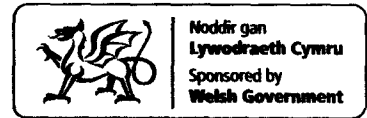




**Cyfoeth  
Naturiol  
Cymru  
Natural  
Resources  
Wales**



Mr Tim Howard  
Welsh Government  
Crown Building  
Cathays Park  
Cardiff  
CF10 3NQ

Licence No:

57898:OTH:EPS:2014

Valid From:

22 SEP 2014

Expiry:

31<sup>st</sup> March 2016

## THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2010

**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 53(2) (e) of the Conservation of Habitats and Species Regulations 2010, by the Natural Resource Body for Wales otherwise known as Natural Resources Wales, hereby authorises the person named above, hereinafter referred to as the "licensee" and their duly accredited agents Samantha Shove and Fearn Sims, and their assistants Jean Hamilton and James Bilham and other assistants to:

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

**Great Crested Newts (*Triturus cristatus*),**

in accordance with the method statement referred to in Condition 1. whilst clearing the site at **Plot C4, Abenbury Way, Wrexham Industrial Estate, Wrexham, Wrexham County Borough, LL13 NUD.**  
Grid Reference: **SJ 373 505.**

The works noted above are licenced for the period **as stated above** and are granted subject to compliance with the conditions as specified. Activities required for monitoring purposes are granted subject to compliance with the conditions and period as specified in Condition 219. Anything done otherwise than in accordance with the terms of the licence may constitute an offence.

Signed for and on behalf of  
**Natural Resources Wales**

Ffôn/Tel 01248 387356

Ebost/Email: [trwyddedrhwyogaeth@cyfoethnaturiolcymru.gov.uk](mailto:trwyddedrhwyogaeth@cyfoethnaturiolcymru.gov.uk) or [specieslicence@naturalresourceswales.gov.uk](mailto:specieslicence@naturalresourceswales.gov.uk)  
[www.cyfoethnaturiolcymru.gov.uk](http://www.cyfoethnaturiolcymru.gov.uk) [www.naturalresourceswales.gov.uk](http://www.naturalresourceswales.gov.uk)

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

Croeseir ynghyd â'r Gymraeg a'r Saesneg

Correspondence welcomed in Welsh and English

## CONDITIONS

### 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).

1. All the work carried out under this licence will be undertaken in accordance with the licence application dated 16 July 2014 received by e-mail on the 2 September 2014 and associated documents and drawings; and the additional information "*Licence Method Statement Rev. 3*" received by e-mail on 2 September 2014.
2. Before starting work the licensee will advise the local NRW Species Officer **at *Natural Resources Wales, Chester Road, Buckley, Flintshire, CH7 3AJ on 03000 653881 or email [northandmid.species@cyfoethnaturiolcymru.gov.uk](mailto:northandmid.species@cyfoethnaturiolcymru.gov.uk)*** of the date the works will start.
3. A suitably experienced licensed ecologist will be appointed and retained during the life time of this licence to provide on-site advice.
5. If evidence of protected species not listed on this licence is found, all work will cease and will not recommence until the ecologist named on the licence application (or NRW if the ecologist is not available) has advised that the work may continue under the existing licence, or if an amended licence is required, until the licensee applies for and receives an amended licence.
6. Prior to commencement of the proposal a scheme to audit the implementation of the project shall be submitted and implemented to the satisfaction of NRW. This scheme must include clearly defined performance indicators.
7. A management plan for the Great Crested Newt mitigation areas shall be submitted to and approved by NRW by the end of October 2014. Management of the mitigation areas shall be implemented in accordance with this plan.
8. Within 3 months of the issue of this licence the applicant shall submit a long term site security scheme to the satisfaction of NRW. Scheme to be implemented as agreed.
9. Prior to the start of any works on site, all site workers will be inducted by the amphibian specialist. This induction will cover the legal status of GCN, the method of working, and action to be taken if GCN are encountered. A copy of the induction shall be submitted to the licensing authority.
10. Prior to the start of works a biosecurity risk assessment containing appropriate measures will be submitted to and approved by NRW.
12. An annual monitoring report will be submitted to NRW for each year that monitoring is scheduled to be undertaken.
13. At the end of the monitoring period, a report giving details of the monitoring and summarising the results will be submitted to NRW.
14. Liaison meetings will be held between the licensee and NRW at six monthly intervals commencing **December 2014**, unless otherwise agreed.
15. Photographs of any mitigation provided and the licence report form will be submitted to NRW within four weeks of licence expiry.
52. Pitfall traps may only be used on nights when the dusk air temperature exceeds 5°C and must remain sealed when the dusk air temperature is below 5°C. Pitfall traps must contain moss or hay to provide shelter for caught animals. Traps left set overnight must be emptied by 10 a.m. the following morning.

53. Any pitfall traps left open during the day must incorporate measures to avoid distressing any protected species caught. Traps must be emptied at least once every 24 hours.
54. All newts will be released within 1 hour of removal from traps.
55. A daily log of all newts caught must be kept and made available to NRW at 48 hours notice.
56. Unless otherwise agreed, amphibian fencing must be inspected every 24 hours and any repairs completed within 24 hours. A fence inspection log must be kept and made available to NRW at 48 hours notice.
57. Should any newts be removed, different species of newts and different age bands of newts must be transported in separate containers.
59. The named Licensee, any accredited agents and their named assistant(s) only are allowed to handle newts under this licence. Other assistants will be those attending educational events and shall not be allowed to handle the species.
200. While engaged in activities under this licence the Licensee shall carry a copy of the licence and must produce it to any police constable or employee of NRW, or other person authorised in writing by NRW, on demand.
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 Licensee, accredited agents and assistants as specified on this licence.
203. No accredited agent of the Licensee shall act under this licence unless they are in possession of a letter appointing them as the duly accredited agent of the licensee for the purpose of this licence. The accredited agent shall carry with them the said letter and a copy of this licence and shall produce them to any police constable or employee of NRW, or other person authorised in writing by the NRW, on demand.
204. Any assistants employed under this licence, whether employed to operate machinery or give advice, shall remain under the personal supervision of the Licensee or any accredited agent at all times.
205. The Licensee must assume full responsibility for the conduct of any assistants and accredited agents employed under this licence.
206. The activities and operations hereby covered are restricted to only those specified on this licence.
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. Nothing shall be carried out under this licence on a National Nature Reserve or Site of Special Scientific Interest (SSSI) except with the prior written permission from NRW's Regional Office in which the National Nature Reserve or SSSI is situated.
210. Possession of this licence confers no rights of entry onto land. Permission to enter land or premises must be obtained from the owner or occupier. NRW will not accept responsibility for

failure or omission by Licensees to fulfil this obligation and will consider immediate revocation of licences if complaints from owners or occupiers on these grounds are received.

- 211. Within four weeks after the expiry of this licence the Licensee shall submit to NRW details of the activities and operations undertaken by virtue of this licence on the official report form. Evidence to demonstrate how the work has complied with the method statement will be included in the end of licence report form.
- 212. The Licensee shall advise NRW if there are any changes in their circumstances where such changes could invalidate this licence.
- 213. If any European protected species (EPS) are incidentally captured or killed as a result of exercising this licence then NRW should be immediately advised.
- 219. Monitoring works and production of Reports as indicated in the Method Statement are to be undertaken from the date hereof to **31 December 2037**.

#### NOTES

- N1. This licence authorises acts that would otherwise be an offence under The Conservation of Habitats and Species Regulations 2010. Failure to act within the purposes of this licence or failure to comply with the terms and conditions may mean that the licence cannot be relied upon and an offence is committed. Furthermore, under regulation 58 of the Conservation of Habitats and Species Regulations 2010 it is an offence to contravene or fail to comply with any condition of a licence issued on or after 21 August 2007. The maximum penalty upon summary conviction for an offence under the Regulations is a level 5 fine (£5000) and/or a six-month custodial sentence.
- 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. Where appropriate licences should be obtained from the Home Office to fulfil the requirements of the Animals (Scientific Procedures) Act 1986.
- N5. The 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 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 Data Protection Act 1998. The licence will be permanently retained, as it is a legal document. 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 Data Protection Act 1998 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. 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. **A biosecurity risk assessment should be prepared to evaluate potential risks at each site and relevant biosecurity precautions should be addressed according to the habitats and species present. The following notes should help to inform your working procedure and links to further information can be found below.**

On sites with freshwater, the transfer of amphibian and fish diseases as well as invasive non-native species should be minimised by undertaking cleaning and disinfection of equipment. All debris, plant fragments and mud should first be scrubbed off footwear and rinsed with water. Disinfection should comprise soaking in a bleach solution (1 measure of household bleach to 9 measures of water) for 15 minutes, or using Virkon solution (1mg/ml) for 1 minute. Fabrics can be washed on a 40° C cycle (with detergent, ensuring sufficient rinsing). Nets should be boiled for 10 minutes or, if the fabric allows, disinfected with spray bleach and rinsed thoroughly. Rinse with clean water and if possible, allow to dry before next use. Keep field gear (e.g. traps, net frames, buckets) inside plastic bags during transit and storage to reduce the likelihood of transmitting diseases. All used disinfectants should be disposed of appropriately. Sites considered to be 'infected' should be surveyed/visited last during any programme of work.

To minimise the risk of spreading *Phytophthora* when visiting heathland or woodland sites, scrub all visible soil and debris from footwear using water, spray with Propeller and leave until it has evaporated. Vehicle access along tracks should be kept to a minimum and mud should be cleaned from car wheels, wheel arches and foot wells of cars. This should be repeated at each site visited.

*Phytophthora* disease control sites should be avoided if at all possible. Propeller can be obtained from Evans Chemical Supplies, 18B Barncoose Industrial Estate, Pool, Redruth, Cornwall, Tel. 01209 213643.

Biosecurity advice on ash dieback disease, *Chalara*, can be found at <http://www.forestry.gov.uk/forestry/infid-6abl5v>

More information on *Phytophthora* can be found at <http://www.fera.defra.gov.uk/plants/plantHealth/pestsDiseases/phytophthora/>

Amphibian workers should read the ARG-UK advice note 4: amphibian disease precautions – a guide for UK field workers (<http://www.arguk.org/advice-and-guidance/view-category>)

Information and advice on invasive non native species can be found at <https://secure.fera.defra.gov.uk/nonnativespecies/home/index.cfm>

- N11. These derogations are granted on the basis that NRW are satisfied that:
- the proposed actions are for a purpose specified in regulation 53(2)(e) of The Conservation of Habitats and Species Regulations 2010;
  - 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.