

ANNEX: SPECIAL CONDITIONS TO HAZEL DORMOUSE INDIVIDUAL MITIGATION LICENCE



IMPORTANT: These special conditions are in addition to the standard licence conditions

Where there are several options you are required to do those that are indicated by ☒.

Natural England Reference:

2022-60215-EPS-MIT

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

Licensable activity		Permitted activity	Maximum number (if applicable to activity)
Breeding site	Damage	Yes	Number not specified
	Destroy	Yes	Number not specified
Resting place	Damage	Yes	Number not specified
	Destroy	Yes	Number not specified

General:

- Persons acting under this licence must abide by the most up to date iterations of the relevant species guidance. In this context the relevant species guidance includes:
 - The advice in the “Dormouse Conservation Handbook” (see ‘Licence Note’ b).
- The Licensee, including the Named Ecologist, Accredited Agents and Assistants (see [Definitions](#) in conditions 25-28), must adhere to the activities and timescales agreed in Work Schedule WML-A35a-E5a&b (dated and referenced **Little Horsted- 30/05/2022**) between the licensee and Natural England.*

*Carrying out licensable activities outside the periods specified within the licensed work schedule E5a is permitted provided that **all** of the following requirements are met:

- Licensable activities set out in the work schedule are carried out in the same chronological order and, except as permitted in (c) below, in the same season; and
- The same clearance methodology as specified in the licence must be used; and
- Habitat restoration, enhancement, and creation must be carried out within the same season or same calendar year as specified in the licence and work schedule; and
- There is no additional impact on any known or potential breeding sites or resting places (including hibernation sites) as a result of timing changes.

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

3. Figures: B2.1 -; D 05/11/2021; E2 30/05/2022; E3 25/05/2022; E4 05/11/2021; Other as specified, , must be complied with (see end of Annex for list of Figures).
4. The Named Ecologist or Accredited Agent must ensure that all those involved with the licensable works understand by way of a 'tool box talk' that dormouse are present; the legislation relating to dormice; measures that will be used to protect them; good working practices; licensable activities and what to do should dormice be found. This information must be provided before any licensable works commence on site. A written record that this has been undertaken, and the detail it covered, must be kept by the Named Ecologist or Accredited Agent and made available to Natural England or any police officer on request.
5. Disturbance of dormice and damage and / or destruction of their habitats will be limited to that shown in Figure D.

Methodology and mitigation:

6. All works must be undertaken using best practice methodology to ensure minimal risk to dormice and all relevant animal welfare must be complied with at all times.

7. Methods licensed:

Location	Licensed method	Required? Additional details
As indicated on Figure E2	Single stage habitat removal – active season (with finger tip search)	<input type="checkbox"/> N/A; <input checked="" type="checkbox"/> Habitat will be removed carefully following a thorough fingertip search
	Single stage habitat removal – hibernation season (with finger tip search)	<input checked="" type="checkbox"/> N/A; <input type="checkbox"/> -
	Two-stage habitat removal: <ul style="list-style-type: none"> • Stage 1 – habitat removal (above ground vegetation 15-30cm) • Stage 2 – habitat removal (removal of root balls) 	<input checked="" type="checkbox"/> N/A; <input type="checkbox"/> - <input checked="" type="checkbox"/> N/A; <input type="checkbox"/> -
	Hand searches including capture by hand	<input type="checkbox"/> N/A; <input checked="" type="checkbox"/> Prior to vegetation clearance
	Capture by nest box / nest tube	<input checked="" type="checkbox"/> N/A; <input type="checkbox"/>
	Release within licensed site (If captured during searches)	<input type="checkbox"/> N/A; <input checked="" type="checkbox"/> as per condition 13
	Other:	<input type="checkbox"/> N/A; <input type="checkbox"/>

8. Vegetation clearance of above ground dormouse habitat must be carried out using hand held tools only. -
9. Single stage active season clearance must be carried out in a staged manner with up to 50m² (0.25ha) strips cleared each day towards retained habitat.
10. Where capture and / or handling of dormice (including release) are necessary, only the Named Ecologist, Accredited Agent or an Assistant directly supervised by the Named Ecologist or an Accredited Agent by may do so.
11. Provision must be made for prompt assistance to deal with any injured dormouse. Any injured or dead dormice must be reported to Natural England on licence return form WML-LR-DORMANN.
12. Where active dormice are discovered during works and it is possible to allow them to move independently to safe habitats, outside high risk work areas, this should be the first course of action.
13. Where it is not possible to follow Condition 12 and dormice are discovered and taken under this licence they must be:

In the active season - relocated in the existing nest to a specifically erected dormice nest box (if applicable) within 500m of the 'capture' location.

And / or

During hibernation - relocated in the existing hibernation nest, with surrounding damp material, to a location within 100m of this site similar in condition and aspect to the existing hibernation nest location. It must then be covered by suitable material for protection.

14. During the hibernation period for works involving standard two-stage methodology, finger-tip searches of haul routes or other areas of high risk to dormice must be carried out and dormice relocated to safety as outlined in Condition 13. Dormice found outside high risk areas during these searches must remain in situ. In the unlikely event of the animal rousing from hibernation it must be taken into captivity until it can be released within 100m of its capture site when weather conditions become suitable.
15. Where a breeding nest is discovered works must stop and provision made for the nest to remain in situ, undisturbed and connected to contiguous habitat, until the young have been weaned and allowed to disperse. Only following dispersal of all young from the nest shall licensable works in this location re-commence.

Compensation:

16. Habitat enhancement and compensation measures as below and as shown on **Figure E3** are to be provided:

Compensation measure	Area (ha), length (m), number
New hedgerow planting	<input checked="" type="checkbox"/> N/A; <input type="checkbox"/> -
Hedgerow gap planting	<input checked="" type="checkbox"/> N/A; <input type="checkbox"/> -
Hedgerow translocation	<input checked="" type="checkbox"/> N/A; <input type="checkbox"/> -
Coppice stool translocation	<input checked="" type="checkbox"/> N/A; <input type="checkbox"/> -
Scrub planting	<input type="checkbox"/> N/A; <input checked="" type="checkbox"/> 1.479ha of new native species rich scrub planting
New woodland planting	<input checked="" type="checkbox"/> N/A; <input type="checkbox"/> -
Woodland thinning / coppicing	<input checked="" type="checkbox"/> N/A; <input type="checkbox"/> -
Woodland infill planting to increase species diversity	<input checked="" type="checkbox"/> N/A; <input type="checkbox"/> -
Nest box erection	<input type="checkbox"/> N/A; <input checked="" type="checkbox"/> 25 nest boxes will be installed
Habitat re-instatement / restoration	<input type="checkbox"/> N/A; <input checked="" type="checkbox"/> 0.113ha of the cut back habitat will be allowed to naturally regenerate.
Connectivity / linking structures (e.g. bridge) also see Conditions 20 and 22	<input checked="" type="checkbox"/> N/A; <input type="checkbox"/> -
Other: -	<input checked="" type="checkbox"/> N/A; <input type="checkbox"/> -

Post-development habitat management and maintenance requirements:

17. The following habitat management measures must be undertaken in line with Figure E4 and Work Schedule WML-A35a-E5a&b Table b:

N/A;

Hedge management: ;

Woodland management: ;

Scrub management: **Scrub planting will be managed and maintained to ensure successful growth, failed specimens will be replaced and strimming will be conducted as and when necessary to reduce competition for 5 years following the development.;**

Other as specified: -.

18. Site maintenance operations must be undertaken in line with Figure E4 and Work Schedule WML-A35a-E5a&b Table b:

N/A;

Check success of establishment of new planting and take remedial action if required: **Annual checks will be carried out. Where planting has failed infill planting will be undertaken to replace. ;**

Maintain dormouse bridges in good condition: ;

Clear material in nest boxes annually to maintain condition: **Annual checks of the nest boxes will be undertaken in the winter to clear out old nesting material for the first 5 years following completion of the development.;**

Other as specified: **The areas of natural regeneration will be managed to ensure success for the first 5 years following the completion of the development.**

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

YES: NO

If Yes, all habitat management and maintenance must be carried out in accordance with Habitat Management and Maintenance Plan referenced -.

20. Are dormouse bridges or other linking structures required as part of this licence?

YES: NO

If Yes, - (structure) must be created as per design shown in Figure E3-, location as per Figure E4.

Post-development monitoring and reporting requirements:

21. Monitoring must be undertaken as specified in the years outlined in Work Schedule WML-A35a-E5a&b, Table E5b:

N/A

monitoring required in year(s) **2024, 2026, 2028.**

By way of: nut search survey; nest tube survey; nest box survey; hair tubes; camera traps.

An assessment of dormouse habitat and /or mitigation structures must also be made at this time. Should survey and habitat assessment indicate mitigation / compensation provided is failing measures must be taken to remedy this as soon as practically possible. Details of such actions must be included within the [licence report](#).

22. Dormouse bridge or other linking structures as shown on Figure E4 must be maintained and monitored:

N/A

-

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

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

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

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

YES: NO

If Yes, Master Plan reference - must be re-submitted, and updated if necessary, with any modifications to this licence and any future licence applications for this phased or multi-plot development.

Dormouse EPS Licence Reference Numbers associated with the above Master Plan -.

Definitions used in this annex:

25. The "**Licensee**" named on the licence is responsible for ensuring that all activities carried out on site in relation to the licence comply with the terms and conditions of the licence. All persons authorised to act under the licence must comply with the licence and its conditions (see Regulation 60(1) of the 2017 Regulations). This means that those persons authorised by the Licensee also have a responsibility for ensuring that the licence is understood and complied with.

26. 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.

27. 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.

28. 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.

Licence notes

a) The following mitigation or compensation is being provided as part of a planning permission or other consent but is not required by Natural England to be provided as part of this licence: **0.904ha of offsite woodland enhancement** . It is the licensee's responsibility to ensure that they comply with planning permissions and / or other consents as necessary.

b) The "[Dormouse Conservation Handbook](#)" is available [here](#).

You are expected to check whether this guidance has been updated and if so, to ensure that you act in accordance with the most up to date version.

- c) Post development monitoring [report form](#) can be used for reporting purposes and sent to the above address at the each report interval.
- d) Any significant changes to a master plan should be agreed with Natural England in advance.
- e) This licence does not confer any right of entry upon land.
- f) Persons acting under this licence should abide by the advice described in “Coronavirus (COVID-19): *surveying and mitigation works affecting wildlife*” issued by Defra to Natural England, as a minimum precaution to reduce the risk of accidental transmission of the virus that causes COVID-19 from humans to wild mammals. “Coronavirus (COVID-19): *surveying and mitigation works affecting wildlife*” is available at <https://www.gov.uk/guidance/coronavirus-covid-19-surveying-and-mitigation-works-affecting-wildlife> or on request from Natural England (eps.mitigation@naturalengland.org.uk). You should check whether this advice has been updated and if so, should ensure that you act in accordance with the most up to date version. Any products used to clean and disinfect equipment should be safe for use where there could be contact with animals, and used at an effective and safe dilution rate. ‘Safe4’ is considered to be an appropriate disinfectant for this purpose, and is considered effective against the virus at a dilution of 1:50.

Issued by and on behalf of
Natural England

Date

30 May 2022

Figure references:

Those marked with an ‘*’ are mandatory for each licence, and those marked ‘’ are applicable to specific licences only).** Condition 3 of this licence annex details which Figures form part of this licence and its conditions and they must be complied with. Figures are not sent back out to the Licensee or Named Ecologist when the licence is granted as dated and referenced copies are already held by them.

- B2.1** Project wide master plan (mandatory for phased and multi-plot developments).
- D* – Impacts: disturbance to dormice and habitat damage and / or destruction of habitats.
- E2* – Locations and habitats where all capture and exclusion activities will be undertaken; details release areas for licence involving capture and release.
- E3** – habitat creation, restoration and enhancement measures. Additional figure required for mitigation connectivity measures (e.g. dormouse bridges, underpasses etc).
- E4** – Management, maintenance and monitoring map, showing habitats and structures covered by the licence.

Figure C4

Photo 1 – Northern woodland edge (18/08/2020)



Photo 2 – Northern woodland edge (18/08/2020)



Photo 3 – Horse-grazed grassland field (28.01.2020)



Photo 4 – Onsite receptor area (22.12.21)



Photo 5 – Offsite compensation land - western field (22.12.21)



Photo 6 – Offsite compensation land - eastern field (22.12.21)



Figure C5a

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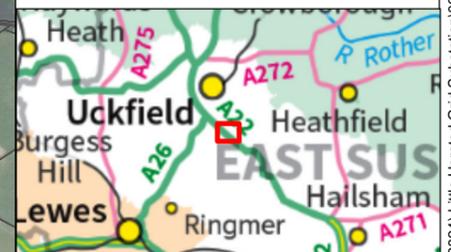
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Legend:

Site boundary

Figure C5a

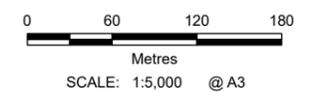


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TITLE: Figure C5a:
Site Location Map



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Figure C5b

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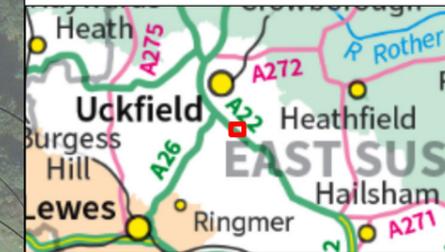
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- Legend:
- Site boundary
 - Dormouse tube transect

Figure C5b

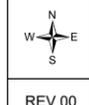
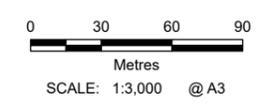


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TITLE: Figure C5b:
Survey Area



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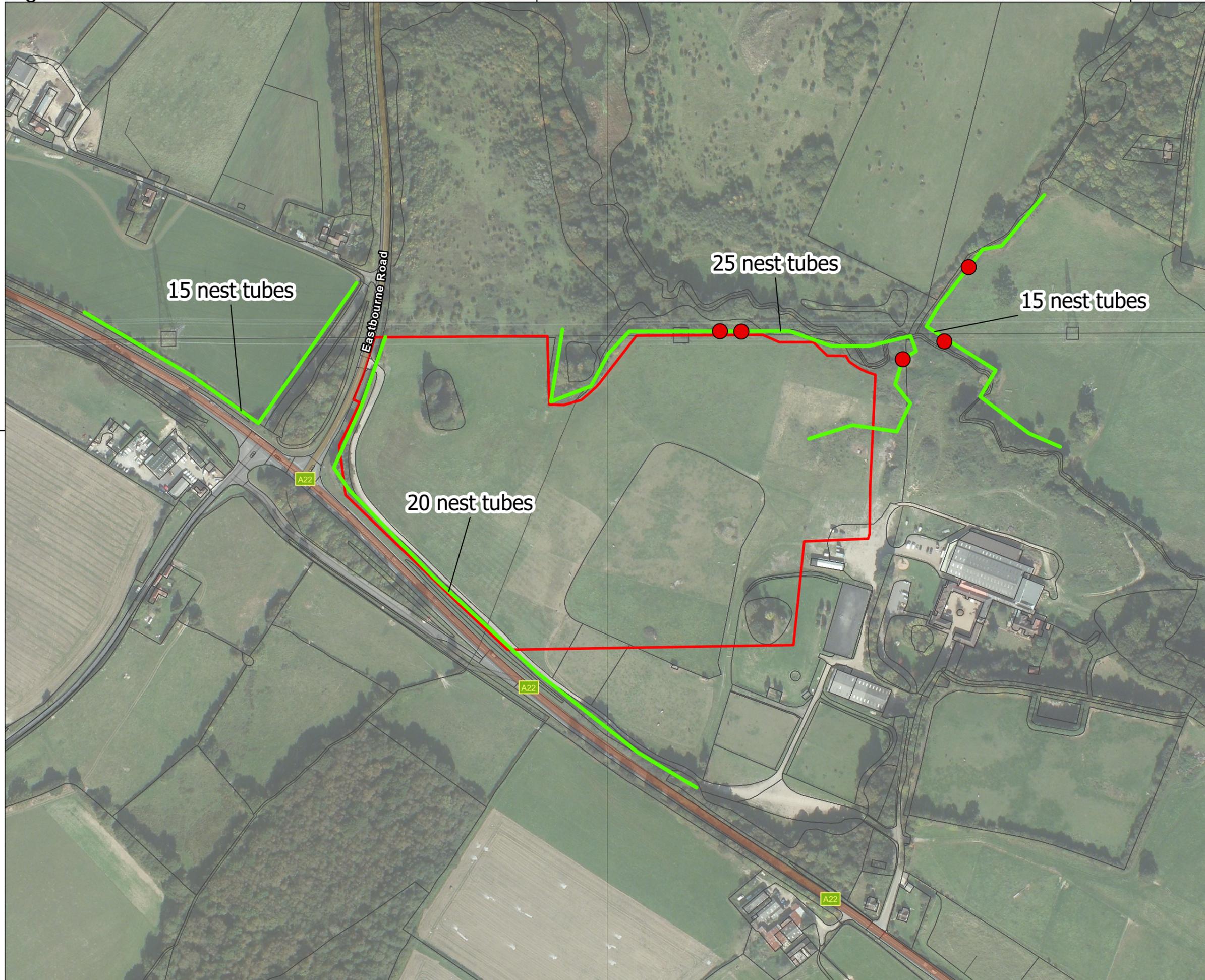
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Figure C6

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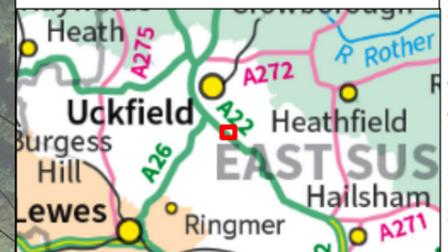
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- Legend:
- Site boundary
 - Dormouse tube transect
 - Dormouse nest

Figure C6

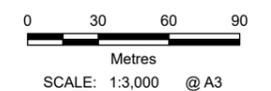


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TITLE: Figure C6:
Survey Results



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Figure D

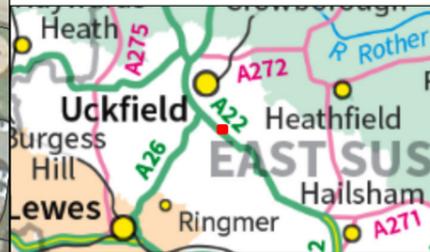
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- Legend:**
- Site boundary
- Impacts**
- Permanent loss of optimal habitat in 2022
 - Temporary loss of optimal habitat in 2022
 - Permanent loss of sub-optimal habitat in 2022
 - Permanent loss of sub-optimal Hedgerow in 2022
 - Temporary loss of optimal habitat in 2023

Figure D

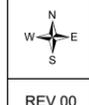
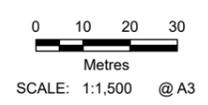


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TITLE: Figure D:
Impacts Plan



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Figure E2

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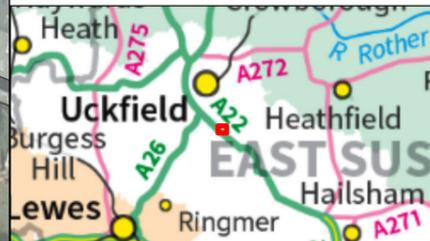
If any dormice are found during removal of hedgerow they will be persuaded to the high quality habitat to the north east of the site

If any dormice are found during removal of this small woodland copse they will be translocated to the high quality habitat to the north east of the site

Dormice will be displaced into high quality habitat to the north.
If any dormice are found during vegetation clearance they will be translocated north of the clearance area

- Legend:**
- Site boundary
 - Permanent loss of optimal habitat in 2022
 - Temporary loss of optimal habitat in 2022
 - Permanent loss of sub-optimal habitat in 2022
 - Permanent loss of sub-optimal Hedgerow in 2022
 - Temporary loss of optimal habitat in 2023

Figure E2

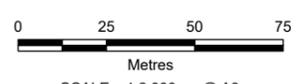


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TITLE: Figure E2:
Capture and Exclusion Plan



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Figure E3

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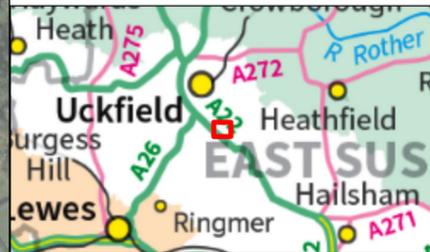
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- Legend:**
- Site boundary
 - 500m buffer of site boundary
- Mitigation and Compensation**
- Off-site option 1 site boundary
 - Woodland enhancement
 - Scrub planting
 - Meadow enhancement
 - Hedgerow to be enhanced with 25 Dormouse boxes

Figure E3

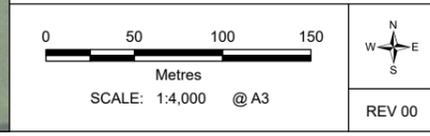


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TITLE: Figure E3:
Mitigation and Compensation Plan



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Figure E4

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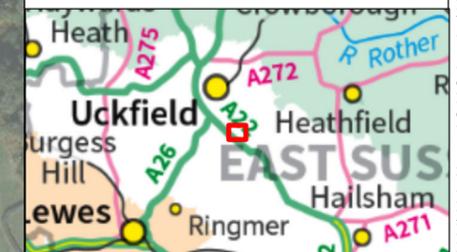
Legend:

- Site boundary
- 500m buffer of site boundary
- Off-site option 1 site boundary
- Woodland enhancement
- Scrub planting
- Meadow enhancement
- Hedgerow to be enhanced with 25 Dormouse boxes

Figure E4

Dormouse boxes to be monitored for 5 years

Off-site habitats to be managed until they reach target condition 25-30 years.

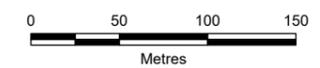


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TITLE: Figure E4:
Post Development Management
and Monitoring



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