Cyfoeth Naturiol Cymru
Natural Resources Wales

Noddir gan Lywodraeth Cymru
Sponsored by Welsh Government

Helen Garrett
Silverdale
Tainant
Penycae
Wrexham
LL14 1UG

Licence No:	**S094049/1**
Valid From:	**21st May 2024**
End of Licensable Works:	**31st May 2025**
Licence Expiry:	**31st May 2025**

THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017

Licence to capture and transport, disturb, and to damage or destroy a breeding site or resting place for preserving public health or public safety, or for other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.

This licence, granted under Regulation 55(2) (e) of the Conservation of Habitats and Species Regulations 2017, by the Natural Resource Body for Wales otherwise known as Natural Resources Wales, hereby authorises person named above hereinafter referred to as "the Lead Licensee" and persons authorised by them namely their Licensed Nominated Ecologist Keymar Wake, Licensed Accredited Agents Rhian Hughes, Ashley Payne, Joe Franklin and Lucy Boyett, and Licensed Assistants, (together known as "the Licensees") to**:**

disturb,
capture and transport,
damage or destroy a breeding site or resting place of,

Common Pipistrelle *(Pipistrellus pipistrellus)* and **Soprano Pipistrelle *(Pipistrellus pygmaeus)*** bats;

in accordance with the method statement referred to in Condition 3. whilst demolition of a residential dwelling to facilitate construction of a replacement dwelling and outbuilding at **Silverdale, Tainant, Penycae, Wrexham, LL14 1UG*.*** Grid Reference: **SJ 27219 46401.**

The works noted above are licensed for the period **as stated above** and are granted subject to compliance with the conditions as specified. Anything done otherwise than in accordance with the terms of the licence may constitute an offence.

When undertaking any activity under this licence the most up to date guidance provided by the Welsh Government in relation to Covid-19 must be adhered to (see advice note in the notes section).

Signed for and on behalf of
Natural Resources Wales

Ffôn/Tel: 03000 65 3000

Ebost/Email: trwyddedrhywogaeth@cyfoethnaturiolcymru.gov.uk or specieslicence@naturalresourceswales.gov.uk
www.cyfoethnaturiolcymru.gov.uk www.naturalresourceswales.gov.uk

Cyfoeth Naturiol Cymru / Natural Resources Wales, Maes y Ffynnon, Penrhos Garnedd, Bangor, Gwynedd, LL57 2DW

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg Correspondence welcomed in Welsh and English

CONDITIONS

1. Any person intending to use this licence must ensure they have read and understood its terms and conditions prior to carrying out licensed action.

3. All the work carried out under this licence will be undertaken in accordance with:
   - **the method statement:** EE.4446.LMS.24.JF - Silverdale Method Statement – Version 1 dated 26/03/2024.
   - **the licence application:** dated 26/03/2024

5. Prior to the start of any works on site, all site workers will be inducted by the bat specialist. This induction will cover the legal status of bats, the method of working, and action to be taken if bats are encountered.

6. If the protected species listed on this licence are found during the course of work in higher numbers than stated on the application form, all work will cease and will not recommence until the Licensed Nominated Ecologist named on the licence application (or NRW Permitting Team if the Licensed Nominated Ecologist is not available) has advised that the work may continue under the existing licence, or if an amended licence is required, until the Lead Licensee applies for and receives an amended licence

7. If evidence of protected species not listed on this licence is found, all work will cease and will not recommence until the Licensed Nominated Ecologist named on this licence (or NRW if the Licensed Nominated Ecologist is not available) has advised that the work may continue under the existing licence, or if an amended licence is required, until the Lead licensee applies for and receives an amended licence..

11. Within four weeks after the end of licensable works date the Lead Licensee shall submit to NRW details of the activities and operations undertaken by virtue of this licence on the official NRW report form. Evidence to demonstrate how the work has complied with the method statement, including photographs will be included in the end of licence report form.

21. External lighting must be complaint with the provisions of the Institute of Lighting Professionals/ Bat Conservation Trust Guidance Note 08/18: Bats and Artificial lighting in the UK. Any artificial lighting must not be directed towards or spill onto roosting locations, access points, connecting habitats or flight paths. Lighting should have shields, cowls, baffles or louvres fitted as required to achieve this. Overall lux levels must be the same or less than those present during bat surveys prior to development work.

30. Replacement roosts and all mitigation will be provided as indicated in Section E.2.3 of the method statement, and by **31 May 2025**.

32. Following completion of works, a bat specialist will inspect the building/replacement roosts and confirm to NRW that they are complete, accesses or flight routes have not been blocked or illuminated, and all mitigation has been carried out as specified in the method statement.

33. Only traditional bitumastic roofing felt BS 8747:2007 Type 1F shall be used in bat-accessible areas unless otherwise agreed in writing with NRW.

34. Tanalised timbers used in bat-accessible areas must have been treated in accordance with the relevant British Standard. The wood will only be used when properly dried and surface deposits remaining after treatment have been removed.

35. Any timber treatment products used in bat accessible areas must be from the list of approved products for use in bat roosts as detailed in the 'Natural England Technical Information Note TIN092; Bat roosts and timber treatment products'.

100. If bats are found during works, work must stop until the Licensed Nominated Ecologist is contacted for advice which must be followed. Works must not recommence until the Licensed

Nominated Ecologist has advised that work may continue, this may require consultation with Natural Resources Wales Officers.

101. All works must be undertaken in line with best practice to limit the risk of injuring or killing bats.

102. Bat boxes must not be made of wood and must be located as directed by the Licensed Nominated Ecologist.

103. No work shall be undertaken until official confirmation of the discharge of Condition 5 of Planning Permission PEN P/2022/0627 has been received.

200. Any person engaged in action under this licence must carry a copy of the licence and must produce it on request to the Police or an employee of NRW or other person authorised in writing by NRW.

201. If during the course of the works it becomes necessary to change the methodology from that submitted to the NRW as part of the licence application, all work will stop until the changes have been agreed with NRW and/or an amended licence has been received.

202. The activities hereby licensed are restricted to the Licensees as specified on this licence.

204. Any Licensed Assistants, whether employed to operate machinery or give advice, shall remain under the personal supervision of the Lead Licensee, Licenced Nominated Ecologist or any Licensed Accredited Agent at all times.

206. The Lead Licensee must keep a log of the names and addresses of the Licensed Assistants and must produce this to the Police or to NRW upon request.

207. Any disturbance to animals shall be kept to the absolute minimum required, so animals are not prevented from normal feeding or rest, nor disturbed during breeding or hibernation; unless permission has been granted by NRW to do otherwise. All reasonable steps must be taken to prevent accidental injury to any protected species. Equipment must be of a kind and used in a way which will avoid distress or injury.

208. Unless specified otherwise this licence does not authorise the intentional killing, taking or injuring of any protected species.

209. Any person undertaking licensed action who is not the owner or occupier of the land on which the action is taken must have the authorisation of the owner or occupier to enter that land to carry out the licensed action.

210. If any European protected species (EPS) are incidentally captured or killed as a result of exercising this licence then NRW must be advised of that fact as soon as practicable. NRW can be contacted on speciesslicence@naturalresourceswales.gov.uk .

211. The Lead Licensee must advise NRW if there are any changes in circumstances where such changes could invalidate this licence.

212. In all cases, any conditions listed above override or supersede the provisions of the submitted method statement.

213. No person convicted of an offence to which this condition applies may use this licence unless, in respect of that offence, either (1) they were dismissed with an admonition, or (2) they are a rehabilitated person for the purposes of the Rehabilitation of Offenders Act 1974 and their conviction is treated as spent. A person may also use this licence where, in respect of such an offence, a court has made an order discharging them absolutely. This condition applies to offences under the Wildlife and Countryside Act 1981, the Deer Act 1991,the Wild Mammals (Protection) Act 1996, the Hunting Act 2004, the Conservation of Habitats and Species Regulations 2017, the Protection of Badgers Act 1992 and the Animal Welfare Act 2006 (all as

amended).

NOTES

N1 Failure to act within the terms of this licence or failure to comply with any of the licence conditions may mean that the licence cannot be relied upon and an offence may be committed. The maximum penalty in the Magistrates' Court for an offence under the Act is an unlimited fine or a six month custodial sentence or both.

N2. The actions authorised by this licence may be carried out within a Site of Special Scientific Interest (SSSI) without the owner/occupier of the land in question needing to obtain consent under section 28E of the Wildlife and Countryside Act 1981, as substituted. However consent under section 28E of that Act may be required for any actions which are carried out in association with the exercise of this licence but not expressly authorised by it, for example the use of a vehicle in an SSSI. Any person using this licence in an SSSI is responsible for obtaining the necessary consent for any such associated actions. Failure to do so may invalidate the licence and may result in offences being committed.

N3. This licence may be modified or revoked at any time by NRW.

N4. Nothing in this licence confers any exemption from any legal provision contained in any Act, other than the Act(s) under which this licence is issued.

N5. The Lead Licensee may be accompanied by the owner or occupier of the land on which this licence is exercised. In such circumstances, it will be the responsibility of the Lead Licensee to ensure that no additional disturbance is caused.

N6. The personal information on this licence will be kept and used by us in accordance with the General Data Protection Regulation (GDPR). We may discuss licence content with selected third parties. Other than stated above, we will not make the personal data on this licence available to third parties unless there is an overriding public interest. The GDPR gives you the right to know what data we hold about you, how we use it, to which third parties it is disclosed, and that it is accurate. To exercise this right please contact the Data Protection Officer at NRW.

N7. As Lead Licensee you agree to complete a licence report with details of required biodiversity records collected in association with this licence. We have your permission to store, copy, use, and release or publish any biodiversity records associated with the issue of this licence. Where our policy on public access to data states that the information is sensitive, publication and access will be restricted in accordance with both the Environmental Information Regulations (2004) and our guidance on access to data on sensitive biodiversity features. We may share the biodiversity records supplied with conservation organisations selected by us. Where our policy on public access to data states that the information is sensitive any such release will be under restrictive licence conditions in accordance with our guidance on access to data on sensitive biodiversity features. Please note that an inadequate return will prejudice future licence applications

N8. Biodiversity records associated with the issue of this licence must be as reliable and accurate possible and collected with all necessary permissions.

N9. We acknowledge that biological records collected in relation to this licence, unless collected under a contract (with alternate provisions relating to Intellectual Property Rights) for us or a Third Party, remain the intellectual property of the licence holder. In all cases we will seek to acknowledge intellectual property and not use any biological records collected under licence beyond the purposes stated above.

N10. Any work undertaken must take account of biosecurity risks and measures must be put in place to ensure that you don't introduce or spread invasive non-native species (INNS), pests or disease. This biosecurity risk assessment should help you to understand and mitigate the risks on your site, and those posed by your activities.

Information, data and free e-learning on non-native species and biosecurity, including for people working in the environment, can be found on the GB Non-Native Species Secretariat website.

You can access information about the location of invasive non-native species (INNS) by using the NBN Atlas Wales INNS Portal (a guide on how to use the portal is available).

Data on plant and tree specific pests and diseases and biosecurity is available on NRW website, the Defra website or at Forest Research. Free e-learning is available from the Forestry Commission.

Ensure you follow the Check Clean Dry or Keep it Clean principles.

Licesees must ensure that all equipment (vehicles, tools, boots etc) that come to site, arrive clean, and are cleaned again before leaving site – this applies to all sites, not just those where an invasive non-native species (INNS), pest or disease has been previously identified. High risk sites should be surveyed / visited last during any programme of work.

Check your equipment, clothing and boots and remove any plant or animal 'hitchhikers'.
Clean equipment, clothing and boots thoroughly, remove all mud, leaves and plant debris. If it is not possible to clean on site, securely bag items and clean at a suitable location where risk of transfer of diseases is minimised. Wash vehicle tyres and wheel arches if muddy and park on hard standing if possible.
Dry thoroughly any equipment or PPE that has been in freshwater or the marine environment; some INNS can live on damp items for weeks.

You will also need to use disinfectant if you are:

- accessing farmland with stock
- coming into contact with known pathogens
- moving between medium / high risk sites in the same day
- unable to **effectively** dry (>48hrs) equipment that has been in contact with pathogens
- working during a notifiable disease outbreak situation as notified by Welsh Government.

Information on disease control and disinfectants can be found on the following websites: for tree disease; for amphibians; for agricultural; and for fisheries.

If you need any further help, please feel free to contact our INNS and Biosecurity team or our Tree Health team.

N11. These derogations are granted on the basis that NRW are satisfied that:

- the proposed actions are for a purpose specified in regulation 55(2)(e) of The Conservation of Habitats and Species Regulations 2017;
- there is no satisfactory alternative;
- the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

N13. Flash photography in bat roosts or hibernacula, or entering bat roosts or hibernacula for the purpose of photography (including filming), must be specifically licensed. A licence to photograph (including filming) bats is not required if the photography is an incidental part of other licensed bat work and it causes no extra disturbance above that caused by the licensed activities. Such photography includes a) non-flash photography (i.e. using only natural light or low-level artificial light such as a domestic torch) of roosting bats and of people carrying out licensed work in and around roosts and b) flash photography in roosts and hibernacula only when no bats are present, c) photography of bats caught at traps during survey work, d) flash photography of individual bats for identification purposes or of groups of bats for survey purposes, where the licence holder considers that this would cause less disturbance than handling or prolonged illumination of bats. It is recommended that there is only one designated photographer at any one time to reduce disturbance.

N14. Licensees are expected to adhere to the Bat Conservation Trust's advice concerning White-Nose Syndrome, see following link:- http://www.bats.org.uk

N15. Good occupational practice as dictated in "Immunisation against Infectious Disease" (issued by the Department of Health in consultation with the Welsh Government 1996) suggests that bat handlers should be vaccinated against rabies. Pre-exposure immunisation with human diploid cell rabies vaccine is available free from the NHS to bat handlers.

N21. Unless specifically authorised under this licence, implementation of surveillance / surveys required under Condition 13 shall only be undertaken by one or more individual in possession of a valid survey licence issued by NRW under Section 16(3) (a) of the Wildlife and Countryside Act 1981 (as amended) and Regulation 55 (2) (a) of the Conservation of Habitats and Species Regulations 2017 (as amended).

N22. Unless specifically authorised under this licence, implementation of conservation management, enhancement and/or maintenance works identified in as site management plan, method statement or at any other time shall only be undertaken by one or more individual in possession of a valid conservation licence issued by NRW under Section 16(3) (c) of the Wildlife and Countryside Act 1981 (as amended) and Regulation 55 (2) (c) of the Conservation of Habitats and Species Regulations 2017 (as amended).

N31. During all internal surveys that may result in Licensees being in a confined air space and/or being less than 2 meters from bats, or where methods may result in capture or handling of bats:

- The activity should be assessed to ensure it is essential and if alternative methods can be appropriately employed.
- All activities should comply with relevant sections of the most up to date version of the IUCN SSC Bat Specialist Group (BSG) 'Recommended Strategy for Researchers to Reduce the Risk of Transmission of SARS-CoV-2 from Humans to Bats AMP: Assess, Modify, Protect' (amp_recommendations_for_researchers_final.pdf (iucnbsg.org)).
- Only those with up to date Covid-19 booster vaccinations should undertake activities which may result in a Licensee being in a confined air space and/or less than 2 meters from bats, or attempt any form of capture and handling of bats.
- Any Licensee entering a confined air space and/or will be less than 2 meters from bats or attempting any form of capture or handling of bats should be required to take a lateral flow test within 24 hours prior to the activity. Any person that has tested positive for COVID-19, or come into contact with someone who has tested positive for Covid-19 may not engage in activities until they have tested negative or 10 days quarantine has elapsed and they have not developed any Covid-19 symptoms/additional testing presents negative results.
- Keep survey teams to a minimum number of people require to safely undertake the activity.
- Any person who may potentially come within 2 meters of a bat or survey equipment must wear appropriate PPE i.e. mask and gloves. Face masks must filter exhaled and inhaled breath i.e. non-vented masks, N95/FFP3 etc. Disposable gloves may be worn over the top of normal bat handling or safety gloves and then safely disposed of after use. Effort must be made not to touch your face when wearing gloves and hands should be sanitised regularly.
- Any non-disposable gloves that have been used for bat handling, bat bags, or other equipment which may come into contact with bats, must be thoroughly washed at over 40^{o}C or disinfected between uses. Any products used to clean and disinfect equipment must be safe for use where there could be contact with animals, and used at an effective and safe dilution rate. 'Safe4' is one such product considered to be an appropriate disinfectant for this purpose, and is considered effective against the virus at a dilution of 1:50. Clean equipment will be bagged and carefully stored in order to minimise potential contamination.

- Handling and assessment of bats should be minimised wherever possible. Captured bats will be released as soon as possible/ safe to do so. Standard practices which may increase the chance of transmission, such as blowing on bats to part fur must not be undertaken.
- Should any bat have to be taken into captivity for any reason IUCN BSG recommendations for bat rehabilitators must be complied with.

N32. During all works that may result in a person other than Licensee being in a confined air space and/or less than 2 meters from bats i.e. site owners/managers/construction workers being supervised:

- All activities should be assessed to ensure it is essential and if alternative methods can be appropriately employed.
- Only those with up to date Covid-19 booster vaccinations should undertake activities which may result in being in a confined air space and/or less than 2 meters from bats.
- Any person entering a confined air space and/or will potentially be less than 2 meters from bats should be required to take a lateral flow test within 24 hours prior to the activity. Any person that has tested positive for COVID-19, or come into contact with someone who has tested positive for Covid-19 may not engage in activities until they have tested negative or 10 days quarantine has elapsed and they have not developed any Covid-19 symptoms/additional testing presents negative results.
- Persons entering such locations must be kept to a minimum number of people require to safely undertake the activity.
- Any person who may potentially come within 2 meters of a bat or survey equipment must wear appropriate PPE i.e. mask and gloves. Face masks must filter exhaled and inhaled breath i.e. non-vented masks, N95/FFP3 etc. Effort must be made not to touch your face when wearing gloves and hands should be sanitised regularly.
- Should a bat be observed at a time when direct supervision by Licensee is not occurring, all works must stop until the Licensed Nominated Ecologist can be consulted as to the appropriate course of action. Capture of any unexpectedly located bats must not be attempted, unless the bat is in direct physical danger. Site inductions should cover when this may be appropriate and what course of action should be followed

Definitions

'NRW' is an abbreviation of the Natural Resources Body for Wales otherwise known as Natural Resources Wales

'EPS' is an abbreviation of European protected species

'Licence application' refers to the application form, method statement and any other supporting documents (where applicable).

"Lead Licensee" - this is usually the owner or occupier of the property / land or an individual that requires licensable activities to be undertaken.

"Licensed Nominated Ecologist" - means the person authorised by the Lead Licensee to undertake and provide ecological expertise in relation to the species and licensable activities under this licence. They will be responsible for delivering specific elements of any licence granted in respect of the disturbance of EPS, including overseeing any disturbance, exclusion and mitigation.

"Licensed Accredited Agent" – means any other person authorised by the Lead Licensee. This person must be suitably qualified, experienced and is able to carry out ecological works under a licence without the personal supervision of the Licensed Nominated Ecologist being present to undertake licensable activities under this licence.

"Licensed Assistant" – means a person undertaking licensable activities working under the direct personal supervision of any named at all times.