

Date: 04 August 2020
Our ref: 2020-45129-SCI-SCI
(NATIONALLY SIGNIFICANT INFRASTRUCTURE
PROJECT)



Mr Mark Kemp
Norfolk County Council
Sent by e-mail only

Dear Mr Mark Kemp

CC Mr Ian Ellis

DRAFT MITIGATION LICENCE APPLICATION STATUS: SUBSEQUENT DRAFT APPLICATION
LEGISLATION: THE WILDLIFE AND COUNTRYSIDE ACT 1992 (as amended)
NSIP: Great Yarmouth Third River Crossing, William Adams Way, Great Yarmouth, Norfolk, NR1
SPECIES: Water vole.

Thank you for your subsequent draft water vole mitigation licence application in association with the above NSIP site, received in this office on the 15 May 2020. 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, Sonya Gray, discussed this matter with Katie Rowberry via telephone and e-mail correspondence on the 8 June 2020 and 11 June 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:

Section 1 - Confirmation that the named ecologist has visited the site.

Section 2 - Results of updated surveys to be carried out in 2020, one between mid-April and end of June, one between July and September.

3.1.2 – To be updated to specify the length of WC1 to be permanently lost and temporarily lost and length WC4 to be temporarily lost.

4.1.1 Details of habitat loss recorded in this section of the method statement should be moved to section 3.

An illustration of the water vole exclusion fencing should be provided.

4.5.7 The following amendments to the Displacement methodology are required:

- Vegetation must be cleared down to bare earth*
- There must be a minimum of a 3 metre buffer either side of both areas where displacement will occur.*
- Details of the waterdraw down methodology should be provided.*
- If water voles still present when the cleared sections are re-surveyed and destructive search must not commence. Further checks should be made to ensure vegetation is completely clear and monitoring. If evidence of water vole presence remains, trapping may need to be considered*
- The destructive search must be supervised by an ecologist and must only take place once there is no evidence of water voles.*
- Details of what will occur if water voles are found during destructive search should be included*

Consideration should also be given to the merits of undertaking relocation by trapping, rather than displacement, on WC1 as this should enable more of the northern habitat to be retained. Alternatively, if displacement is carried out, consideration should be given to not undertaking a destructive search of burrows.

5.1.1. Table 4 - To be updated to include length of WC1 and WC4 to be reinstated.

5.1.4 – Details of the management measure of the existing vegetation in watercourse should be provided.

5.1.5 – Details of design of the culverts , as recorded in section 3.1.5 should be recorded here. Details of mammal ledge design should also be included.

Compensation measures should be illustrated on a post development plan of the site.

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 will be no 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/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 the above has been helpful. However, should you have any queries then please do not hesitate to contact me.

Yours sincerely

Sonya Gray

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 Sonya Gray'

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 – Wildlife 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> 1	<i>Fair</i> 2	<i>Good</i> 3	<i>Excellent</i> 4	<i>Not applicable</i>
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.