

15 December 2020



Ms S Brooks

request-712169-5e137e96@whatdotheyknow.com

Legal Services
County Hall
Spetchley Road
Worcester
WR5 2NP

Dear Ms Books

Access to Information Request – Request no 5357

Thank you for your request for information set out below, which we received on 10 December 2020. Your request has been considered under the Environmental Information Regulations 2004 (EIRs).

You asked for:

Please can you confirm that there is a HS2 phase 1 route wide licence for Badgers.

I would also like to request a copy of this licence WML-OR24 for badgers and WML-CL25 for Great Crested Newts.

Has Natural England given HS2 a time extension for badger mitigation in the 1 mile route, from Wendover to Great Missenden, including Jones's Hill Woods, Aylesbury Vale, Buckinghamshire. SP 8873 0441, and when does this run out?

Why aren't the protected species ecology licences used for general construction projects also used to hold HS2 to account? Why are they different for HS2?

Natural England can confirm that HS2 hold WML-OR24 Badger Organisational Licence and WML-OR25 GCN Organisational Licence. Please find in the attached zip.

Natural England have been made aware of public interference of badger mitigation at multiple sites in the Wendover area and are in discussions with HS2 to resolve the issue. Natural England have granted extensions to the gating period where it was evident that installed gates had been vandalised or stolen. We cannot comment any further at this point.

Natural England have issued a variety of licences to HS2 to avoid and minimise impacts to protected species along Phase 1 of the route. For HS2 the following types of licences have been granted:

- Class licence for Bats - issued for activities that have a low to moderate impact on bats. Under this licence, contractors are required to have specific skills or experience to avoid risk to the conservation or welfare of bats. The licence holder is required to register each site where works are to take place with Natural England.
- Organisational licence – this type of license provide an alternative to conventional wildlife mitigation licences that focus on individual, small-scale sites. Organisational licences issued for HS2 can be applicable across a wide area, in some case for the entire route of Phase 1. Organisational licences are available to applicants and/or ecologists who have consistently met the conditions of other types of wildlife licences in the past.
- Individual licence: these are issued for activities not covered by the above Class or Organisational licences. Examples include: Science and Conservation licence, to permit the

capture and release of bats for the purpose of conducting population surveys; Mitigation licences, to permit work associated with the felling of trees used by bats.

Individual licences are usually granted for smaller, individual projects that may impact on a relatively smaller number of protected species. However, in some cases, HS2 have had to apply for this type of licence where the activities aren't covered under the class or organisational licences. The construction of HS2 is the largest infrastructure project in Europe therefore a strategic approach to licensing to cover works across the whole of Phase 1 was imperative. Due to the vast number of individual sites where European Protect Species licensing is required, it would not be possible for either HS2 or Natural England to apply for and assess every licence. As a result, Natural England and HS2 have agreed on a suite of licences that allow for the progression of works without compromising on species regulations. Natural England monitors compliance with wildlife licences by a combination of site visits, telephone calls, document assessments and meetings. The level of compliance monitoring for each licence is dependent on a number of factors including the complexity of the licence and the potential level of impact on protected species.

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If you have any queries about this letter, please contact me. As you may be aware, under the legislation should you have any concerns with the service you have received in relation to your requests and wish to make a complaint or request a review of our decision, please contact me and I'll arrange for a colleague to conduct an internal review. Under Regulation 11(2) this needs to be done no later than 40 working days after the date of this letter.

If you are not content with the outcome of that complaint or the internal review, you may apply directly to the Information Commissioner for a decision. Generally, the Commissioner cannot make a decision unless you have exhausted the internal review procedure provided by Natural England. The Information Commissioner can be contacted at: <https://ico.org.uk/global/contact-us/> or call on 0303 123 1113 (local rate), www.ico.org.uk.

Yours sincerely

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