Southampton to London Pipeline Project

Volume 6

Environmental Statement (Volume D)

Appendix 7.16: Draft Rare Reptiles EPS Licence

Application

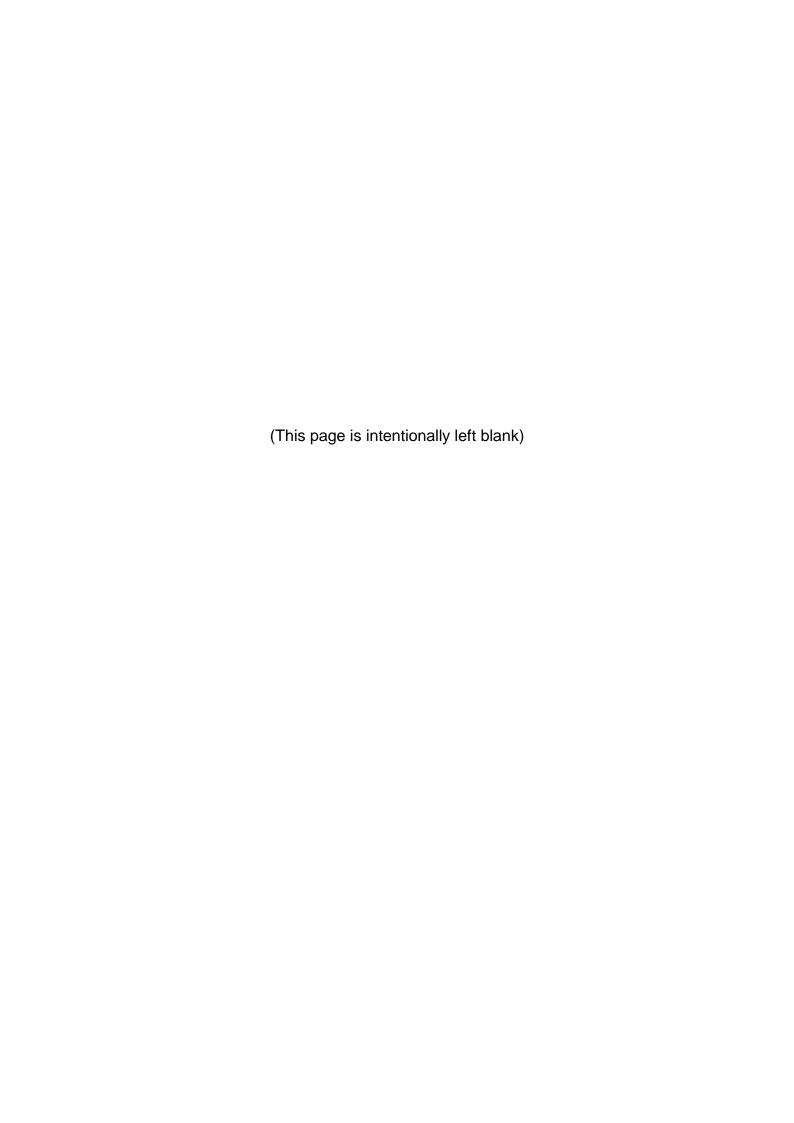
Application Document: 6.4

Planning Inspectorate Reference Number: EN070005

APFP Regulation No. 5(2)(a)

Revision No. 1.0

May 2019



Date: 08 May 2019 Our ref: 275438

(NATIONALLY SIGNIFICANT INFRASTRUCTURE

PROJECT)



Esso Petroleum Company Limited and Jacobs

Sent by e-mail only

Dear Esso Petroleum Company Limited,

DRAFT MITIGATION LICENCE APPLICATION STATUS: INITIAL DRAFT APPLICATION

LEGISLATION: THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017

(as amended)

NSIP: Southampton to London Pipeline Project

SPECIES: Sand Lizard Lacerta agilis

Thank you for your subsequent draft sand lizard mitigation licence application in association with the above NSIP site, received in this office on the 01/03/2019. As stated in our published guidance, once Natural England is content that the draft licence application is of the required standard, we will issue a 'letter of no impediment'. This is designed to provide the Planning Inspectorate and the Secretary of State with confidence that the competent licensing authority sees no impediment to issuing a licence in future, based on information assessed to date in respect of these proposals.

Assessment

Following our assessment of the resubmitted draft application documents, I can now confirm that, on the basis of the information and proposals provided, Natural England sees no impediment to a licence being issued, should the DCO be granted.

However, please note the following issues have been identified within the current draft of the method statement that will need to be addressed before the licence application is formally submitted. Our wildlife adviser, Cassandra Jackson, discussed this matter with David Jones via e-mail correspondence on 08/05/2019 where it was confirmed that the necessary amendments would be made. Please do ensure that the Method Statement is revised to include these changes prior to formal submission. For clarity these include:

Named Ecologist:

A Named Ecologist with suitable previous experience is required in the application form. Section 10 of the application form should be completed to provide Natural England with sufficient information to assess the experience of the proposed Ecologist.

Surveys:

An updated desk study to be conducted prior to the formal submission. Search for updated records since 2014.

Presence / absence surveys required for the formal licence submission - to be conducted by a suitably qualified ecologist due to the difficulty in surveying this species.

E.2 Declaration Statement(s)- To be completed on formal licence submission.

Next Steps

Should the DCO be granted then the mitigation licence application must be formally submitted to Natural England. At this stage any modifications to the timings of the proposed works, e.g. due to ecological requirements of the species concerned, must be made and agreed with Natural England before a licence is granted. Please note that there may be a charge for the formal licence application determination, should the DCO be granted, or the granting of any licence.

If other minor changes to the application are subsequently necessary, e.g. amendments to the work schedule/s then these should be outlined in a covering letter and must be reflected in the formal submission of the licence application. These changes must be agreed by Natural England before a licence can be granted. If changes are made to proposals or timings which do not enable us to meet reach a 'satisfied' decision, we will issue correspondence outlining why the proposals are not acceptable and what further information is required. These issues will need to be addressed before any licence can be granted.

Full details of Natural England's licensing process with regards to NSIP's can be found at the following link:

http://webarchive.nationalarchives.gov.uk/20140605090108/http:/www.naturalengland.org.uk/lmages/wml-q36_tcm6-28566.pdf

As stated in the above guidance note, I should also be grateful if an open dialogue can be maintained with yourselves regarding the progression of the DCO application so that, should the Order be granted, we will be in a position to assess the final submission of the application in a timely fashion and avoid any unnecessary delay in issuing the licence.

I hope the above has been helpful. However, should you have any queries then please do not hesitate to contact me.

Yours sincerely

Cassandra Jackson Senior Adviser Natural England Wildlife Licensing Service 0208 225 6858 07827 356 489

Annex - Guidance for providing further information or formally submitting the licence application.

Important note: when submitting your formal application please mark all correspondence 'FOR THE ATTENTION OF Cassandra Jackson

Submitting Documents.

Documents must be sent to the Customer Services Wildlife Licensing (postal and email address at the top of this letter).

Changes to Documents –Reasoned Statement/Method Statement.

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

- underline new text/strikeout deleted text;
- use different font colour:
- block-coloured text, or all the above.

Method Statement

When submitting a revised Method Statement please send us one copy on CD, or by e-mail if less than 5MB in size, or alternatively three paper copies. The method statement should be submitted in its entirety including all figures, appendices, supporting documents. Sections of this document form part of the licence; please do not send the amended sections in isolation.

Customer Feedback – EPS Mitigation Licensing

To help us improve our service please complete the following questionnaire and return to:

Customer Services, Natural England, First Floor, Temple Quay House, 2 The Square, Bristol, BS1 6EB.

Fax: 0845 6013438 or email to wildlife@naturalengland.org.uk

number is at the top of this page.

NATURAL ENGLAND)

http://www.naturalengland.org.uk/ourwork/regulation/v	<u>wildlife/default.aspx</u>					
Natural England Reference Number (optional	·		Consultar			
	indicate your				nt/Licensee)	
1. How easy was it to get in contact with the	Wildlife Manager	nent & Lic	ensing te	am of Nat	ural Englar	ıd?
Difficult (1) \bigcirc OK (2)		Easy (3 ₎)		Very Eas	sy (4)
If 1 please specify who you initially contacted in	relation to your is:	 sue/enquir	y?		_	
	·	•	•			
2. Please tell us how aware you were (BEFO	RE you contacte	ed us) of	wildlife leg	gislation a	and what it	does/does
not permit in relation to your enquiry?						
Unaware (1) Very Limite	d Awareness (2)	Parti	ally Aware	(3)	Fully A	ware (4)
3. How would you rate the service provided b	y Natural Englai	nd?				
		Poor	Fair	Good	Excellent	Not
		1	2	3	4	applicable
Ease of completion of application						
Advice provided by telephone (if applicable)						
Our web site (if applicable)						
Clarity and usefulness of published guidance						
Helpfulness and politeness of staff						
Advice and clarity of explanations provided during Method						
Statement assessment						Ш
Advice and clarity of explanations provided durin	g Reasoned				П	
Statement assessment		_	_			_
Speed of process						
Overall service						
If 1 or 2 to any of the above please specify why:						
4. Was your issue/enquiry resolved by the ac	tivity authorised	under lic	ence or ac	lvice prov	ided by us	?
Fully Partially	-	solved	0.100 0. uc	p. c.	idea by de	•
If not fully resolved please state what you think of	could have been o	done instea	ad (note leg	gislation af	fects which	actions can
be licensed):						
5. Was there a public reaction to any action to				t of our ac	ivice?	
Positive support No reaction	ivega	ative reacti	on			
6. Would you use a fully online licensing serv	∟ vice if it could be	made av	ailahle in t	he future	2	
Definitely Possibly	Unlik		anabic III l	No	•	
		·-· <i>y</i>				
7. Do you have any further comments to ma	ke or suggestion	ns for imp	proving ou	ır service,	if yes plea	se specify
(continue comments on an additional sheet if necessary). If you are happy to be contacted at a later date to						
explore possible improvement options, ple	ase tick this bo	ox 🗌 and	ensure y	our Natui	al England	l reference



Licence Application Form

Mitigation Licensing – Smooth Snake and/or Sand Lizard

Please Note – Applications can be completed online. For more information please visit our <u>website</u>.

- Please complete this application form using dark ink and BLOCK CAPITALS.
- Return the completed form to the address shown.
- All questions should be answered as appropriate. Questions marked with '*' are mandatory and failing to complete these may result in delays to your application.
- If there is insufficient space for completing answers on this form, please attach a separate sheet.
- Natural England will aim to determine the outcome of a completed licence application within its published service standards.
- If you experience any problems completing this application or using the online Case Work Management (CWM) system – please see our <u>website</u> for guidance or contact Wildlife Licensing.
- Additional guidance is provided in <u>Using CWM Applicant</u> <u>Guidance Document</u>. This can be downloaded from our website or you can ask Wildlife Licensing to send you a copy.

Wildlife Licensing
Natural England
Horizon House
Deanery Road
Bristol, BS1 5AH.
T. 020 802 61089
EPS.Mitigation@natural
england.org.uk

For Office Use Only
CWM Ref No:
Charter Deadline:

1.	Applicant Details			
•	(For guidance please see att If the applicant <u>is</u> already regi	of the person or company wached annex) stered as a customer please corregistered as a customer please	mplete Registered Customer D	etails (a)
	(a) Registered Applicant	Details		
	*Customer Number	*Surname	*Forename	*Postcode
	(b) New Applicant Regist	ration		
	Please note: If you are the agfull authorisation with this app	gent / named ecologist registerin plication.	ng on behalf of the applicant you	u will need to provide their
	*Email Address			
	*Title (please tick as appropriate) *Forename	Mr Mrs Ms Ms Middle Name	Other (Please Speci	
	1 OTCHAINE	ivildule Ivalile	Sum	атте

	Professional Members (e.g. CIEEM, IEMA, etc)	ship		
H	House Name / No.			
*	Address Line 1			
*	Address Line 2			
A	Address Line 3			
7	Гown		*County	
*	Postcode		Country	
Either 'Tele	ephone No.' or 'Mobile N	o.' must be completed.		
T	Telephone No.		Mobile No.	
F	ax no.			
*	Customer Type (e.g.	Farmer, Householder, Ecol	ogist, etc.)	
*	Are you VAT register	red? Yes 🗌 No	If 'Yes' VAT Nu	ımber:
	Are you registered w Rural Payments Agen		If 'Yes' RPA SB	BI Number:
((c) If you are register	ing on behalf of an orga	nisation please cor	mplete this section.
*	Position		*Organisation Nan	me
V	What is the size of yo	ur organisation?		☐ Micro (1 to 10 employees) ☐ Small (11 to 49 employees) ☐ Medium (50 to 249 employees) ☐ Large (250 employees or more)
(e.g. private limited comp	us of your organisation? pany, registered charity, covernment agency, Local A		
	Companies House Re Charity Number:	egistration or Registered	d	
(d) Alternative Applica	ant Contact Details		
a	alternative contact de		By completing this	cation, it would be helpful if section you are confirming that this
١	Name:			
Т	Геl Number:			
E	Email Address:			

2. Named Ecologist Details

Please enter the details of the named ecologist. Please note a named ecologist is required for all development and mitigation applications (For guidance please see attached annex)

- If the ecologist <u>is</u> already registered as a customer please complete Registered Named Ecologist Details (a)
- If the ecologist is not already registered as a customer please complete the New Named Ecologist Registration (b)
- If there will not be an ecologist used in conjunction with this application please go to the next section.

	(a) Registered Named B	Ecologist Details		
	*Customer Number	*Surname	*Forename	*Postcode
	(b) New Named Ecologis	st Details		
	· ·	pplicant registering on beha	If of the agent / named ecolog	ist you will need to provide their
	*Email Address			
	*Title (please tick as appropriate)	Mr Mrs Ms	Other (Please	Specify)
	*Forename	Middle Nam	ne *	Surname
	Professional Membersh (e.g. CIEEM, IEMA, etc)	ip		
	House Name / No.			
	*Address Line 1			
	*Address Line 2			
	Address Line 3			
	Town		*County	
	*Postcode		Country	
Either '7	Telephone No.' or 'Mobile No.'	must be completed.		
	Telephone No.		Mobile No.	
	Fax no.			
	*Customer Type (e.g. Fai	rmer, Householder, Ecologis	st, etc.)	
	*Are you VAT registered	I? Yes ☐ No ☐	If 'Yes' VAT Number:	
	*Are you registered with Rural Payments Agency		If 'Yes' RPA SBI Number:	

(C)	c) If you are reg	gistering on behalf of an orga	nisation please comp	lete the following.		
*P(osition		*Organisation Name			
Wł	hat is the size	of your organisation?	[[[Micro (1 to 10 employees) Small (11 to 49 employees) Medium (50 to 249 employees) Large (250 employees or more)		
(e.g	g. private limited	I status of your organisation? I company, registered charity, ion, Government agency, Local Al	uthority)			
	ompanies Hous narity Number	se Registration or Registered				
(d)) Alternative N	amed Ecologist Contact Deta	ils			
alte cor	ternative conta	ct details could be provided.	By completing this se	application, it would be helpful if ction you are confirming that this as a detailed knowledge of the		
Na	ame:					
Te	el Number:					
Em	mail Address:					
3. Coi	mmunication	n Preferences				
		who should be contacted if we than one option can be selected for		application:		
Ap	oplicant 🗌	Named Ecologist				
Ple	Please indicate to whom the outcome documentation for this application should be sent:					
Ap	pplicant 🗌	Named Ecologist				
	oplicant	Email Post Tele	phone \square			
_	DIDIDIONOS'					
pre	eferences:	If 'Yes' for telephone, please	provide a contact no			
Na Ec	amed cologist references:		ephone			

4. Previous Applications				
(a) * To your knowledge, have there been an decisions concerning this site?	y previous applicatio	ns or licence	Yes	No 🗌
If 'No' please move to question 4(g). If 'Yes' to (a), p	lease complete the follo	wing.		
(b) *Date of most recent application:				
(c) *Which species was the subject of the pre	vious applications?			
(d) *What was the application or licence reference	ence number?			
(e) *What was the outcome of the previous ap	oplication? (Please sel	ect one of the followin	ıg)	
Granted Not Granted Adv	ce Only Deferre	ed Not Yet Kno	own 🗌	
(f) To your knowledge, does this application r licensed 'mitigation' work on the site being ap		sly	Yes	No 🗌
If 'Yes' to (f) Please provide application/licence reference numbers, species details and outcome details.				
(g) To your knowledge, is the site being appli recent, concurrent, pending or future applicat same or other European protected species or	ions for licences for t		Yes	No 🗌
If 'Yes' to (g) Please provide application/licence reference numbers and species information.				
For applications which are part of the Pre-Submission	Screening Service:			
More information on Natural England's Pre-Submissio	n Screening Service	can be found <u>here</u>		
Is this a first draft application? Yes No	Is this a subsec	quent draft?	Yes	No 🗌
		_		
Are you aware if your case has been seen or reviewed	by Natural England	? Yes No	☐ Not S	ure
If yes, who provided the advice and when:				
Any further information you would like to provide:				
Is this a formal application?			Yes	No 🗌
Please provide any earlier reference numbers				

For appl	For applications which are part of Nationally Significant Infrastructure Projects:							
Is this a	first draft application?	Yes	No	Is this a subsequent draft?	Yes	No		
Is this a	formal application?	Yes	No					
Please p	provide any earlier reference	numbers						
5.	Purpose							
	(a) Brief Description of Prop (E.g. Construction of a new road bridge, installation of an undergr quarry/mineral works).	, maintena						
	(b) * Please tell us why you E.g. Smooth Snake breeding hal							
	(c) * Please confirm the purpose of the application (Please select one of the following):							
	and beneficial consequence Preserving public health Preventing the spread of Preventing serious damatimber, fisheries or inland was	es of prim or public disease, age to live aters, or a in Regula	ary impor c safety, u under se estock, fo any other ation 55(2		ion 55(2)(es, fruit, g g)	(e)		
	Please select one of the follow Agriculture / Fishing / F Archaeological investig investigation Barn Conversion Commercial Communications	ing): orestry		mineral extraction Nationally Significant Infrastructure Projects Places of worship Public community projects (e.g universities, hospitals, care facilitie		,		
	Energy generation Energy supply Flood and coastal deference Health & Safety Heritage Housing Industrial / Manufacturin			other public buildings) Small scale repair and mainten works Transport Waste management Water management Other (please specify)	ance			

If other, please provide deta	ils here:	
(e) * Is the proposed work p	art of a phased or a multi-plot development?	Yes 🗌 No 🗌
this application, as a separate docume	es specific master plan and Habitat Management and Mair nt. Guidance on what should be included in a master plan uk/20140605090108/http://www.naturalengland.org.uk/Ima	can be found at –
6. Site Details		
*Is the address for the site to be li	censed different to the applicant's address?	Yes 🗌 No 🗌
If 'No' Please complete Site / Loc	be licensed, please complete all of the following details cation Name and OS Grid Reference boxes only. add the start and end points separately)	:
	Site Details	
*Site / Location Name:		
House No:		
Address Line 1:		
Address Line 2:		
Address Line 3:		
Town:		
*County:		
Postcode:		
*OS Grid Reference: (In format XX123456)		

7. Conservation	on Considerations							
(a) *Will any part of the proposed activity fall in and/or adjacent to a Designated Site?								
If 'Yes' to (a) please comp	If 'Yes' to (a) please complete the table below. If 'No', please go to the next section.							
Please indicate whether the activity will fall on and/or adjacent to a designated site:	Designated Site Name:	Type of Designated Site E.g. National Nature Reserve (NNR), Site of Special Scientific Interest (SSSI), Special Protection Area (SPA), Special Area of Conservation (SAC), Ramsar Site, Ancient Monument, Marine Nature Reserve (MNR), Area of Outstanding Natural Beauty (AONB)						
On Adjacent to								
On Adjacent to								
On Adjacent to								
On Adjacent to								
On Adjacent to								
On Adjacent to								
implications of (c) Please give consultations of consulted us. correspondence	consulted with Natural England for advice on the application on the designated site? e either the outcome of your or the reason why you have not Please provide any relevant ce and the name of the local adviser or reserve manager	n the Yes No Not Known						
8. Authorisati	on							
. ,	pplicant the owner / occupier of the land? the next section. If 'No' to (a) please answer (b).	Yes						
(b) Have you	received the owner occupier's permission to	o apply? Yes 🗌 No 🗌						
Please note that it is your	responsibility as the applicant to obtain the owner.	or occupier's permissions to act under license on						

Please note that it is your responsibility as the applicant to obtain the owner or occupier's permissions to act under licence on their property.

You may be asked to provide documentation which confirms that you have owner or occupier's permissions and we will contact you if this is necessary

9. Application Details

(a) Please add details for all licensable actions you wish to perform:

	Licensable Action 1	Licensable Action 2	
Application Subject	Smooth Snake ar	d/or Sand Lizard	
* Species	Smooth snake	Sand lizard	
* Activity	Capture Disturb Transport Damage breeding site Destroy breeding site Destroy resting place Damage resting place	Capture Disturb Transport Damage breeding site Destroy breeding site Destroy resting place Damage resting place	
* Method / Field Technique	By hand Hand search Destructive search Noose Refugia Exclusion by permanent reptile fencing Exclusion by permanent one-way reptile fencing Exclusion by temporary reptile fencing Exclusion by temporary one-way reptile fencing Other	By hand Hand search Destructive search Noose Refugia Exclusion by permanent reptile fencing Exclusion by permanent one-way reptile fencing Exclusion by temporary reptile fencing Exclusion by temporary one-way reptile fencing Other	
If 'Other' method please specify			
Please enter the proponecessarily when the devi	osed dates of action below. Please note this refuelopment commences.	ers to the date of the first licensable action, not	
* Proposed Date From			

Please note: You must send survey data and habitat assessment data to your Local Records Centre (LRC). It is a condition of survey licences that records are sent to LRCs annually or to other organisations as specified on a particular survey licence (e.g. People's Trust for Endangered Species).

Yes No

(b) * Have you sent your records to the Local Records Centre?

Please note: For guidance in completing this section please refe at http://webarchive.nationalarchives.gov.uk/20140605090108/h			
(a) * Has the named ecologist associated with been named on a licence in the past three yea and in relation to a project of similar scale, me	ars for the same s	species	Yes □ No □
If 'Yes' (b) * Please provide the name of the issuing a to (a): licence reference number and date of issue for			
If 'No' to (a) please complete the following. If "Yes" to (a) go to to	he next section.		
(c) * Does the named ecologist currently hold survey licence or are they registered to use a licence for the same species?		Yes No	If 'Yes' complete <u>all</u> of the following. If 'No' go to (h)
(d) * What is/are the survey licence reference	number(s)?		
(e) * Number of years the survey licence(s) ha	ave been held		
(f) * Please give brief details of the named ecologist's current science, education or conservation licence or any other licences issued to the ecologist in the last three years relevant to the species relating to this application:			
(g) * Please give brief details of the named ecologist's experience on mitigation projects relevant to the species relating to this application, including in what capacity they acted. State the site names and reference numbers of licences and the type of mitigation involved:			
(h) * Please provide details of the named ecologist's Qualifications, including any Continual Professional Development (CPD) training relevant to the species relating to this application:			
Please note: If you have not held a mitigation licence in the last t from two people who are familiar with the named ecologist's wor References provided in support of your licence application shoul	k. Please attach the		
 Vouch for the named ecologist's suitability and compet state how long referees have known the named ecologist provide details of the named ecologist's mitigation experient provide details of the referees' own mitigation experient referee must have held a mitigation licence within the lateral 	rist and in what capa erience with the relev ce and mitigation lic	city; vant species or a	related species; and
(i) * Are you providing references?			Yes 🗌 No 🗌

10.

Experience

	verify their statements.		
	1st Referee:		
	2 nd Referee:		
11.	Consent Status		
If '3' is selected	 2. Demolition Consent (under Building A 3. Other type of consent required (e.g. N State Decision Letter, Compulsory Purchase 	g. Planning permission, listed building conse Act 1984) including prior notice to demolish Minerals consents, Highway Act consents, Se Order, Environment Agency Consent, etc.) and Country Planning Act 1990) - no specific	nt, etc) ecretary of
If '5' is selected If '1', '2' or '3' is selected	(c) * Please explain why no consent is required(d) * Have you obtained the necessary conservoposed activity to be commenced?	ent(s) to allow the	No
• If • If	'No' to (d), please complete 'Consent Not Obtained' 'Yes' to (d), please complete 'Consent Obtained'		

Please provide details of the referees. We may need to contact these referees to

Please explain why you are applying in advance of the granting of consent that would allow the development to commence and what the circumstances are (e.g. Site investigation work which is required to inform the planning consent decision and where, after avoidance measures, the risk of affecting a European Protected Species is high).

11

If 'Yes' to (i):

	(e) * Please provide details of the outstanding consents to be obtained and the likely timescales for their determination/issue.			
	Pre-Submission Screening Service:			
	being submitted through this chargeable service. V trying to pursue a licence under Exceptional Circur	Ve stro nstand	ents being in place and prior to a formal licence application of the place customers to use this service rather than les, particularly where there are concerns about financince planning consents are in place. Please see our we	ial
Consent	obtained			
	(f) Please confirm details of all the consents activity and this licence application.	s that	have been granted relevant to the proposed	
	Full Planning Permission		Outline Planning Permission	
	Demolition Consent (under Building Act 1984) including prior notice to demolish		Conservation Area Consent	
	Listed Building Consent		Tree Preservation Order	
	Highways Act Consent		Utilities Consent	
	Mineral Consent		Mineral Consent with Review of Mineral Planning Permission	
	Mineral Consent (Review of Mineral Planning Permission submitted to Mineral Planning)		Other consent type	
	Other Consent Type			
	(g) Please provide consent reference number (s)			
Please suk applicable.		vant to	the proposed activity and this licence application, if	
	(h) For all consents that have been granted or Reserved Matters relating to wildlife specissues (which are intended to be and are ca discharged before development begins) be	cies a apable	nd habitat Yes	he he
	ote : If it is not possible or not intended for the ces then please complete the questions below		ditions to be discharged before development	
	(i) Please give details of those conditions that are still to be discharged and explain why they have not been discharged.			

	(j) Is the site subject to any commitment the named in this application? For example a Section 106 Agreement (Town and Commitments made at a Public Inquiry or in an Environment)	Country Planning act 1990) or other	Yes	No 🗌
If 'Yes' to (j):	Has the commitment been met? Please also explain what has been done.			
If 'Yes' to (j):	What work is outstanding and when will it be completed?			
	(k) Is the site subject to any such commitment Protected Species or other protected species (Town and Country Planning Act 1990) or other commor in an Environmental Statement.	s? E.g. a Section 106 Agreement	Yes	No 🗌
If 'Yes' to (k):	Has this been met?			
If 'Yes' to (k):	When will this be complete?			

12.	Consenting	Authority
-----	------------	------------------

Please provide the Local Planning Authority/Authorities that have granted consent for the proposed project and the subject of this licence application. Please then provide contact details for the responsible officer. If consent is granted by another body (e.g. Secretary of State, Natural England, Environment Agency, Utilities Consent, Highways Consent, etc) then please provide details for it as appropriate. If no consent is required (e.g. Public health and safety issues) then please leave the remaining fields blank

*Consenting A	Authority Name		
*Title	*Forename	*Surname	* Position
Email Address	5		
Telephone Nu	ımber		
Address			

13. Method Statement

A Method Statement <u>must</u> be provided to support this application, along with other supporting documents, which may include some or all of the following:

- Maps
- Figures
- · Habitat management and maintenance plans
- Master plans
- · Appended survey results
- A work schedule

Please note: The Method Statement is normally prepared by a consultant ecologist or another suitably qualified person because compiling the content requires specific species and site-related knowledge.

Further Advice: Copies of the latest versions of templates for all species and further guidance to help you complete them are available on our <u>website</u>.

14.	Supplementary Information
	Please provide any additional information you may have to support your application.

15. Data Protection

The data controller is Natural England, Foss House, Kings Pool, 1-2 Peasholme Green, York, YO1 7PX.You can contact the Natural England Data Protection Manager at: Natural England, County Hall, Spetchley Road, Worcester, WR5 2NP; foi@naturalengland.org.uk

Any questions about how we are using your personal data and your associated rights should be sent to the above contact. The Data Protection Officer responsible for monitoring that Natural England is meeting the requirements of the legislation is: Defra group Data Protection Officer, Department for Environment, Food and Rural Affairs, SW Quarter, 2nd floor, Seacole Block, 2 Marsham Street, London SW1P 4DF. DefraGroupDataProtectionOfficer@defra.gsi.gov.uk

The information on the licence application form and any supporting material will be used by Natural England to undertake our licensing functions. This will include, but is not limited assessing your application, issuing a licence if applicable, monitoring compliance with licence conditions and collating licence returns and reports. The personal information we will process will include, but is not limited to your name and contact details, customer type and reasons for wanting a licence. Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller. That task is to conduct the licensing functions as delegated by Defra to Natural England under Part 8 Agreement under section 78 of the Natural Environment and Rural Communities Act 2006.

The processing by us of personal data relating to wildlife-related or animal welfare offences or related security measures is carried out only under official authority. This information is used in assessing an application as it is a material fact. Natural England will for particular licence applications and at specific stages of the licencing process discuss your application with third parties. The details of this sharing are set out here

https://www.gov.uk/government/publications/wildlife-licensing-privacy-notice

Your personal data will be kept by us for 7 years after the expiry of your licence or longer if stated in the licence conditions

Failure to provide this information will mean that we will be unable to assess your application for a wildlife licence. The information you provide is not connected with individual decision making (making a decision solely by automated means without any human involvement) or profiling (automated processing of personal data to evaluate certain things about an individual).

The data you provide will not be transferred outside the European Economic Area.

A list of your rights under the General Data Protection Regulation, the Data Protection Act 2018, is accessible at: https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/
You have the right to lodge a complaint with the ICO (supervisory authority) at any time. Should you wish to exercise that right full details are available at:

https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/ Details of our Personal Information Charter can be found at:

https://www.gov.uk/government/organisations/natural-england/about/personal-information-charter

Important Advice:

- If your application is made under the Wildlife and Countryside Act 1981 (as amended) or the Conservation of Habitats and Species Regulations 2017, any person who in order to obtain a licence knowingly or recklessly makes a statement or representation, or furnishes a document or information which is false in a material particular, shall be guilty of an offence and may be liable to criminal prosecution. Any person found guilty of such an offence is liable, on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale, or to both. Regarding other wildlife legislation, we will look to provisions in the Fraud Act 2006 (as amended) in respect of applicants making any false representations.
- Natural England or the Secretary of State can modify or revoke at any time any licence that is
 issued, but this will not be done unless there is good reason for doing so. Any licence that is
 issued is likely to be revoked immediately if it discovered that false information has been
 provided that resulted in the issue of a licence.

16.	Declaration			
160 (Convictions			
10a. C		in the condination become		
	 * Have you or any person listed wildlife-related or animal welfare 		convicted of any	Yes 🗌 No 🗌
If 'Yes':	Please provide details of the convictions: (including dates)			
Countryside Regulations Protection) o declare c	s we are referring to relate to persons of Act 1981, the Conservation (Natural Herotection of Badgers Act 1986, the Animal Welfare Act 2006 conviction if the person concerned is: (1) ad their conviction is treated as spent; or ately.	abitats &c.) Regulations 199- 192, the Deer Act 1991, the F I and the Protection of Anima I a rehabilitated person for th	4, the Conservation of Ha lunting Act 2004, the Wild Is Act 1911 (all as amend e purposes of the Rehabl	abitats and Species of Mammals ded). You do not have ilitation of Offenders
16b. A	pplicant Declaration.			
a E III III III III	I have read and understood the Where required, I undertake to obtain y licence resulting from this applitudence resulting from this applitudence read and understood the guidance read and understood the guidance pages. Internet guidance pages declare the particulars given are concerned in accordance with the information confirm that there is no satisfactor pplication.	ain permission from lando cation, and to allow any overk described in this app dance provided in the ap orrect to the best of my k mation I have provided.	employee or represen lication. plication form and on nowledge and belief,	tative of Natural the Wildlife and I apply for a
☐ I agree to the declaration above.				
	Signature of Applicant:			
	For electronic applications or tick this box to confirm		onic signature above	
	Name: (In BLOCK letters)		Date:	

16c.	. Ecologist Declaration			
	☐ I have read and understood the privacy notice above			
•	I confirm that I have visited the site(s).			
•	I have designed and inputted into the licence proposal.			
•	I confirm that there is no satisfactory alternative to meet the application.	e need/resolve the pro	oblem detailed in this	
•	I am satisfied that the proposal will result in no adverse im-	pact on the species co	oncerned.	
•	• I declare the particulars given are correct to the best of my knowledge and belief, and the applicant may apply for a licence in accordance with information I have provided.			
•	 I have documentary evidence that I am authorised to act on behalf of the applicant that I will supply to Natural England on request. 			
	I agree to the declaration above.			
	Signature of Ecologist:			
	For electronic applications, please insert an electroni or tick this box to confirm with the declaration.	c signature above		
	Name: (In BLOCK letters)	Date	:	

17. Annex - Application Notes

Applicant

The applicant is the person submitting the application (usually the landowner or occupier) who, if the licence was granted, would become the licensee. The applicant may appoint agents to produce the application pack and act on their behalf. A person with specific skills and knowledge of the species concerned, such as a consultant ecologist, must be appointed to assist in the preparation and the delivery of the proposals that ensure the species protection requirements can be met.

Licensee

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. However, 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 all authorised persons have a responsibility for ensuring that the licence terms and conditions, including any annex special conditions, are understood and complied with. Failure to do so could lead to prosecution.

Consultant/Named Ecologist

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. More information about the experience required to become a named ecologist can be found at: http://webarchive.nationalarchives.gov.uk/20140605090108/http://www.naturalengland.org.uk/Images/wmlg05 tcm6-4115.pdf

Accredited Agent

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.

Assistants

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.

The Conservation of Habitats and Species Regulations 2010 (as amended)

Application for a Licence European protected species – Method Statement

The Method Statement will be used to determine the impact of the application on the favourable conservation status of the species concerned (Regulation 53(9)(b)).

Please use photographs to support descriptions



Technical Services Wildlife Licensing Natural England Horizon House Deanery Road Bristol, BS1 5AH T. 020802 61089

Document 1 - Background and Supporting Information

The format below must be used and completed by a consultant ecologist or other suitably experienced person

A Executive Summary. No more than one side of A4

Esso Petroleum Company, Limited (Esso) is making an application for development consent to replace 90km (56 miles) of its existing 105km (65 miles) aviation fuel pipeline that runs from the Fawley Refinery near Southampton, to the West London Terminal storage facility in Hounslow. The replacement pipeline is 97km (60 miles) long, taking into account that it cannot follow the line of the existing pipeline along its whole length due to new developments and environmental constraints. The areas of land that could be permanently or temporarily used for the project are known as the Order Limits. Works to install and commission the pipeline are expected to last from grant of Development Consent Order (DCO) until 2023 (advance works may take place prior to this where permitted under alternative regimes).

An EPS licence is sought to allow the installation of the pipeline across Chobham Common in Surrey, which is known to support sand lizards Lacerta agilis. The installation process at this location could result in damage to sand lizard habitat and risks the disturbance or injury of individual lizards.

The Draft Sand Lizard Application method statement has been produced to demonstrate how the project would address the provisions of Section 55(9)(b) of the Conservation of Habitats and Species Regulations 2017. The information contained within this document will support the granting of a Letter of No Impediment (LONI) from Natural England. The LONI would be submitted to support the application for development consent.

Chobham Common is a large area of open land containing dry and wet heathland, bog, scrub and woodland. It is designated a SSSI and is also part of the Thames Basin Heaths SPA and Thursley, Ash, Pirbright and Chobham SAC. Most of the common is managed by the Surrey Wildlife Trust on behalf of Surrey County Council. Sand lizards have been recorded widely across the site, although are concentrated in specific areas (foci), where the habitat is particularly favourable. Chobham Common is one of the largest areas of lowland heathland in southeast England and supports a relatively large population of sand lizards. Consequently, it is considered to be of national importance for sand lizards.

Within Chobham Common, the pipeline's installation would take place within a relatively narrow corridor of approximately 20m in width, over a distance of 2.4km, and would follow existing paths and tracks crossing the site. Therefore, the total amount of suitable sand lizard habitat affected by the works is relatively small when compared to the overall habitat resource within Chobham Common (approximately 2%). Installation of the pipeline would result in the temporary damage of habitats within the Order Limits and could lead to the disturbance or potentially the injuring and/or killing of individual lizards, should they be present within the Order Limits whilst works are taking place. In the medium-long term there are unlikely to be any significant impacts as the affected habitats would be allowed to re-establish through natural regeneration. Subject to landowner consent, the Order Limits have been designed to allow for the creation of new sand strips to provide new egg-laying sites for sand lizards. The exact number, size and locations are to be determined following pre-construction surveys.

Good practice mitigation would be implemented to avoid or reduce ecological impacts, as described in Environmental Statement (ES) Chapter 16 Environmental Management and Mitigation and set out in Appendix 16.1 Register of Environmental Actions and Commitments (REAC). Good practice mitigation of relevance to this draft licence application is described and includes reference numbers as per those in the REAC (e.g. HRA1 or G47).

In order to address the predicted impacts and maintain the favourable conservation status of sand lizards on the site, a mitigation strategy containing the following measures is proposed:

- For the majority of the pipeline route, where habitat is suitable for sand lizards but not identified as containing hibernation or breeding sites, habitat manipulation would be undertaken to render the habitat unsuitable and negate the likelihood of sand lizards being present during the works.
- Where the works would affect important sand lizard areas (e.g. used for hibernation or breeding) or complex habitat features (i.e. where habitat manipulation alone would be inappropriate), these would be fenced off, with the lizards captured and relocated to adjacent suitable habitats. Preconstruction surveys are required to assess whether this is necessary.
- At heathland SSSIs, targeted scrub and secondary woodland within the Order Limits would be removed. Subject to landowner consent, these areas would be reinstated as heathland or acid grassland through natural regeneration (HRA2). WML-A12.2 (09/17)

It is considered that these measures would successfully mitigate the predicted impacts and maintain the favourable conservation status of sand lizards on Chobham Common as well as in the wider area.

B Introduction

B.1 Background to activity/development, include a brief summary of why the activity is necessary.

Esso Petroleum Company, Limited (Esso) is making an application for development consent to replace 90km (56 miles) of its existing 105km (65 miles) aviation fuel pipeline that runs from the Fawley Refinery near Southampton, to the West London Terminal storage facility in Hounslow.

The replacement pipeline is 97km (60 miles) long, taking into account that it cannot follow the line of the existing pipeline along its whole length due to new developments and environmental constraints. The areas of land to be temporarily used during installation of the project are referred to as the Order Limits.

The replacement pipeline starts near Boorley Green at the end point of the previously replaced pipeline. The route runs generally in a northeast direction via Esso's existing Pumping Station in Alton. It terminates at the West London Terminal storage facility.

The working width for the route is typically 30m wide. This ensures flexibility for detailed routing and construction methodologies for pipeline installation. Where specific width restrictions exist, for example at Chobham Common SSSI, the working width has been narrowed.

To facilitate the pipeline's installation, the temporary removal of known sand lizard habitat is required at Chobham Common. The proposed pipeline across Chobham Common would follow the route of the existing pipeline.

Good practice mitigation would be implemented to avoid or reduce ecological impacts, as described in Chapter 16 Environmental Management and Mitigation and as set out in Appendix 16.1 Register of Environmental Actions and Commitments (REAC). Good practice mitigation of relevance to this draft licence application is described and includes reference numbers as per those in the REAC (e.g. HRA1 or G47).

B.2 Full details of proposed works on site that are to be covered by the licence e.g. barn/loft conversion to new dwelling, demolition of buildings, construction of factory, extraction of clay, landfilling, etc. Include current status of planning permission (if applicable).

This draft licence application covers the installation of the pipeline where it crosses Chobham Common, as shown in Figure 1.C.4. Construction at Chobham Common would be undertaken in accordance with the following engineering drawings: B2325300-JAC-000-CIV-DRG-000407; B2325300-JAC-000-CIV-DRG-000408; B2325300-JAC-000-CIV-DRG-000409; and B2325300-JAC-000-CIV-DRG-000415. These have been provided in support of this draft licence application.

Within Chobham Common, the proposed route would measure 2.4km in length and would require a construction working area no more than 20m (maximum) in width. This working width is a significant reduction from that which would typically be used on other, less sensitive areas of the pipeline route. The working width is required for vehicle and plant movements, pipeline welding, and soil storage.

An existing access track surfaced with crushed stone is located within the working width. Depending on location, the access track would be used either as a haul route or for pipeline installation.

Vegetation within the working width would be cut back to ground level prior to the works starting. Top soil stripping would be reduced to a minimum extent (some unavoidable stripping would take place as part of the open cut for the pipeline and in construction compounds where ground protection matting is not a workable alternative) (HRA4). Areas of wet heath within the corridor that are not directly affected by excavations would be protected by ground protection matting. These measures would protect the heathland soil structure, retain the existing seed source within the soil and reduce the risk of soil disturbance allowing undesirable plant species (such as bracken) becoming established.

Within Chobham Common, two different techniques would be employed to install the pipe:

Open cut would be employed in dry heath areas, accounting for approximately 1.6km of the length.
The trench would be excavated, with temporary storage of subsoil on the opposite side of the
working width to previously removed topsoil. Selected backfill or granular pipe bedding material
would then be placed within the excavation and, following pipe installation, suitable surround
materials would be placed as required. In field locations the trench would then be backfilled with
suitable subsoil arisings from the temporary storage, compacted above the installed pipe.

Heathland within statutory or non-statutory designated wildlife sites would be reinstated using natural regeneration, unless otherwise agreed with Natural England (HRA1).

Horizontal directional drilling (HDD) would be used to cross under the three largest wet areas on Chobham Common, accounting for approximately 740m of the length. HDD is a trenchless method of pipeline construction. A series of flexible rods would be driven through the earth from a 'launch pit' to form a small tunnel. As the rods progress through the earth, extra rods would be added until the drill head emerges at the 'reception pit'. At the reception pit, the drill head would be removed and a larger one attached. This would continue to enlarge the tunnel until it is a size greater than the pipe.

A length of pipeline would be laid out and welded (pipe stringing) beyond the crossing of the wetland. The welded pipe will then be pulled back through the tunnel completing the drilling operation

Although the drilling does not affect the habitats above, it is still necessary to move vehicles and materials to and from the compounds. This would be achieved using the existing access track, which is between approximately 3m and 6m wide. The track is generally compacted bare ground or crushed stone and is unsuitable habitat for sand lizards, although sand lizards are able to cross. By making use of the existing track where practicable, the quantity of sand lizard habitat affected by the works will be significantly reduced.

Temporary construction compounds would also be required. These are small satellite areas close to the route that are used for storing equipment, hosting staff facilities, and laying down pieces of the pipeline. Four locations have been identified within Chobham Common where temporary construction compounds would be located.

Many of Chobham Common's designations are due to its heathland bird populations. Consequently, the works are timed to avoid impacts to these species whilst they are breeding; potentially disturbing construction works within the Thames Basin Heaths SPA would be undertaken between 1 October and 31 January unless otherwise agreed with Natural England (G38).

C Survey and site assessment

C.1 Pre-existing information on the species at the survey site. Provide records from local environmental records centres, local wildlife groups, previous survey work by the applicant or others.

Pre-existing data was obtained from the NBN Atlas and the Surrey Amphibian and Reptile Group (SARG). The NBN contained 53 sand lizard records from Chobham Common, all of which originated from the Amphibian and Reptile Conservation (ARC) Trust Rare Species Database. The records date from between 1990 and 2014 and it is possible that some more recent records have not yet been made available. Most of the records are from the north of the common, and none are from within the Order Limits, the nearest being approximately 80m to the north.

SARG returned sand lizard records from Chobham Common, with a similar distribution to the NBN. One record is located within the Order Limits and a second lies within 10m. See Figure 1.C.1.

C.2 Status of species at the local, county and regional levels.

The sand lizard is found in three distinct areas of the UK: Dorset, the Weald and Merseyside; Chobham Common is within the Weald, where the total population was estimated at <1000 in 1994 (Corbett, 1994). Since this estimate it is believed that the population has remained relatively stable (Joint Nature Conservation Committee, 2006). The most recent full UK estimate stands at approximately 300 metapopulations, comprising approximately 580 populations (or subpopulations) (Joint Nature Conservation Committee, 2006). The conservation status of the species in the UK as a whole is considered unfavourable, inadequate but improving (Joint Nature Conservation Committee, 2006).

Sand lizards were believed to be extinct at Chobham Common by the 1980s and the current population is a result of a reintroduction by the Herpetological Conservation Trust (the predecessor organisation to ARC).

C.3 Objectives of the survey. e.g. to determine presence/absence of species, species usage of site.

To identify areas of suitable habitat for sand lizards in proximity to the Order Limits.

C.4 Scaled plan/map of survey area of appropriate scale and orientation with integral or separate location map at 1:50,000 or 1:25,000 scale. Aerial photographs are also useful.

See Figure 1.C.4

C.5 Site/habitat description (relevant to the species concerned), based on day-time visits.. Include annotated photographs if helpful.

The project's Order Limits are shown in Figure 1.C.4. For ease of description it is divided into five areas from east (Windsor Road) to west (Lilypond Farm).

Area 1 is a relatively flat area of heathland. It is dominated by common heather *Calluna vulgaris*, but also containing a relatively high proportion of grasses and scrub including gorse *Ulex europaeus*, bracken *Pteridium aquilinum* and bramble *Rubus fruticosus* agg. Trees, particularly silver birch *Betula pendula* and pine *Pinus* spp. are also relatively common, including young saplings and more mature trees. The proportion of scrub and trees decreases to the west before passing through an area of deciduous woodland along a wide ride. Open sand is limited within this section. A wide firebreak has been cut alongside the track. This area is mostly of medium suitability for sand lizards.

Area 2 is a large flat and open expanse of heathland. The habitat is rather uniform, dominated by mature heather with occasional gorse bushes and small silver birch saplings. As with Section 1, a wide firebreak has been cut either side of the existing tracks. This area is largely of medium suitability for sand lizards.

Area 3 is an area of wet heath and mire, with some open standing water. Several trees are present, predominantly willows *Salix* spp. but also silver birch. This area is generally of low suitability for sand lizards as it is too wet and entirely unsuitable for hibernation or egg-laying. Some parts of the wet heathland could be used for foraging during the summer months.

Area 4 is an area of undulating heathland with a complex topography, dominated by mature heather plants with frequent large gorse bushes and small stands of silver birch and pine trees. Habitat adjacent to this area has been managed to diversify the heathland structure and therefore it has a complex structure with a variety of differently aged sections of heather. There are a number of patches of open sand present, both natural and created by site management. This area is largely of medium suitability for sand lizards, although localised areas of high suitability are also present.

Area 5 is an area of deciduous and pine woodland. It is largely unsuitable for reptiles.

C.6 Field survey(s). Include survey method, timings (day/evening), weather conditions (wind, rain, temperature – tabulated for multiple survey visits), personnel involved (provide individual licence numbers, if held), and equipment used.

A sand lizard habitat assessment was carried out by the project's lead ecologist (Dave Jones, Technical Director – Ecology) and Paul Edgar of Natural England in Autumn 2018 (see Figure 1.C.6). This covered all the habitat within and immediately adjacent to the Order Limits. A walkover survey was also undertaken by Dave Jones and Liam Russell (Amphibian and Conservation Trust UK) in November 2018.

There is no standard method for assessing reptile habitat quality and therefore habitat was assessed based on the experience of the surveyor. Within Britain, sand lizards are particularly associated with long established mature heathland habitats, dominated by dwarf shrub species, particularly heather between 3cm and 50cm in height where there are frequent discontinuities in vegetation height resulting in many interfaces between areas of taller and shorter vegetation (House and Spellerberg, 1983; Dent and Spellerberg, 1987). Within such habitats, microhabitat features are particularly important, especially for basking, with south facing banks (Moulton and Corbett, 1999) utilised as well as individual features such as logs, stones and bushes (House and Spellerberg, 1983). Suitable hibernation sites are also an important habitat feature (Spellerberg, 1975) and a proportion of bare sand is required for egg-laying (Corbett and Tamarind, 1979; Wouters et al., 2012). Habitat must also provide cover from terrestrial and aerial predators (van Bree et al., 2006).

Habitat quality within the Chobham Common was assessed on the following scale on the basis of the presence or absence, and the extent of these features:

• Negligible: the habitat is completely unsuitable for sand lizards and it is extremely unlikely that any would be found within it. It may also present a barrier to movement.

- Low: the habitat is generally unsuitable for sand lizards and is unlikely to support a viable population, however individuals may occasionally use it or move through it. It does not contain any suitable breeding sites or resting places
- Medium: the habitat has some suitability for sand lizards although is suboptimal. It may support low numbers of individual animals, but is unlikely to support a viable population without associated areas of higher quality habitat
- High: the habitat is very suitable for sand lizards and is likely to support a viable population.

The approach to mitigating potential impacts to sand lizards will vary at different locations within the Order Limits, with different approaches in areas of high value to sand lizards, particularly hibernation sites. Therefore, additional pre-construction survey works would be undertaken with the aim of identifying areas where sand lizards are hibernating. This will be a presence/likely absence survey comprising seven visits to the site between March and May. Each survey will be carried out under suitable weather conditions and in accordance with current guidance (Griffiths and Inns, 1998; Froglife, 1999).

Sand lizards rarely use artificial refugia, which are commonly deployed during reptile surveys. Therefore, the survey will be a visual search, entailing repeatedly searching the Order Limits for the presence of basking reptiles. The effort will be concentrated in areas with high potential for hibernation. Details of reptiles encountered basking in the open will be recorded, including; species, sex, age and location. Whenever possible, photographs will be taken of any animal encountered to enable identification of individuals.

C.7 Survey results. Summarise findings in table form (if appropriate); provide clear, annotated and cross- referenced maps/plans/photographs. Raw data to be appended.

During consultation with Paul Edgar, Senior Environmental Specialist (Amphibians and Reptiles) at Natural England, it was agreed that data provided by SARG would be sufficient to inform an impact assessment and preliminary mitigation strategy with respect to sand lizard at Chobham Common. As such, the Natural England representative advised that presence/absence surveys would be unnecessary to inform a draft licence application. Instead, a process of mapping habitat suitability for sand lizard at Chobham Common was recommended and undertaken.

C.8 Interpretation/evaluation of survey results. Provide count/estimate of species numbers, status and significance of population, constraints on survey (e.g. time of year, cold weather, access problems – justify as necessary).

An updated evaluation would be provided in the final application.

Any site supporting sand lizards is of some conservation value. The Order Limits form only a small part of a very large area of suitable habitat (approximately 2% of the total SSSI area) which is connected to other suitable areas within the wider landscape. The *Guidelines for the Selection of Biological SSSIs* (JNCC,2013) states that "*In Dorset all important and established populations of sand lizard should be selected... In other counties all established populations should be selected.*" Sand lizards are not mentioned on the SSSI citation for Chobham Common. However, under the JNCC guidelines, the sand lizard population on the site would warrant its selection as a SSSI. Therefore, the sand lizard population on Chobham Common is considered to be of national value.

D Impact assessment in absence of mitigation.

D.1 Short-term impacts: disturbance

The total area within the Order Limits at Chobham Common SSSI is approximately 14ha. However, only approximately 2.5ha of habitat within the Order Limits that is suitable for sand lizard would be affected by pipeline installation activities (see Figure 1.D).

At Chobham Common the working width would be reduced to 20m (maximum). This working width is a significant reduction from that which would typically be used on other, less sensitive areas of the pipeline route. Furthermore, the Order Limits encompass areas identified for habitat mitigation (e.g. targeted secondary woodland and scrub removal) and these would be protected during the pipeline installation phase.

Three trenchless crossings (TC024, TC025 and TC026) are proposed in Chobham Common SSSI to cross areas of wetland. There would therefore be no effects of habitat loss associated with pipeline installation (see Figure 1.D). Above-ground construction activities in areas supporting wetland habitats 15

would comprise vehicle and personnel movements and pipe storage, these would be restricted to the existing access track where practicable.

In areas affected by open cut trenching, the proposed installation works would result in the temporary modification or damage of habitats within the works corridor (drawing refs: B2325300-JAC-000-CIV-DRG-000407; B2325300-JAC-000-CIV-DRG-000408; B2325300-JAC-000-CIV-DRG-000409; and B2325300-JAC-000-CIV-DRG-000415). However, heathland within statutory or non-statutory designated wildlife sites would be reinstated using natural regeneration, unless otherwise agreed with Natural England (HRA1).

The installation would take place between 1 October and 31 January when sand lizards would be hibernating. Consequently, if any sand lizards are discovered during the works, they would be particularly vulnerable and would be unlikely to survive.

As a result of trench excavation and subsequent infilling, localised areas of open sand would be left along the trench alignment in the short to medium term. This may be suitable for sand lizard egg-laying and mirrors habitat management techniques for sand lizard employed elsewhere on the site.

D.2 Long-term impacts: habitat loss or modification - Impact on species population(s) to be taken into account at local, regional and national levels. Note that impacts can be positive or negative as this is in absence of mitigation.

The proposed pipeline would be buried below the ground and there would be no permanent above ground infrastructure within Chobham Common. All areas of habitat loss would be temporary, to be restored through natural regeneration on completion of the works. Soil disturbance and natural regeneration is consistent with standard conservation measures for the restoration and management of heathland, and there is a high degree of confidence that disturbed habitats could be reinstated in the short to medium term by these methods (Gimingham, 1992). Full regeneration to acid grassland and pioneer heathland is anticipated to occur within the short term (i.e. within five years following construction). As such, no long-term impacts as a result of habitat loss or modification are predicted.

There is some potential for inappropriate vegetation types to develop on the disturbed habitats, particularly bracken.

D.3 Long-term impacts: fragmentation and isolation.

The proposed pipeline would be buried below the ground and there would be no permanent above ground infrastructure within Chobham Common (with the exception of marker posts - industry standard marker posts would be located at intervals along the pipeline at all watercourse and road crossings and boundaries; and colour-coded flight marker posts at field boundaries where possible, at a frequency of about 500m). As such, the proposals would not result in any long-term fragmentation or isolation.

D.4 Post-development interference impacts.

No post-development interference impacts are predicted. Once the pipeline is operational, Esso would carry out a programme of inspection and maintenance in accordance with good practice and regulatory requirements. This would typically include:

- Inspections of valves, typically on a monthly basis.
- Pipeline route walkover inspections, typically completed in the winter months every two years.
- Pipeline route helicopter inspections, typically every other week.
- Pipeline route patrols by vehicle/on foot in discrete areas, typically on a weekly basis.
- CP transformer rectifier cabinet inspections, typically on a monthly basis.
- Testing of CP system (measurement of current at CP test points), typically on a biannual basis.

As summarised above, the pipeline route is walked and overflown regularly as additional security protection, assuring visual integrity of the route and assessing activity on the ground and surroundings which could compromise pipe security and integrity. This is unlikely to affect sand lizard habitat.

D.5 Predicted scale of impact on species status at the site, local county and regional levels.

The works would result in the disturbance of a relatively small amount of sand lizard habitat within the much larger area of suitable habitat at Chobham Common. It is also possible that a very low number of individuals could be disturbed or injured during the works. Given the very small proportion of habitat affected this would result in a minor negative impact at a site (Chobham Common) level, which is unlikely to be significant at the regional (Weald/Surrey) or national level.

E References: List any references cited, and include credits for source information.

Beebee, T.J.C. and Griffiths, R.A. (2000). *Amphibians and Reptiles, A Natural History of the British Herpetofauna*. HarperCollins, London.

Corbett, K.F. (1988). Distribution and status of the sand lizard *Lacerta agilis*, in Britain. *Mertensiella* **1**, 92-99

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Corbett K.F. and Tamarind D.L. (1979). Conservation of the Sand Lizard, *Lacerta agilis*, by habitat management. *British Journal of Herpetology* **5**, 799-823.

Dent S. and Spellerberg I.F. (1987). Habitats of the lizards *Lacerta agilis* and *Lacerta vivipara* on forest ride verges in Britain. *Biological Conservation* **42**, 273-286.

Edgar, P., Foster, J. and Baker, J. (2010). *Reptile Habitat Management Handbook.* Amphibian & Reptile Conservation, Bournemouth.

Froglife (1999). Froglife Advice Sheet 10, Reptile Survey, An introduction to planning, conducting and interpreting surveys for snake and lizard conservation. Froglife, Halesworth.

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F Annexes

F.1 Pre-existing survey

Not applicable

F.2 Raw survey data.

Raw survey data will be available after pre-construction surveys.

Document 2 - Delivery Information

The format below <u>must</u> be used and completed by a consultant ecologist or other suitably experienced person

This document will be attached to the licence

A Mitigation and compensation.

A.1 Summary of mitigation strategy. Overview of how the impacts will be addressed in order to ensure no detriment to the maintenance of the population at a favourable conservation status. To include a scaled map or plan that can be compared with the proposals on the survey results plan.

The project within Chobham Common is a linear scheme with a relatively small land-take, resulting in temporary damage to approximately 2.5ha of suitable sand lizard habitat within the Order Limits at Chobham Common. This takes into account areas within the Order Limits that would not be impacted (e.g. due to reduced-width working, the use of HDD, or mitigation areas) and habitats that are unsuitable for sand lizard (e.g. the access track and areas shown in Figure 1.C.6).

Work in areas suitable for sand lizard risks the disturbance and subsequent injury of sand lizards hibernating within the Order Limits. Most of the affected habitat is of medium suitability or lower and all the predicted impacts are likely to be temporary in nature. Consequently, a traditional approach to mitigation involving the use of temporary reptile exclusion fencing along the length of the Order Limits would be disproportionate to the impacts of the work, and the installation of the fencing (which requires excavation), is likely to cause almost as great an impact as the excavation of the pipeline trench itself. Therefore, the following mitigation measures would be employed:

- Habitat manipulation would be undertaken to render most of the habitat within the Order Limits temporarily unsuitable for reptiles, and therefore prevent any sand lizards from hibernating within affected areas.
- If pre-construction surveys identify the presence of hibernating sand lizards, or habitat features
 highly suitable for hibernation, small targeted areas (as identified) would be fenced to exclude
 reptiles, and any sand lizards within this exclusion area would be removed and placed outside
 the fencing within the Order Limits. This would take place in the summer preceding the start of
 installation works.
- At heathland SSSIs, targeted scrub and secondary woodland within the Order Limits would be removed. Subject to landowner consent, these areas would be reinstated as heathland or acid grassland through natural regeneration (HRA1).

It is considered that these measures would be sufficient to ensure the maintenance of the sand lizard population on Chobham Common.

B Works to be undertaken by the ecologist or suitably experienced person.

B.1 Capture and exclusion (if applicable). Timings, effort, methods to be employed, care of species, release sites etc. Include diagrams and photographs to show capture/exclusion apparatus if non-standard techniques are proposed. Include map to show location of capture and exclusion activities.

Sand lizards would be excluded from most of the Order Limits using passive techniques, primarily habitat manipulation. This would entail removing the vegetation in a phased process where the height of the vegetation is reduced in stages, with the final stage being complete removal of vegetation to ground level. Due to the importance of Chobham Common for various heathland bird species, there may be conflicts between implementing habitat manipulation and the necessity to avoid disturbance of nesting birds (it is a project commitment that potentially disturbing construction works within the Thames Basin Heaths SPA would be undertaken between 1 October and 31 January unless otherwise agreed with Natural England (G38)). Many sand lizards, in particular large adult males, will enter hibernation early, potentially in late August-early September. Therefore, in order to ensure sand lizards are not hibernating within the works area, habitat manipulation would need to be carried out between May and early August, which could result in the disturbance of nesting birds. Consequently, it is likely that the capture and exclusion techniques used would vary along the route, depending on the likelihood of sand lizards hibernating in any location. The majority of the pipeline route is of low suitability for hibernation. However, some small areas contain habitat features that could be used by hibernating lizards.

Sand lizard hibernacula would be retained and protected during construction where practicable. If unavoidable, the removal of vegetation and groundworks at hibernacula would be timed to avoid the hibernation season (G52). These surveys would be undertaken in the early spring in order to identify suitable hibernation sites and lizards emerging from hibernation, and this would enable high risk areas to be identified, and appropriate habitat manipulation to be devised. Any habitat manipulation programme WML-A12.2 (09/17)

would need to be discussed with and agreed by Natural England to ensure it was not likely to result in disturbance of important bird species (although it is expected that this could be achieved through preclearance checks for nesting birds).

Habitat manipulation would generally entail a two-stage clearance of habitat. During stage one, the vegetation is cut to a height of approximately 150mm using hand tools or a tractor-mounted flail operated from an adjacent track. This deprives reptiles of cover causing them to leave the manipulated area, however the height of the cut ensures that none are killed or injured during the cutting process. There would be a delay of no less than 48 hours before commencing stage two. Stage two entails cutting the vegetation to ground level, thereby removing all cover and rendering the habitat completely unsuitable. All arisings are removed to prevent reptiles from hiding under the cut material, and it is essential that the vegetation is not allowed to grow back. This technique can be effective under certain circumstances. However, if extensive areas are cleared in one go, reptiles may remain in burrows and other shelters, rather than risk crossing extensive areas with no cover. The linear nature and relatively small land-take of this project means that habitat manipulation is likely to be effective. In order to ensure no sand lizards remain in the Order Limits after habitat manipulation is complete, the area would be checked by the named ecologist or another suitably experienced ecologist to ensure there are no suitable resting places or shelters remaining.

There are a number of options for timing habitat manipulation works, and the most appropriate timing for any section of the route would need to balance the requirements of the sand lizards and the heathland birds. Potentially disturbing construction works within the Thames Basin Heaths SPA would be undertaken between 1 October and 31 January unless otherwise agreed with Natural England (G38). This is in order to avoid disturbing the birds. As such, any habitat manipulation would ideally take place during this period. However, in order to ensure no sand lizards are hibernating in the area and therefore at risk of disturbance during the works, habitat manipulation should be completed during the preceding summer (July to mid-August, but could be delayed to September), to render the habitat unsuitable before the reptiles enter hibernation. This would risk disturbance to nesting birds. Therefore, the following options could be used for different sections of the route, depending on the likely risk of the presence of hibernating reptiles and the risk of disturbance to nesting birds:

- In areas that are completely unsuitable for reptile hibernation, such as wet areas, no habitat manipulation would be required.
- In areas where the risk of hibernating sand lizards and nesting birds is relatively low (i.e. the habitat
 is generally of low suitability, but the possibility of some animals hibernating cannot be definitely
 ruled out), habitat manipulation would ideally take place in July to mid-August, but could be
 delayed until September with agreement of Natural England.
- If there is a high likelihood that sand lizards could be hibernating on any part of the Order Limits, sand lizard hibernacula would be retained and protected during construction where practicable. If unavoidable, the removal of vegetation and groundworks at hibernacula would be timed to avoid the hibernation season (G52). These areas would be cleared of reptiles during the summer/autumn prior to the works taking place, therefore enabling the habitat to be cleared in winter with agreement of Natural England. This would entail fencing off very small localised areas with temporary reptile exclusion fencing, capturing any lizards within them, and relocating them to adjacent suitable habitat.

The exact locations of areas subject to these measures would be determined following pre-construction surveys and therefore Figure 2.B.1 has not yet been produced. Any capture and relocation programme would be informed by best practice guidance (HGBI, 1999; English Nature, 2004), Government protected species guidance (Natural England, 2015), and experience from knowledgeable sand lizard specialists.

Timing and effort

The capture programme in relevant areas would commence subject to the granting of development consent and upon the receipt of a licence. Due to the very low numbers of reptiles believed to be present within the affected area it is anticipated that all animals would be captured within significantly less than 30 days and therefore the capture operation would not end until there have been at least five consecutive visits where no sand lizards are sighted (in suitable conditions). Suitable weather conditions are defined as per Moulton and Corbett (1999) as sunny, air temperature >10°C, with little or no wind. It is anticipated that capture is not likely to extend into September 2021. Even if it appears that all sand lizards have been captured, monitoring of the area would continue until at least the end of August to ensure that if any egg clutches have been laid, the hatchlings would be detected and captured. Each capture visit is anticipated to last at least two hours (although this may be longer if the weather is particularly suitable) and

would involve at least five passes over the capture area (see below for greater detail regarding methods). It is anticipated that the licence would be required to move no more than 20 sand lizards.

Capture methods and care of captured reptiles

Sand lizards use artificial refugia comparatively rarely (Sewell *et al,* 2013) and therefore the primary method used to locate and capture sand lizards would be noosing, with some capture by hand when appropriate. Each capture visit would entail a suitably experienced ecologist (the named ecologist or an accredited agent experienced at working with sand lizards) repeatedly walking the capture area, searching for lizards within all suitable areas of habitat. Repeated covering of the same area enables the ecologist to build up a detailed picture of sand lizard use of the habitat, particularly the identification of favoured basking spots. As individual lizards will often return to the same spots once disturbed, it also allows for repeated attempts to capture individual lizards. The ecologist would continue to cover the area until the weather conditions or the time of day become unsuitable, or no more lizards are seen. Once captured, sand lizards would be released immediately into suitable adjacent habitat.

Exclusion

If required based on the results of pre-construction surveys, a temporary exclusion fence would be erected around areas where it is likely that sand lizards could hibernate. This would be constructed from semi-rigid panels fixed to wooden posts, which are more suitable for use in areas with very uneven terrain. Installation in Area A would ideally take place in July, once the licence has been issued. Fence installation would be supervised by a herpetologist. Any fencing would be removed in September or October of the same year following the stripping of all vegetation within the fence, following the completion of the capture operation.

Each reptile captured would have a photo taken of its dorsal markings (in the case of sand lizards) which would enable reliable identification if it is subsequently recaptured (Russell, 2013). Every subsequent reptile captured would then be compared in the field to photos of previously captured animals to ensure none are returning. Following completion of the capture operation any remaining habitat within the fenced areas would be destroyed.

C Works to be undertaken by the Developer/Landowner.

C.1 Habitat creation

C.1.1 In-situ retention of breeding sites/resting places – providing details of proposed works. Explain how the breeding sites/resting places will be retained. Any enhancements to habitat should also be detailed.

The following good practice mitigation measures have been set out in the project's REAC (ES Appendix 16.1):

Sand lizard hibernacula would be retained and protected during construction where practicable. If unavoidable, the removal of vegetation and groundworks at hibernacula would be timed to avoid the hibernation season (G52).

At Chobham Common the working width would be reduced to 20m (max), as detailed in drawings B2325300-JAC-000-CIV-DRG-000407; B2325300-JAC-000-CIV-DRG-000408; B2325300-JAC-000-CIV-DRG-000409; and B2325300-JAC-000-CIV-DRG-000415). This would reduce the area of habitat impacted.

Where works in wet heath would be unavoidable, effects on soils and surface vegetation would be reduced through the use of ground protection matting and use of appropriate machinery where practicable (G51).

Heathland within statutory or non-statutory designated wildlife sites would be reinstated using natural regeneration, unless otherwise agreed with Natural England (HRA1).

Top soil stripping would be reduced to a minimum extent within European sites and SSSIs except where identified within the HRA. (Some unavoidable stripping would take place as part of the trenching for the pipeline and in construction compounds where matting is not a workable alternative). (HRA4). This would reduce the need for soil handling and storage and so would reduce the impacts to soils and vegetation associated with these activities. There will be some unavoidable topsoil stripping as part of the trenching for the pipeline and within construction compounds where matting is nor a workable alternative.

To prevent the introduction and spread of plants listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) (and any other relevant species not listed), the contractor would provide a suitable

method statement to set out how identifiable areas with the potential presence of Schedule 9 plant species or other invasive species would be demarcated, and how any affected soils would be appropriately managed throughout the works (G42).

To monitor the effectiveness of good practice mitigation, a programme of post-construction monitoring and objectives/targets for designated ecological sites, would be agreed and implemented in accordance with DCO requirements (G47).

C.1.2 Modification of existing breeding site/ resting places - dimension details, scale drawings of the proposals.

The exact location and scope of any appropriate habitat increases would be determined following preconstruction habitat surveys. These measures should be additional to those required under the existing management agreements for Chobham Common, i.e. the measures should provide a benefit to sand lizards, that is over and above what the current site management plan has agreed. Increases in available habitat should take place at a number of locations within the Order Limits, shown on Figure 2.C.1.4. These would focus on managing existing habitats to increase their quality for sand lizards. Measures could include the following activities:

- Targeted scrub and secondary woodland within the Order Limits would be removed. Subject to landowner consent, these areas would be reinstated as heathland or acid grassland through natural regeneration (HRA2). Removal of mature trees or scrub would reduce shading on existing habitats with good heather structure, but the value of which is being limited by the lack of basking opportunities. Removal of trees within the mitigation areas may also improve areas beyond by reducing shading. The removal of trees and scrub would also increase the availability of suitable sand lizard habitat.
- Selective cutting of heather within the Order Limits to improve the structural diversity of the habitat, this would be particularly beneficial in areas where the heather is all of a similar age. The sections of heather to be cut would be determined and supervised by the ECoW after construction works have finished in the area.

C.1.3 New breeding site/resting place creation – dimension details, location details, materials to be used (where applicable), aspect etc.

Replacement hibernacula and refugia would be provided within the Order Limits to mitigate habitat loss to reptiles and amphibians (G53). New sand strips would be created within the Order Limits in order to provide new egg-laying sites for sand lizards. The exact number, size and locations are to be determined following pre-construction surveys and would be provided in the final licence application.

C.1.4 Scaled maps/plans to show proposals/mitigation outlined above in relation to existing and proposed habitat features.

See Figure 2.C.1.4.

- D Post-development site safeguard– Further guidance on post-development monitoring requirements are included within our 'How to get a licence' document http://www.naturalengland.org.uk/lmages/wml-g12_tcm6-
 - D.1 Habitat/site management and maintenance to include details of what will be done in terms of habitat management and site maintenance required to ensure long-term security of affected population. Include details of site/structure ownership, and who will be responsible for undertaking the work and who is responsible for funding.

To monitor the effectiveness of good practice mitigation, a programme of post-construction monitoring and objectives/targets for designated ecological sites, would be agreed and implemented in accordance with DCO requirements (G47).

The project would cease possession of the Order Limits once the installation phase (including commissioning) and reinstatement has been completed.

D.2 Population monitoring - to include details of monitoring effort and timing

Not applicable – due to the localised scale and temporary nature of the potential impacts, post-development population monitoring is not proposed at this stage.

D.3 Mechanism for ensuring delivery of post-development works e.g. Section 106 Agreement, to include details of who will undertake the population monitoring, habitat management and site maintenance work and reporting details, other covenants or contractual agreements.

To monitor the effectiveness of good practice, a programme of post-construction monitoring and objectives/targets for designated ecological sites, would be agreed and implemented in accordance with DCO requirements (G47). A three-year programme of post-construction monitoring is proposed, with agreement of Natural England.

- E Land ownership Mitigation site(s) (area(s) where any works will be done to offset development impacts, including development plot if applicable). If the mitigation site is not owned by the applicant, you must have consent from the relevant land owner(s). You must have also secured details of how any measures to maintain the population in the long term will be achieved (e.g. a legal agreement).
 - E.1 Mitigation site ownership Please provide details of who owns the land where mitigation is proposed.

All of the mitigation will take place on Chobham Common. This is owned by Surrey County Council and managed by Surrey Wildlife Trust. Esso will seek to enter into voluntary deeds of grant with the landowner, but if necessary land rights are provided under the DCO.

- E.2 Declaration Statement(s) Please <u>include</u> the following declarations within your method statement and highlight the appropriate answer applications that do not include these 3 declarations will result in a 'further information request' response.
 - E.2.1 I confirm that relevant landowner consent/s has/have been granted to accept the European protected species onto land outside the applicant's ownership

Under negotiation – to be confirmed at application

E.2.2 I confirm that landownership consent/s has/have been granted to allow the creation of the proposed habitat compensation on land outside the applicant's ownership

Under negotiation – to be confirmed at application

E.2.3 I confirm that consent/s has/have been granted by the relevant landowner/s for monitoring and maintenance purposes on land outside the applicant's ownership –

Under negotiation – to be confirmed at application

declarations please explain why and detail any plans you have in place to obtain the consent(s) or provide details of any right(s) or agreement(s) that will enable the lawful implementation of the proposed mitigation, compensation and monitoring. Important Note: Failure to provide the appropriate landowner consents means that the method statement is unlikely to meet the requirements for the FCS test to be met. It is therefore in your interest to ensure that the appropriate consents have been secured before applying for a licence.

F Timetable of works. A diagram to include timings of all capture, exclusion, mitigation and construction works.

Table F.1: Indicative timetable of proposed mitigation works

	Activity	Areas	Indicative timing
1	Erection of exclusion fencing	To be confirmed following pre-construction surveys but would include areas of high potential for sand lizard where habitat manipulation would not be appropriate e.g. complex habitat features and hibernacula	June 2020 or June 2021 All dates are provisional subject to the granting of development consent
2	Sand lizard capture and relocation to adjacent areas.	To be confirmed following pre-construction surveys but would include areas of high potential for sand lizard where habitat manipulation would not be appropriate e.g. complex habitat features and hibernacula	Jun-Sep 2020 or 2021 All dates are provisional subject to the granting of development consent
3	Habitat Manipulation – stage one cut	Areas of low or moderate potential for sand lizard	July-Sep 2020 or 2021 All dates are provisional subject to the granting of development consent
4	Habitat Manipulation – Stage two cut	Areas of low or moderate potential for sand lizard	Aug-Sep 2020 or 2021 All dates are provisional subject to the granting of development consent
5	Removal of any trees from the works area	All areas	1 Oct 2020/21 to 31 Jan 2021/22 All dates are provisional subject to the granting of development consent
6	Pipeline installation	All areas	1 Oct 2020/21 to 31 Jan 2021/22
7	Habitat reinstatement	All areas	Following completion of pipeline installation

Table F.2: Timetable of post development management and monitoring works. Activities taking place on the first five years are shown.

	2022	2023	2024	2025	2026
Population monitoring	N	N	N	N	N
Habitat monitoring	Y	Y	Y	N	N
Habitat management	Possibly, if required based on outcome of any monitoring	Possibly, if required based on outcome of any monitoring	Possibly, if required based on outcome of any monitoring	Possibly, if required based on outcome of any monitoring	Possibly, if required based on outcome of any monitoring

The Conservation of Habitats and Species Regulations 2010 (as amended)



European Protected Species Mitigation Licensing -Reasoned Statement for the purpose of Imperative Reasons of Overriding Public Interest

The information provided in this form will be used by Natural England to determine whether the proposed activity affecting the European Protected Species meets the requirements of Regulation 53(2)(e) and 53(9)(a) within The Conservation of Habitats and Species Regulations 2010 (as amended). These are known as the 'purpose' and 'no satisfactory alternatives' tests.

This form, for the purpose of Imperative Reasons of Overriding Public Interest, only needs to be completed if your application proposal is **not** covered by one the scenarios and categories listed <u>on GOV.UK.</u>

Important Note: Detailed information on the proposal is required to demonstrate that it will meet the tests set out under the Regulations. If you encounter difficulty answering the questions or providing the evidence required, it may suggest that your proposal is insufficiently advanced to satisfy the licensing tests. In that case, you should consider delaying your application until this information is available.

Please read the following and complete:

- Section A: Purpose test
 - "Imperative reasons of overriding public interest" (IROPI) including those of a social or economic nature and beneficial consequences of primary importance for the environment"
- Section B: No Satisfactory Alternative test

The tests are applied proportionately, so the strength of the evidence required to meet each will need to be sufficient to justify the impact upon the protected species (see guidance for further information). Where the supporting evidence upon which your reasoning is based consists of lengthy documents, please <u>do not</u> submit these in their entity as this will delay your application if we need to go through them to find the relevant extracts. You need to provide clear, concise information for us to be able to meet the licensing tests. Please note that your application is likely to be rejected in cases where the supporting evidence has not been clearly referenced.

Section A: Purpose Test

A1 Please select against all of the following below which apply to your proposal. You are asked to indicate against those that apply whether the projected benefits are primary or secondary or not applicable to your proposal.

Please note: A primary benefit is considered to be the key social, economic or environmental benefit brought about from the proposal. A secondary benefit is considered to be an additional benefit, but not the main reason for the proposal. There may be more than one secondary benefit but supporting evidence should be provided in Section A2 where applicable, for each benefit selected.

Does your proposal:			
Provide housing in an area where shortfalls have been clearly identified?	☐ Primary benefit	☐ Secondary benefit	⊠ N/A
Create, repair or enhance essential infrastructure at a local, regional or national level?	⊠ Primary benefit	Secondary benefit	□ N/A
Provide care facilities or another essential public service in an area where it is known to be required?	☐ Primary benefit	☐ Secondary benefit	⊠ N/A
Address another clearly identified social, religious or cultural need?	☐ Primary benefit	☐ Secondary benefit	⊠ N/A
Create long term employment opportunities in an area of high unemployment?	☐ Primary benefit	☐ Secondary benefit	⊠ N/A
Deliver other economic benefits or otherwise contribute in some way to the wider economy?	⊠ Primary benefit	☐ Secondary benefit	□ N/A
Contribute to addressing problems associated with climate change or promote sustainable energy use	☐ Primary benefit	☐ Secondary benefit	⊠ N/A
Conserve a place of environmental interest?	☐ Primary benefit	☐ Secondary benefit	⊠ N/A
Provide alternative sources of energy?	☐ Primary benefit	☐ Secondary benefit	⊠ N/A
Deliver other benefits from those specified above?	☐ Primary benefit	☐ Secondary benefit	⊠ N/A
If 'Other benefits' is selected, please provide details here:			

A2 In relation to the primary and secondary benefits identified in A1, to help demonstrate the need for the proposal, please provide the evidence and details for all the benefits ticked above.

Important note: Reference the supporting evidence upon which your reasoning is based and include the relevant extracts (please <u>do not</u> send in documents with no indication where the evidence being referred to is). This evidence must link back to the tick boxes selected above. Failure to do so will lead to us having to come back to you for further information.

Supporting evidence can usefully include some or more of the following: Local planning polices and plans, planning permission, policy documents, specialist reports, feasibility studies, extracts from relevant legislation, photographs, media articles or related correspondence. Where applicable, please ensure that planning officer or committee reports and design and access statements are included as supporting evidence.

A2 (a) (i) Please provide full details of the proposal in the box below.

The construction of a cross country pipeline by Esso Petroleum Company, Limited. This is to replace an existing line that is approaching the end of its useful life. The line will run from Boorley Green in Hampshire to the West London Terminal in the London Borough of Hounslow. The Southampton to London Pipeline ("SLP") is a Nationally Significant Development Project ("NSIP") for which Development Consent is required under Sections 14(1)(g), 21(1) and 21(2)(a) of the Planning Act 2008 (as amended).

The replacement pipeline would be buried underground for its entire 97km length. The assumed minimum depth from the top of the pipe to the ground surface would be 1.2m in open cut sections, and deeper for trenchless crossings. This is reflected in our engineering designs. A slightly shallower depth may conceivably be necessary in exceptional circumstances but all indications are that this will not be required. The pipeline will also be buried deeper, typically 1.5m from top of pipe to ground surface, in roads and streets to account for other existing infrastructure such as utility pipes, cables and sewers. It will have a notional internal diameter of 30cm.

A full description of the SLP is set out in Environmental Statement (Chapter 3 - Scheme Description) submitted as part of the application for development consent.

A2 (a) (ii) Explain why your proposal is considered to be imperative (essential).

For example, if your development proposal is for a housing development reference the local housing need as set out in the area plan and explain how your proposal contributes to meeting this need or how the requirement for the proposed new public service, care facility or infrastructure project was identified.

The need for the project is set out in full within the Planning Statement (Chapter 2 - Need) submitted as part of the application for development consent.

Government policy for energy NSIPs, including the SLP project, is set out in National Policy Statement EN-1:

Decision makers should, according to NPS EN-1 para 3.1.3 "assess all applications for development consent for the types of infrastructure covered by the energy NPSs on the basis that the Government has demonstrated that there is a need for those types of infrastructure ...".

NPS EN-1 para 3.1.4 goes on to state that decision makers ".. should give substantial weight to the contribution which projects would make towards satisfying this need when considering applications for development consent under the Planning Act 2008".

NPS EN-1 para 4.1.2 goes further to state that "Given the level and urgency of need for infrastructure of the types covered by the energy NPSs set out in Part 3 of this NPS, the (decision maker) should start with a presumption in favour of granting consent to applications for energy NSIPs".
Please provide details of supporting evidence. Provide clear referencing such as page numbers and paragraphs of specific documents so these can easily be cross-referenced. To help with our assessment, please only provide the relevant extracts that help to demonstrate the reasoning given above rather than including lengthy documents in their entirety. Please do not provide website links to separate documentation, unless you identify where exactly in the linked document or web page the evidence referred to is located (our preference is for you to extract the evidence and copy it below, referencing where it has come from).
A full description of the SLP project is set out in the Environmental Statement (Chapter 3 - Scheme Description) submitted as part of the DCO application. The need for the project is set out in full within the Planning Statement (Chapter 2 - Need) submitted as part of the application for development consent.
Please confirm that relevant extract/s from supporting evidence to verify the above have been included Yes No

A2 (b) Explain why the benefits of your proposal override any harm to the protected species. The benefit/s arising from the proposal must outweigh the harm (or risk of harm) to the protected species. Generally this means long-term public benefits rather than short term benefits (ie creation of permanent employment opportunities rather than temporary employment or creation of infrastructure that helps to provide long-term solutions to clearly identified national problems associated with energy demands).

The Environmental Statement (Chapter 7 - Biodiversity) submitted as part of the application for

development consent, together with the Planning Statement, provide an assessment of impacts of the proposed development on protected species and demonstrate that the beginning proposed development outweigh any harm or risk of harm to protected species.	-	
Please provide details of supporting evidence as explained in A2 above.		
See the Environmental Statement (Chapter 7 - Biodiversity) See the Planning Statement		
Please confirm that relevant extract/s from supporting evidence to verify the	Yes 🗌 No 🗀	

public benefit rather than a solely private interest. Note: Planning consent (or its equivalent) is considered to reference here but only include details in the applications.	est. dered evidence of public interest so please ensure
A3 (a) Indicate the scale of these benefits:	Local ☐ Regional ⊠ National ⊠
A3 (b) Where possible, explain the scale of the proposal, in quantifiable terms, as indicated ab For example, this could be the number of new hou local and regional scale; the number of long term elocal level; the level of reduced Co2 emissions at a	pove. Ises provided in proportion to the identified need at a semployment opportunities that will be created at a
The development will deliver essential national infrast need as set out within the Planning Statement (Chapt development consent.	
A3 (c) Please provide details of supporting evid	dence to verify the above as explained in A2
See Planning Statement (Chapter 2 - Need)	
Please confirm that relevant extract/s from sup verify the above have been included	porting evidence to Yes No

SECTION B:	No Satisfactory	Alternative Test

Please explain why there is no satisfactory alternative to your proposal.

A "satisfactory alternative" is a different way of achieving the objective of the activity (ie meeting your need) which has a *less negative impact on the protected species*. If there is a less damaging satisfactory alternative available that is feasible, then legally, a licence <u>cannot</u> be granted.

You are expected to have considered all reasonable alternative solutions when developing your proposal(s) and to have suitable grounds (and evidence) for discounting each against the proposed solution to meet the need. There are technical and non-technical elements to consider for this test and this part of your application will consider the non-technical elements – focussing on delivering the need. Alternatives can include different locations, routes, designs and timings. The Method Statement focusses on the technical elements of this test – ie reducing the impact on the species (see 'Important Advice' below).

<u>Important Advice:</u> Please note that alternative mitigation (including timing of licensable works) and compensation solutions are considered as part of the Favourable Conservation Status test and should be included in the relevant species Method Statement submitted with your application and not here.

В1	(a) Firstly	, please expla	ain why the curr	ent situation	(ie the status	quo) isn't	acceptable or
fea	asible						

The Planning Statement (Chapter 2 - Need) identifies the need for the proposed pipeline and exaplains why the status quo is not feasible.	

B1 (b) Details of supporting evidence.

See Planning Statement (Chapter 2 - Need)	
B1 (c) Confirm relevant extract(s) from supporting evidence is included to verify the above	Yes No

Please use the tables below to describe each alternative considered.

Please use a separate line for each and tick the relevant reason(s) why it was dismissed. It is important to explain why each alternative was judged to be unsatisfactory or unfeasible to meet the need for the proposal put forward in your application and to provide concise supporting evidence as appropriate (*Please insert additional rows as required*).

B2 (a) Set out <u>what</u> alternative locations and/or routes were considered and indicate how and why they were not acceptable.	Not applicable to situation	Won't deliver need	Not feasible	Greater impact on species
Location or route 1:				
If you have ticked 'Not applicable to sit as appropriate:	tuation', please ex	plain why here, ot	herwise please co	mplete this table
Describe the location or route considered	See comments below			
Clearly set out how and why the alternative location/route was discounted.	See comments below			
Location or route 2				
Describe the location or route considered	See comments below			
Clearly set out how and why the alternative location/route was discounted.	See comments b	pelow		
Location or route 3:				
Describe the location or route considered	See comments b	pelow		
Clearly set out how and why the alternative location/route was discounted.	See comments b	pelow		
Location or route 4:				
Describe the location or route considered	See comments b	pelow		
Clearly set out how and why the alternative location/route was discounted.	See comments b	pelow		

B2 (b) Details of supporting evidence.

^{*}Please note: you can add more rows to the table: Right click in the bottom row > Choose Insert > Insert rows below.

development consent provides an explanation and justification for the proposed routeing, design and construction techniques proposed as part of the SLP project. B2 (c) Confirm relevant extract(s) from supporting evidence is included to Yes □ No □ verify the above. B3 (a) Set out which alternative Not applicable Won't deliver Greater impact development scales or designs Not feasible to situation on species need were considered. Important note: If new infrastructure is to be created explain why the need cannot be met by expanding existing infrastructure. Development scale or Design 1: If you have ticked 'Not applicable to situation', please explain why here otherwise please complete this table as appropriate: Describe the development scale or See comments below design considered. Clearly explain how and why the See comments below different development scale or design considered was discounted. Development scale or Design 2: Describe the development scale or See comments below design considered. Clearly explain how and why the different development scale or See comments below design considered was discounted. Development scale or Design 3: П П Describe the development scale or See comments below design considered. Clearly explain how and why the See comments below different development scale or design considered was discounted. Development scale or Design 4: Describe the development scale or See comments below design considered. Clearly explain how and why the different development scale or See comments below

The Environmental Statement (Chapter 4 - Design Evolution) submitted as part of the application for

B3 (b) Details of supporting evidence.

design considered was discounted.

^{*}Please note: you can add more rows to the table: Right click in the bottom row > Choose Insert > Insert rows below.

The Environmental Statement (Chapter 4 - Design Evolution) submitted as part of the application for development consent provides an explanation and justification for the proposed routeing, design and construction techniques proposed as part of the SLP project.						
B3 (c) Confirm relevant extract(s) from supporting evidence is included to Yes No verify the above.						
B4 (a) Other alternative activities, processes or construction methods considered to reduce the impact upon the species	Not applicable to situation	Won't deliver need	Not feasible	Greater impact on species		
Important note – detailed timings of lic reduce the degree of harm are to be co				on which will		
Alternative activity, process or method 1:						
If you have ticked 'Not applicable to sit as appropriate:	tuation', please ex	plain why here oth	nerwise please cor	mplete this table		
Describe the alternative activity, process or method considered.	See comments t	pelow				
Clearly explain why this alternative was discounted.	See comments b	pelow				
Alternative activity, process or method 2:						
Describe the alternative activity, process or method considered.	See comments b	pelow				
Clearly explain why this alternative was discounted.	See comments t	pelow				
Alternative activity, process or method 3:						
Describe the alternative activity, process or method considered.	See comments b	pelow				
Clearly explain why this alternative discounted.	See comments t	pelow	_			
Alternative activity, process or methods 4:						
Describe the alternative activity, process or method considered.	See comments b	pelow				

Clearly explain why this alternative was discounted.	See comments below

B4 (b) Details of supporting evidence.

B4 (c) Confirm relevant extract(s) from supporting evidence is included to verify the above.	Yes No]
The Environmental Statement (Chapter 4 - Design Evolution) submitted as part of the development consent provides an explanation and justification for the proposed routein construction techniques proposed as part of the SLP project.	• •	
linked document or web page the evidence referred to is located (our preference is for evidence and copy it below, referencing where it has come from).	you to extract the	

^{*}Please note: you can add more rows to the table: Right click in the bottom row > Choose Insert > Insert rows below.

