



LETTER OF NO IMPEDIMENT

PINS project reference: WS010005

PINS document reference: 15.2.4.1

June 2022



**Baddesley Colliery Offices, Main Road, Baxterley, Atherstone,
Warwickshire, CV9 2LE.**

Telephone : 01827 717891, Fax : 01827 718507



Date: 21 June 2022
Our ref: 2022-61235-EPS-AD1
(NATIONALLY SIGNIFICANT INFRASTRUCTURE
PROJECT)



Wildlife Licensing
Natural England
Horizon House
Deanery Road
Bristol
BS1 5AH
Email:



Sent by e-mail only

Dear Peter Oldfield and David Hughes,

DRAFT MITIGATION LICENCE APPLICATION STATUS: Initial Draft Application
LEGISLATION: The Conservation of Habitats and Species Regulations 2017 (as amended)
NSIP: East Northamptonshire Resource Management Facility
SPECIES: Great Crested Newt (*Triturus cristatus*)

Thank you for your recent draft great crested newt mitigation (GCN) licence application in association with the above NSIP site, received by this office on 11th May 2022. 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.

Augean South Ltd and Ecological Services Ltd have asked Natural England to provide:

- A review of the draft GCN licence application, and associated documents, in relation to the proposed western expansion to the East Northamptonshire Resource Management Facility.

This advice is provided in accordance with the UDS Agreement Reference 6658. The advice detailed in this response letter is based upon the information contained within the draft documents submitted under application 2022-61235-EPS-AD1.

Assessment & Document Review

Following our assessment of the resubmitted draft application documents, I write to 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, the following point is intended as a recommendation for further consideration ahead of the formal licence submission to Natural England:

- Habitat Management and Maintenance Plan (HMMP) – a bespoke HMMP document has not been submitted as part of the draft licence application. It is noted, though, that an Ecological Management and Aftercare Plan has been produced and will be submitted with the formal GCN application. As Natural England has not reviewed and commented on the current Ecological Management and Aftercare Plan document, it is recommended that steps are

taken to ensure that this plan clearly sets out the information and detail relevant to GCN and the relevant licensable works. Alternatively, you may wish to consider submitting a standalone HMMP document with the formal licence application, ensuring it aligns with the Ecological Management and Aftercare Plan and covering all the necessary information relating to habitat management and maintenance works.

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.

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. With this in mind, please do copy myself and the NEWLS Escalation mailbox [REDACTED] into your formal submission email(s).

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

Yours sincerely,

[REDACTED]

Matt Gill

Senior Adviser
Natural England Wildlife Licensing Service (Species Team)

[REDACTED]

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 MATT GILL, NEWLS'.

Submitting Documents.

Documents must be sent to the Natural England Wildlife Licensing Service (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.