



THE ECOLOGY EXPERTS

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European Protected Species (EPS) Licences

European Protected Species (EPS) Licences, individual or mitigation licence, are required if you plan to disturb or remove/ damage the habitats of a European Protected Species.

These include:

- [Great crested newts](#)
- [Bats](#)
- [Badgers](#)
- [Birds](#)
- [Reptiles](#)
- [Otter/ water vole](#)
- [Other protected species](#)

EPS Licence Application

A mitigation licence is obtained from Natural England and is free of charge, with a decision usually provided within 30 working days of receipt. The only costs that occur for a licence application is the time for the production of the licence application documentation from the consultant ecologist, as outlined below. All permissions and consents, such as planning approval or listed building consent, should be in place prior to applying for a licence.

Application Form

The Application Form provides overview details of the applicant (you) and the named ecologist (us), the purpose for the licence, site details and any proposed licensable actions.

Method Statement

The Method Statement provides further detail on the survey work conducted, the status of the protected species population(s) on site, the proposed mitigation measures to avoid impacts to the protected species and any compensation to maintain and enhance the value of the site for the species. Mitigation can include the timing of works to avoid sensitive periods (for example, removal of a great crested newt (GCN) pond during the winter period when GCN are in their terrestrial phase, or the destruction of a hibernatory bat roost during the summer months when the bats are likely to be in a different roosting location) and ecological supervision during sensitive activities that may encounter the protected species (such as a roof strip where bats may be beneath tiles, or vegetation clearance when smooth snake may be present). Compensation can include the inclusion of sheltering or resting spaces to replace those lost (for example, the construction of an artificial sett if works involve the licenced destruction of a main sett). Compensation is best designed when the replacement feature is like-for-like of the feature lost.

Reasoned Statement

The Reasoned Statement provides responses to set questions and statements to show that the activities proposed fit the criteria and that there is no satisfactory alternative. The criteria for conducting licenced works must be appropriate to one of the following; preserving public health and safety or imperative reasons of overriding public interest (IROPI). Some smaller scale and impact projects do not require a Reasoned Statement in support of the application. Our ecologists will be able to advise if and when this is necessary.

Supplementary Information

As part of the licence, figures are often requested to detail the location of the site, location of licenced activities and the location of mitigation/ compensation features. These are put together by us whilst we produce the Method Statement so that the figures are coherent with this document. Additional information that is supplied with the application includes a schedule of works, to detail when each activity is to take place; the planning approval document (or other permission/ consent document) and the development plan or masterplan for a phased or multi-plot scheme.

The 3 Licensing Tests

The licence application must pass 3 legal tests:

- The activity must be for a certain purpose (for example, scientific research or in the public interest),
- There must be no satisfactory alternative that will cause less harm to the species,
- The activity must not harm the long-term conservation status (Favourable Conservation Status (FCS)) of the species (you may need to create new habitats to offset any damage).

Please feel free to get in contact with the team to discuss licensing requirements.

Licence Obligations

Once your licence has been granted, works should be conducted in adherence with the terms and conditions of the Licence document and those contained within the application documentation.

Depending on the degree of impact and importance of the population to be impacted, post-completion monitoring surveys may be required (proposal submitted at the application stage) to monitor the population and confirm if mitigation/ compensation has been effective.

Following the completion of licensable actions, a returns form should be submitted to Natural England to report on actions taken under licence. This would be completed by the ecologist.

Useful links

- [Wildlife licences: when you need to apply, Natural England](#)