checkbox"/> Yes	-
Modification of existing roosts	Existing roosts <input checked="" type="checkbox"/> N/A; <input type="checkbox"/> Yes	-
	Access points <input checked="" type="checkbox"/> N/A; <input type="checkbox"/> Yes	-
	Other <input checked="" type="checkbox"/> N/A; <input type="checkbox"/> Yes	-
New roost creation	Bat box/es <input type="checkbox"/> N/A; <input checked="" type="checkbox"/> Yes	Ninety-eight (98) bat boxes of varying types with appropriate boxes for brown long-eared, common pipistrelle and soprano pipistrelle, whiskered, Brandt's and noctule bats, to include at least 1 hibernation box and 5 maternity boxes, to be erected, at a minimum height of 3 metres, on mature trees located more than 50 metres from the proposed HS2 route line at Stoneleigh Park. There will be 20 tree mounted bat boxes as interim mitigation and seven integrated bats boxes installed in the bat house.
	Bat bricks / tubes <input checked="" type="checkbox"/> N/A; <input type="checkbox"/> Yes	-
	Bat tiles (including ridge tiles) <input checked="" type="checkbox"/> N/A; <input type="checkbox"/> Yes	-
	Stand-alone bat feature <input type="checkbox"/> N/A; <input checked="" type="checkbox"/> Yes	8-figure grid reference: [REDACTED] An L-shaped dedicated bat house, measuring maximum length 6.7m x width 6.7m x height 4.6m, to be constructed in a dark zone in the north east corner of the site at Stoneleigh Park. The bat house to be constructed with brick cavity walls with exposed rafter feet at the base of the roof line to allow bat access into the structure from the wall and to provide additional roosting features.

		<p>Timber weather boarding installed on the south-west and north-west elevations to be raised away from the wall and no horizontal batten at the base, to enable bat access for roosting.</p> <p>Hanging tiles installed on the south-east elevation at the apex of the gable ends, to raised away from the wall to create roosting features.</p> <p>There is a narrow gap at the top and underneath the weather boarding and hanging tiles that will allow bats to crawl through into the loft but reduce draughts entering the loft space.</p> <p>Internally there is a loft area with a flight space measuring length 6.7m x width 4.7m x height 2.1m.</p> <p>The ground floor ceiling will be at a height of 2.5m., with a loft hatch hole for monitoring and bats access to both levels.</p> <p>The roof to be constructed of a rough sawn timber structure with a clay tiled roof lined with bitumen.</p> <p>Rough-sawn wooden battens to be fitted to the roof timbers to provide additional roosting locations.</p> <p>Double ridge boards to be fitted spaced 25mm apart</p> <p>False rafters to be installed behind rafters with 25mm between them</p> <p>Sarking boards to be fitted set 25mm back from roof lining.</p> <p>1 bat access tile, with a gap measuring 255mm x 150mm, to be installed on the south east elevation of roof with a corresponding gap cut into the roof lining to provide access into the loft.</p> <p>4 bat access bricks to be installed in the walls, 2 each on the south east and north east elevations.</p> <p>1 raised roof tile to be installed on the southern elevation and a raised ridge tile to be installed on the main ridge beam, to provide bat access to the gap between the tile and the roof lining.</p> <p>Bat access gaps to be left in the mortar pointing up to fibre cement soffit.</p> <p>Seven (7) bat tubes to be installed into walls, two on south-east elevation, three on the north-east elevation and two on the north-west elevation.</p>
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	Dedicated bat loft <input checked="" type="checkbox"/> N/A; <input type="checkbox"/> Yes	8-figure grid reference: - -
	Other <input type="checkbox"/> N/A; <input checked="" type="checkbox"/> Yes	In addition to the 20 bat boxes stated above there will be total of 103 bat features created comprising varying types of bat box and veteranised features created on retained trees and 11 integrated bat box/ bat brick/ bat tubes.
Habitat reinstatement (for temporary impacts) or creation	Reinstatement and creation of flight lines <input type="checkbox"/> N/A; <input checked="" type="checkbox"/> Yes	Approximately 5ha of new habitat to be planted either side of the retaining wall . The vegetation to be graduated to encourage bats to fly up and over height of trains. Stretches of tree planting to create hop overs across the track
	Hedgerow planting or reinstatement (as specified) <input type="checkbox"/> N/A; <input checked="" type="checkbox"/> Yes	New native hedgerow/tree planting to provide adequate cover and connectivity between the bat house and foraging habitat.
	Woodland planting or reinstatement (as specified) <input type="checkbox"/> N/A; <input checked="" type="checkbox"/> Yes	Woodland edge and scrub planting to occur.
	Other (as specified) <input type="checkbox"/> N/A; <input checked="" type="checkbox"/> Yes	A viaduct will be constructed where the HS2 line crosses over the river Avon. A Green Overbridge, widened for additional planting will be constructed where Stoneleigh Road crosses over the HS2 line.

17. Should it be necessary to use any wood timber treatments, only treatments on the approved list of 'Bat roost and Timber products (TIN 092)' may be used (see 'Licence Note' f). Also, guidance on their use in the Bat Workers' Manual, Chapter 10 (see 'Licence Note' c) must be followed.

18. Should this licence require the use of roof membranes Bitumen type 1F felt with a hessian matrix must be used.

Post-development site maintenance and habitat management requirements:

19. Any compensation or mitigation 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 period, as specified below, beyond the date of completion of the development. (Note: any structure which is used by bats is legally protected under the legislation.)

- i. Bat boxes provided as compensation: **Twenty (20) bat boxes erected on mature trees at Stoneleigh Park - five (5) years;**
- ii. Stand-alone bat feature or dedicated bat loft: **Dedicated bat house at Stoneleigh Park - ten (10) years;**
- iii. Other: -.

20. Site maintenance operations must be undertaken in line with timings in Work Schedule WML-A13a-E5a&b table b and remedial action undertaken if necessary:

N/A;

Maintain, repair or reinstate access points: **Roost features and access points of the dedicated bat house to be kept clear and free of debris;**

Maintain, repair, restore bat feature / bat loft in good condition: **Dedicated bat house to be kept in condition suitable for use by roosting bats;**

Maintain or repair heaters and / or data loggers: -;

Maintain, repair, restore bat boxes to maintain condition: -;

Repair or replace inspection hatches: -;

Repair or replace interpretation labels or signs: -;

Management and maintenance of lighting regime: -;

Other/s as specified: -.

21. The following habitat management must be undertaken in line with Figure E4:

N/A;

Hedgerow management regime: -;

Check success of establishment of habitat re-instatement or creation: **Inspection of woodland edge and scrub to take place in March and September. Any dead diseased or dying trees to be replaced in November or December. Scrub to be cut back to 1m height, trees to have 50mm thick layer of mulch around them in April or May;**

Reduction of shade around roosts: **Any planting causing excessive shading of the bat house to be cut back or removed.;**

Woodland management to maintain species and structural diversity: -;

Other as specified: -.

22. Is a Habitat Management and Maintenance Plan required for this licence?

YES: NO

If Yes, all habitat management and maintenance must be carried out in accordance with Habitat Management and Maintenance Plan referenced **WP 040 – Stoneleigh Park Site SK046 – Ecological Mitigation Design – Enabling Works North Contract Ecological Site Management Plan - dated 26 February 2020 for 15 (fifteen) years** (also see timings in Work Schedule WML-A13a-E5a&b table b).

Post-development monitoring and reporting requirements:

23. Monitoring must be undertaken in the time periods and years as specified in the Work Schedule WML-A13a-E5a&b table b:

N/A, or

Monitoring required.

By way of: **the dedicated bat house to have Internal and external inspections, to include recording roosting conditions, security, light spill, temperature and humidity, and single dusk and separate dawn surveys, to be carried out between June and September, in 2021, 2024, 2026, 2028 and 2030. If monitoring reveals the internal temperature is not optimal for bats a single bar heater powered by a small solar panel is to be installed.**

Bat box checks to be carried out between May and September in 2024, 2026, 2028 and 2030.

Retained roosts to have external inspection and single dusk and separate dawn surveys to be carried out between June and September, in 2022, 2024, and 2026.

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.

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

Report of Action within 14 days (two weeks) after the expiry of the licence (which includes any 'nil' reports).

The following interim licence report/s is/are required:

25. Is this licence part of a phased or multi-plot development?

YES: NO

If Yes, Figure B2.1 Masterplan Overview dated 6 April 2020 - must be re-submitted, and updated if necessary, with any modifications to this licence and any future licence applications for this phased or multi-plot development.

Definitions used in this annex:

26. 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.

27. 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.

28. 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.

29. 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.

30. 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. **Swarming site:** where large numbers of males and females gather during late summer to autumn. Appear to be important mating sites.
- f. **Mating sites:** sites where mating takes place from later summer and can continue through winter.
- g. **Maternity roost:** where female bats give birth and raise their young to independence.
- h. **Hibernation roost:** where bats may be found individually or together during winter. They have a constant cool temperature and high humidity.
- i. **Satellite roost:** an alternative roost found in close proximity to the main nursery colony used by a few individual breeding females or small groups of breeding females throughout the breeding season.
- j. 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.
- k. **Other** – if applicable this will be specified in special condition 6.

31. 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) The licensee 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) Post development monitoring [report form](#) should be used for reporting purposes and sent to the above address at the each report interval.
- e) Any significant changes to a master plan should be agreed with Natural England in advance.

- 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) An 'SAC' is a 'Special Area of Conservation' and a 'SSSI' is a 'Site of Special Scientific Interest'.
- i) 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
Natural England on

Date

11 May 2022

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 3 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 / exclusion measures
- E3* – Mitigation / compensation (showing final development layout where appropriate) specifications for mitigation / compensation measures (including dimensions, materials etc).
- E4** – Management, maintenance and monitoring map, showing habitats and structures covered by the licence.