The Conservation (Natural Habitats &c.) Regulations 1994 fully protect dormice and their breeding sites or resting places, making it an offence to deliberately kill, injure or capture (take) dormice; to deliberately disturb dormice; damage or destroy dormice breeding sites or resting places; possess or transport a dormouse or any part of a dormouse; sell (or offer for sale) or exchange dormice or parts of dormice.

Please use this application form if you wish to undertake works/activities that would affect dormice and would involve one or more of the following; capture, kill, disturbance, transport and/or damage/destroy the breeding sites or resting places of dormice.

For applications in relation to scientific or research activities (e.g. surveys) or conservation work, please go to our website for an appropriate form.


Under Regulation 44(2)(e-g) & 44(3)(a-b) of the Conservation (Natural Habitats &c.) Regulations, Natural England, under powers conferred by the Secretary of State, has authority to issue licences for the following purposes:

- **Preserving public health or public safety** or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment;
- **Preventing the spread of disease**;
- **Preventing serious damage** to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber or any other forms of property or to fisheries; to allow people to carry out activities which would otherwise be illegal;

Provided that:

- there is no satisfactory alternative; and
- the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.
**Part A. The Applicant (the Developer or Landowner): Personal Details**

These questions relate to the person who will be the **named licensee**. As the licensee you will be responsible for ensuring compliance with the licence and its conditions.

<table>
<thead>
<tr>
<th>A1. Name of Applicant</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Title</strong></td>
<td>Mr</td>
<td><strong>Company Name</strong></td>
<td>The Environment Agency</td>
</tr>
<tr>
<td><strong>Forename(s)</strong></td>
<td>Malcolm</td>
<td><strong>Business Title</strong></td>
<td>Project Manager</td>
</tr>
<tr>
<td><strong>Surname</strong></td>
<td>Orford</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Address</strong></td>
<td>The Environment Agency</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Town</strong></td>
<td>Camberley</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>County</strong></td>
<td>Surrey</td>
<td><strong>Postcode</strong></td>
<td>GU16 7SQ</td>
</tr>
<tr>
<td><strong>Tel number</strong></td>
<td>01276 454309</td>
<td><strong>Mobile number</strong></td>
<td>07950 470424</td>
</tr>
<tr>
<td><strong>Fax number</strong></td>
<td>full email address as template too small - <a href="mailto:malcolm.orford@environment-agency.gov.uk">malcolm.orford@environment-agency.gov.uk</a></td>
<td><strong>Email address</strong></td>
<td><a href="mailto:malcolm.orford@environment-agency.gov.uk">malcolm.orford@environment-agency.gov.uk</a></td>
</tr>
</tbody>
</table>

If you would like us to acknowledge receipt of this application, please tick ONE of the following boxes to indicate your preferred method:

- [ ] Email
- [ ] Telephone
- [ ] Fax
- [ ] Letter

Please tick to confirm if you are content to receive correspondence (including any licence) by email [X]

**Part B. The Ecologist: Personal Details / Experience**

These questions relate to the person acting on behalf of the developer/landowner and who will be responsible for delivering specific elements of any licence granted in respect of the capture or disturbance of dormice, including the overseeing of mitigation.

<table>
<thead>
<tr>
<th>B1. Name of Ecologist</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Title</strong></td>
<td>Mrs</td>
<td><strong>Company Name</strong></td>
<td>Jacobs</td>
</tr>
<tr>
<td><strong>Forename(s)</strong></td>
<td>Marianne</td>
<td><strong>Business Title</strong></td>
<td>Ecologist</td>
</tr>
<tr>
<td><strong>Surname</strong></td>
<td>Damholdt Bergin</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Professional Memberships</strong></td>
<td>AIEEM</td>
<td><em>(e.g. IEEM, IEMA, IES)</em> For communication purposes</td>
<td></td>
</tr>
<tr>
<td><strong>Address</strong></td>
<td>Jacobs, Kenneth Dibben House</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Town</strong></td>
<td>Chilworth</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>County</strong></td>
<td>Hampshire</td>
<td><strong>Postcode</strong></td>
<td>SO16 7NS</td>
</tr>
<tr>
<td><strong>Tel number</strong></td>
<td>02380 111278</td>
<td><strong>Mobile number</strong></td>
<td>07534 284 070</td>
</tr>
<tr>
<td><strong>Fax number</strong></td>
<td>02380 111251</td>
<td><strong>Email address</strong></td>
<td><a href="mailto:marianne.bergin@jacobs.com">marianne.bergin@jacobs.com</a></td>
</tr>
</tbody>
</table>
**B2. Previous Licence Experience:**

Have you been named as the Ecological consultant on a dormouse mitigation licence of a similar scale, methodology and mitigation, issued within the last 3 years by any of the following authorities: Please note: survey licences alone are not sufficient as experience for this application type.

- Natural England □
- Defra □
- Other (CCW / SNH) □

Please state:

If YES, please give your last mitigation licence case reference (EPSM No) (and the licence (WLF) number if your documents included one) and the year the licence was issued.

<table>
<thead>
<tr>
<th>Case Ref:</th>
<th>EPSM</th>
<th>Licence Number:</th>
<th>WLF</th>
<th>Year of issue:</th>
</tr>
</thead>
</table>

If NO, please complete Section B3 below.

**B3. Experience, Qualifications & References**

To be completed by Ecologists who have either:

- not held a dormouse mitigation licence previously, or
- have not been named as the Ecologist responsible for undertaking the work on a licence.

Survey Licence Number: 20090682  
Number of years licence held: 1.5 (two seasons)

My survey licence permits me to undertake the following (tick the relevant boxes):

- Disturb dormice [X]  
- Take dormice by hand [X]  
- Mark dormice (e.g. fur-clipping/micro-chipping) [ ]

Please give brief details of your current science, education and conservation dormouse licence.

I hold a Natural England Science and Education Dormice licence (20090682) covering all Counties of England. I have actively used this licence to carry out dormice monitoring in relation to a proposed road widening project (A23 - Handcross to Warninglid) and volunteer surveys for Dorset Wildlife Trust.

Please give brief details of your experience on dormouse mitigation projects, including in what capacity you acted (e.g. accredited agent). State the site names and reference numbers of licences and the type of mitigation involved.

As the leading dormouse ecologist on a 10 year monitoring programme along the Highways Agency’s proposed A23 Handcross to Warninglid widening, I lead dormice surveys each year (May to November) covering approximately 100 boxes and 250 tubes.

I have worked on several development schemes and I am familiar with the issues in relation to avoidance, mitigating and habitat enhancement for dormice and other protected species on development sites.

I have worked on a number of EPS Licences for bats, and am familiar with the nature of the work involved in overseeing protected species licences.
Qualifications, including any Continuing Professional Development (CPD) training relevant to the species.

As an active volunteer for Dorset Wildlife Trust, I regularly carry out dormice surveys in their reserves including collecting data for the Dormouse Monitoring Programme. I have attended the Mammal Society course: Dormice Ecology, Conservation and Survey in April 2007 and received my licence in April 2008 after training with the Dorset Wildlife Trust’s Conservation Officer, Karen Banks. I keep my knowledge up to date with relevant news and information on dormouse ecology, population trends and habitat requirements through the PTES news letter the Dormice Monitor and published scientific research papers.

References: You will need to enclose two independent, written references (originals only, not photocopies). We may contact these referees to verify their statements.
- These should vouch for your suitability and competence to prepare and deliver dormouse mitigation projects.
- They should state how long referees have known you and in what capacity.
- They should provide details of your mitigation experience with dormice.
- They should provide details of the referees’ own dormouse mitigation experience and mitigation licence held (if appropriate): at least one referee must have held a dormouse mitigation licence.

Tick to confirm that two independent references are attached ☒

B4. Accredited Agents

Do you propose to employ accredited agents? Yes ☒ No ☐

It is for you to ensure that anyone you employ has suitable experience or will receive suitable training to enable them to act under this licence.

Part C. The Application

C1. Location of proposed licensed action

<table>
<thead>
<tr>
<th>Site Name</th>
<th>Tilgate Dam, Tilgate Park</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Address</td>
<td>Tilgate Country Park</td>
</tr>
<tr>
<td></td>
<td>Tilgate Drive</td>
</tr>
<tr>
<td>Town</td>
<td>Crawley</td>
</tr>
<tr>
<td>County</td>
<td>Sussex</td>
</tr>
<tr>
<td>Postcode</td>
<td>RH10 5PQ</td>
</tr>
<tr>
<td>O.S. Ref.</td>
<td>TQ 278 344</td>
</tr>
<tr>
<td>(e.g. AA123123)</td>
<td></td>
</tr>
</tbody>
</table>

C2. Purpose of the licence application (tick one box only)

Please indicate the purpose of the proposed works.

(a) Preserving public health and public safety. (Applications for this purpose must be accompanied by documentary evidence of the risk from a chartered structural engineer, tree surgeon, police, environmental health etc). ☐

(b) Imperative reasons of overriding public interest. (Including those of a social or economic nature and beneficial consequences of primary importance for the environment). ☒

(c) Preventing the spread of disease. ☐
C3. **Purpose of the Proposed Work**

(a) Is the proposed work part of a phased or multi-plot development? **Yes** □ **No** ☒

If **Yes**, please submit details with your application of any previous dormice licences at the site. A master plan will help assess overall impacts on populations.

(b) Please state briefly what the proposed development/application will entail (e.g. road widening scheme; site clearance for phased housing development).

**Improvements to Tilgate Dam to address matters that are legally required to be undertaken under Section 10(6) of the Reservoirs Act 1975 in the interests of public safety and also raising of the dam to increase flood storage capacity to provide flood alleviation to properties in Crawley and at Gatwick Airport. Includes an onsite borrow area to provide suitable material with which to build the dam.**

Refer to figures as follows:
- Figure 1: Site Location
- Figure 2: Scheme footprint area
- Figure 3: Dormouse survey transects
- Figure 4: Dormouse survey findings
- Figure 5: Dormouse mitigation proposals

B1075200-T301 Dam Plan
B1075200-T302 Dam Cross Section
B1075200-T250 Landscape Masterplan

(c) Please explain briefly **why** it is necessary to carry out the proposed work affecting dormice. (There is no need to repeat the detail provided in your Reasoned Statement).

**The improvements to Tilgate Dam meet two distinct needs:**

a) the need to reduce flood risk in the town of Crawley and at Gatwick Airport

b) the necessity to carry out improvements to the dam in the interests of public safety, as detailed in the last report under Section 10 of the Reservoirs Act 1975. These need to be carried out “as soon as reasonably practicable”

(d) Provide a brief description of the proposed activity (e.g. grubbing up of hedgerows as part of site clearance works).

**Clear felling of trees and clearance of scrub within woodland totalling an area of 4.2 ha, of which 1.7 ha is in a location designated as ancient woodland. However, the majority of the area designated as ancient woodland was cleared 12 years ago as part of rhododendron clearance, where the vegetation was burnt off and the top soil scraped. The vegetation on site now encompasses young birch trees and rhododendron saplings.**

Have you sent your records to the Local Records Centre? **Yes** ☒ **No** □

C4. **Proposed Activities and Methods**

(a) Please complete all relevant columns in the table below to indicate the methods you propose to use, the activity involved and the time period in which you propose to use each method. This information will be used when drawing up the licence and failure to give full details may result in an inappropriate licence being issued.

<table>
<thead>
<tr>
<th>Activity to be licensed (please tick)</th>
<th>Capture</th>
<th>Kill (exceptional circumstances only)</th>
<th>Transport</th>
<th>Disturbance of Dormice</th>
<th>Damage or Destroy breeding site or resting place</th>
<th>By Method e.g. removal by hand/trap etc</th>
<th>Activity Date</th>
</tr>
</thead>
<tbody>
<tr>
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</table>
(b) Briefly state how you will maintain an equivalent dormouse population at or near to the licensed site.

Enhancement of retained and contiguous areas of woodland to improve the habitat in existing dormouse areas and in contiguous habitat within 500m of the site where dormouse presence was confirmed.

Conversion of a 2.1 hectare conifer plantation (PAWS) to deciduous woodland at Site F (Figure 5). This site is 150 m from the area that was confirmed as supporting dormouse. The methods for creation of dormouse habitat are described in the Outline Woodland Management Plan (Annex 1)

C5. Consideration of Designated Sites

Designated Areas: National Nature Reserves (NNR), Sites of Special Scientific Interest (SSSI), Special Protection Area (SPA), Special Areas of Conservation (SAC), Ramsar sites.

(a) Will any part of the proposed activity fall within an area covered by a designated site?

<table>
<thead>
<tr>
<th>NNR</th>
<th>SSSI</th>
<th>SAC</th>
<th>SPA</th>
<th>Ramsar</th>
<th>Scheduled Monument</th>
<th>Ancient Woodland</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

(b) Will any part of the proposed activity fall adjacent to a designated site? Yes ☑ No ☐

(c) If the activity falls within a designated site, have you consulted with your Natural England local team for advice on the implications of your application on the protected site? Yes ☒ No ☐

(d) Please give either the outcome of your consultations or the reason why you have not consulted. Please enclose any relevant correspondence and the name and location of the local Natural England adviser or reserve manager consulted.

Ms Marian Ashdown (Natural England, Conservation Officer) was consulted about the development and conservation issues on several occasions. Russ Money has also been consulted.

Historical maps suggest that the area designated as Ancient woodland was cleared for at least 50 years from around 1750 to 1809, and the area was managed as a commercial rabbit warren. Maps from 1809 show the area to be heathland, and from 1839 show plantation woodland on the site location. These findings have been discussed with Patrick McKernan, who is currently involved in an ancient woodland remapping exercise.
document will be provided to them for comment by written representations. Natural England or its appointed agents may use the name, address and other details on your application form to contact you in connection with occasional customer research aimed at improving the services that Natural England provides to you. We will respect personal privacy, whilst complying with access to information requests to the extent necessary to enable Natural England to comply with its statutory obligations under the Environmental Information Regulations 2004, and the Freedom of Information Act 2000.

If you believe that any of the information we hold concerning you is incorrect or out of date, please provide us with the accurate information in writing together with supporting evidence (if appropriate). The contact is given at page 1 or Email to - wildlife@naturalengland.org.uk

D1. Have you, or any persons named in this form, been convicted of any wildlife or animal welfare related offences? Yes □ No ☑

If YES, please give details, including dates.

D2. I have read and understand the guidance provided in WML-G12 How to get a licence. I declare that the particulars given are correct to the best of my knowledge and belief, and I apply for a licence in accordance with these particulars.

I authorise employees or representatives of Natural England to enter the site which is subject to this application for the purpose of monitoring and inspecting the permitted activities. Note: Statutory Undertakers should provide documentary evidence of the legal powers used to gain access to land.

Developer/Land Owner:
Signature: ____________________________ Date 16/11/2009

For electronic applications, please insert an electronic signature above or tick this box to confirm agreement with this declaration ☑

Name (BLOCK LETTERS) MALCOLM ORFORD

Ecologist:
Signature: ____________________________ Date 23/10/ 2009

For electronic applications, please insert an electronic signature above or tick this box to confirm agreement with this declaration ☑

Name (BLOCK LETTERS) MARIANNE DAMHOLDT BERGIN

IMPORTANT ADVICE
- Natural England or the Secretary of State can modify or revoke at any time any licence that may be issued but this will not be done unless there are good reasons for doing so. Any licence that is issued is likely to be revoked immediately if it is discovered that false information had been provided which resulted in the issue of a licence.
- Under the Conservation (Natural Habitats &c.) Regulations 1994, any person who in order to obtain a licence knowingly or recklessly makes a statement or representation, or furnishes a document or information which is false in a material particular, shall be guilty of an offence and may be liable to criminal prosecution. Any person found guilty of such offences is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale (currently £5,000), or to both.