

Date: 09 January 2015
Our ref: 2014-5197-EPS-NSIP1 (JD)
(NATIONALLY SIGNIFICANT
INFRASTRUCTURE PROJECT)



Mr C Mills
Senior Engineer
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Dear Mr Mills

DRAFT EPS MITIGATION LICENCE APPLICATION STATUS: SUBSEQUENT DRAFT APPLICATION

LEGISLATION: CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2010 (as amended)

NSIP: ROSE COTTAGE, FULLBECK LANE, MORPETH, NORTHUMBERLAND

EUROPEAN PROTECTED SPECIES: Common Pipistrelle Bat (*Pipistrellus pipistrellus*)

Thank you for your subsequent draft bat mitigation licence application, in association with the above site, which was received in this office on the 11th November 2014 and I apologise for the delay in issuing our response. This application relates to a Nationally Significant Infrastructure Project which Natural England agreed to review to help ensure the proposals meet protected species licensing requirements. As you will be aware, no final licensing decisions can be made, or any licence issued, unless the development obtains all necessary consents in order to proceed, with any conditions relevant to wildlife discharged. Accordingly we cannot issue a licence unless the Secretary of State grants the Development Consent Order (DCO) in relation to these proposals.

Assessment

Following our assessment of the resubmitted documents, I can now confirm that, on the basis of the information and proposals provided to date, Natural England is satisfied that no outstanding issues remain which would prevent the licence being granted in respect of this application should the DCO be granted

General advice and next steps

Should the DCO be granted and you are in a position to formally submit your bat licence application, please be mindful that we will only issue a licence within 12 weeks of the first licensable activities.

Should the application be formally submitted, please ensure that it is clear within the method statement with regards to those measures that are being provided for this scheme as a wider enhancement for bats, under the DCO, as opposed to those measures that are being provided as specific compensation for the loss of the tree roosts. Alternatively, please remove references to the wider enhancement details from the formal application as these do not need to be covered by the licence.

If other minor changes to the application are subsequently necessary, e.g. regarding updated surveys or amendments to the work schedule 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. Please be aware that 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.

Please also note that, whilst not compulsory, we would advise that any formal licence application is submitted in the 'Annexed licence' format which will enable minor issues in the method statement to be dealt with outside of the formal Further Information Request (FIR) process. It will also simplify the process for modifying the licence as you would only need to submit the information which requires amendment and not the method statement and accompanying documents – unless there are major changes (e.g. site layout or impacts have changed) which will warrant a full reassessment. Further details can be found in our Annexed Licensing Guidance document at the following website link:

http://webarchive.nationalarchives.gov.uk/20140605090108/http://www.naturalengland.org.uk/images/annexed-licence-faq_tcm6-35786.pdf

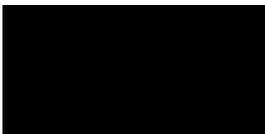
Full details of Natural England's licensing process with regards to NSIP's can be found at the following link:

http://webarchive.nationalarchives.gov.uk/20140605090108/http://www.naturalengland.org.uk/images/wml-g36_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 that the information detailed within this letter has been helpful. However, should you have any queries then please do not hesitate to contact me or Kathryn Murray.

Yours sincerely



John Gordon
EPS Mitigation Licensing Group-Coordinator
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Annex - Guidance for providing further information or formally submitting the licence application.

Important note: when submitting your draft application please mark all correspondence 'NSIP 2014-5197 EPS Morpeth Northern Bypass (Rose Cottage- Bats) for the attention of Kathryn Murray and John Gordon'.

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 and/or 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.

Reasoned Statement

Imperative Reasons of Overriding Public Interest or Public Health and Safety and/or No Satisfactory Alternative.

When submitting a revised Reasoned Statement please send us one copy on CD, or by e-mail if less than 5MB in size, or alternatively one paper copy of the complete, revised document. Please do not send the amended sections in isolation.

Method Statement

Favourable Conservation Status.

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. This document forms part of the licence; please do not send the amended sections in isolation. For NSIP schemes if you are sending us a copy by email or on CD, please also send us at least one paper copy of all figures and maps which greatly assists the assessment process.

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

<http://www.naturalengland.org.uk/ourwork/regulation/wildlife/default.aspx>



Natural England Reference Number (optional):	Please tick to indicate your role:	Consultant	<input type="checkbox"/>
		Developer (Applicant/Licensee)	<input type="checkbox"/>

1. How easy was it to get in contact with the Wildlife Management & Licensing team of Natural England?

Difficult (1)

 OK (2)

 Easy (3)

 Very Easy (4)

If 1 please specify who you initially contacted in relation to your issue/enquiry?

2. Please tell us how aware you were (BEFORE you contacted us) of wildlife legislation and what it does/does not permit in relation to your enquiry?

Unaware (1)

 Very Limited Awareness (2)

 Partially Aware (3)

 Fully Aware (4)

3. How would you rate the service provided by Natural England?

	<i>Poor</i>	<i>Fair</i>	<i>Good</i>	<i>Excellent</i>	<i>Not applicable</i>
	1	2	3	4	
Ease of completion of application	<input type="checkbox"/>				
Advice provided by telephone (if applicable)	<input type="checkbox"/>				
Our web site (if applicable)	<input type="checkbox"/>				
Clarity and usefulness of published guidance	<input type="checkbox"/>				
Helpfulness and politeness of staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Advice and clarity of explanations provided during Method Statement assessment	<input type="checkbox"/>				
Advice and clarity of explanations provided during Reasoned Statement assessment	<input type="checkbox"/>				
Speed of process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Overall service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

If 1 or 2 to any of the above please specify why:

4. Was your issue/enquiry resolved by the activity authorised under licence or advice provided by us?

Fully

 Partially

 Unresolved

If not fully resolved please state what you think could have been done instead (note legislation affects which actions can be licensed):

5. Was there a public reaction to any action taken under the licence or as a result of our advice?

Positive support

 No reaction

 Negative reaction

6. Would you use a fully online licensing service if it could be made available in the future?

Definitely

 Possibly

 Unlikely

 No

7. Do you have any further comments to make or suggestions for improving our service, if yes please 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, please tick this box and ensure your Natural England reference number is at the top of this page.