

MARINE EUROPEAN PROTECTED SPECIES LICENCE APPLICATION FORM

APPLICATION FOR A LICENCE TO DELIBERATELY KILL, INJURE, CAPTURE (TAKE), DELIBERATELY DISTURB OR TRANSPORT A MARINE EUROPEAN PROTECTED SPECIES (EPS) UNDER:

THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 OR THE CONSERVATION OF OFFSHORE MARINE HABITATS AND SPECIES REGULATIONS 2017

**NOTES FOR GUIDANCE**

Please read the following notes carefully.

i. This is an application form for a licence to deliberately kill, injure, capture (take), deliberately disturb, damage or transport marine European Protected Species (EPS) under the Conservation of Habitats and Species Regulations 2017, or the Conservation of Offshore Marine Habitats and Species Regulations 2017 for the purpose of :-

* **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;
* for the purpose of **preventing serious damage to fisheries**;
* for the purpose of **preventing serious damage to property**,
* in the interest of **protecting wild flora or fauna or conserving natural habitats**;
* for the purpose of **preventing the spread of disease**; or
* for the purposes of the **re-population of an area** with, or the re-**introduction into an area** of, wild animals or wild plants (including any breeding or artificial propagation necessary for those purposes).

Natural Resources Wales, in exercise of the powers conferred under regulation 55(1) and 58(3) (a) of the Conservation of Habitats and Species Regulations 2017, or under Regulation 55(6)of the Conservation of Offshore Marine Habitats and Species Regulations 2017 may issue a licence for the above purposes, allowing activities to be undertaken that 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.

ii. All questions in this application form must be completed in detail unless otherwise stated: failure to provide adequate information will delay the processing of your application. Any further information you wish to provide should be appended on additional sheets. We aim to process applications within 30 working days of receipt of all the information requested. We cannot guarantee an earlier response.

iii. It is a condition of any licence issued that a report of the work carried out under licence is submitted within four weeks of the expiry of the licence. The Licence Report Form can be found on our website. Failure to do so may constitute as on offence. Information from these reports is required to provide summary information to NRW and others on the number of licences issued the purpose of the licence and which species are covered. None of these summary statistics includes personal information about licensees. The information may also be used for conservation purposes and shared with other organisations.

iv. Please note that we will not process your application until we have received all the requested documentation. Please make sure that if you are sending documents or plans to us in hardcopy that the print on these can be clearly read. All copies must be identical to the original document, and in colour as appropriate.

v. Please ensure that all the information sent to us is properly separated and titled and if posted to us that each part is bound together; failure to do so will delay the processing of your application.

vi. Applications are dealt with chronologically. This means they are processed according to when they were submitted, not according to the timing of the works. Please submit your application in good time before the proposed works. If you think your application needs to be dealt with urgently, please ring us to discuss and agree this before its submission.

1. When answering questions, particularly 6 – 11, it may help with your answers if you consider the why, what, how, where and when, approach. For example: Why are you doing it? What are you going to be doing? How will it affect the species in question? etc.
2. Natural Resource Wales can modify or revoke any licence issued; however this will only be undertaken if there are good reasons for doing so. Any licence issued, will be revoked immediately if it is discovered that false information has been provided which resulted in the issue of a licence.
3. The information provided by you will be processed by Natural Resources Wales in line with the GDPRs Data Protection Principles. This will to enable us to process your application; to monitor compliance with any permit conditions; to process renewals, and to maintain the relevant public register.

We will process the information you provide in connection with the following:

* Consultation with third parties who are relevant and responsible for responding to consultation requests from NRW to enable us to process your application
* Carrying out statistical analysis, research and development on environmental issues
* Providing public register information for enquiries
* Preventing and investigating possible breaches of environmental law and taking any resulting action
* Responding to requests for information under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004

**We would also like to send you details about other topics we think may be of interest to you such as NRW news; services relating to environmental matters; asking for your feedback on our service; and more useful information.**

**If you consent to receiving further information from us, please tick the following box to confirm**

Yes, I would like to receive additional information from NRW relating to environmental matters □

**Please note we may pass the information on to our agents or representatives to carry this out for us**

If you have any further queries or concerns, please contact [dataprotection@naturalresourceswales.gov.uk](mailto:dataprotection@naturalresourceswales.gov.uk).  For further information on the processing of your personal details please see our [Privacy Notice page](https://naturalresources.wales/privacy)

x. Any information included in this application which the applicant considers to be in confidence for commercial or industrial reasons or to be the applicant’s intellectual property must be clearly marked as such.

In this document “Natural Resources Wales” means the Natural Resources Body for Wales established by article 3 of the Natural Resources Body for Wales (Establishment) Order 2012. The Natural Resources Body for Wales (Functions) Order 2013 transferred the relevant functions of the Countryside Council for Wales, and functions of the Environment Agency and the Forestry Commission in Wales to the Natural Resources Body for Wales.

Information for completion of an application form:

1. If the document is being handwritten please complete in **BLOCK CAPITALS**
2. Please answer **ALL** questions in detail**.** Incomplete answers will mean delays in your application being processed.
3. **All applicants should read the supporting notes on the back of this form.**
4. Applications can be accepted **either** electronically or by post (electronic is our preferred option).

**Electronic applications**

Email applications to: [specieslicence@naturalresourceswales.gov.uk](mailto:specieslicence@naturalresourceswales.gov.uk). Please DO NOT also send the application by post. When sending in electronic applications, please ensure that all documents are clearly named.

**Postal applications**

The application form must be originally signed by both the licensee and the Ecologist (wet signatures required). Please post to: **Species Permitting Team, National Permitting Team, Natural Resources Wales, Maes y Ffynnon, Penrhosgarnedd, Bangor, LL57 2DW**

1. An acknowledgment will be sent out on receipt of your application, please contact us if you have not received a response within 5 working days
2. NRW aims to process applications within 30 working days. The processing clock will start once we have received a full Application with all the associated information that we ask for in this Application. Please use the check list at the end of the form for guidance. If we have further queries whilst we are processing your Application, the clock will stop once we have asked the query, and re-start once that query has been satisfied.

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Part A. The Applicant (the Developer): Personal details | | | | | | | | |
| **These questions relate to the person who will be the named licensee. This needs to be a named individual; company names and several individuals are not permitted. As the licensee, you will be responsible for ensuring compliance with the licence and its conditions.** | | | | | | | | |
|  | | | | | | | | |
| 1. **(a) Name of applicant** | | | | | | | | |
| Title:(Mr/Mrs/Miss/Ms) | | Forename(s) | | | | Surname | | |
|  | |  | | | |  | | |
|  | | |  |  |  |  | | |
| Company Name | | |  | | | | | |
|  | | |  | | | | | |
| Business Title (if appropriate) | | |  | | | | | |
|  | | |  | | | | | |
| (b) Address | | |  | | | | | |
|  |  | |  | | | | | |
|  | Town | |  | | | | | |
|  | County | |  | | | | Postcode |  |
|  | | | | | | | | |
| Tel number (incl. national dialling code) | | |  | | | | | |
|  | | |  | | | | | |
| Mobile number | | |  | | | | | |
|  | | |  | | | | | |
| Email address | | |  | | | | | |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **2.** | | **Previous applications:** | | | | | | | | | | | | |
|  | | Have you held a relevant EPS licence issued by any of the following? (please place an x as appropriate) | | | | | | | | | | | | |
|  | | |  | | | | | | | | | |
| Natural Resources Wales |  | Marine Management Organisation (MMO) | | |  | Other (please specify) | | | | |  | |
|  | | | | | | | | | | | | |
| If **YES** please provide;  - Your last licence reference number; | | | |  | | | | | | | | |
| The year in which the licence was issued. | | | |  | | | | | | | | |
|  | | | | | | | | | | | | |
| What species did the licence cover? | | | |  | | | | | | | | |
|  | | | | | | | | | | | | |
| **3.** | | **Accredited Agents** | | | | | | | | | | | | |
|  | | An **accredited agent** is a suitably qualified experienced person who is able to carry out work under a licence without the personal supervision of the licensee. To carry out work they must be in possession of a letter signed by the licensee appointing him or her as an accredited agent of the licensee for the purpose of the licence. At all times the licensee is fully responsible for all the work carried out under licence. An **assistant** is employed by a licensee or his/her agent to work under their direct personal supervision at all times. A breach of the licence conditions by an accredited agent, assistant or helper may result in the revocation of your licence. | | | | | | | | | | | | |
|  | | Do you propose to employ accredited agents? | | | | | | | Yes | |  | No |  | |
| If **YES, please** state their name(s) and the work they will be undertaking. | | | | | | |  | | | | | |
|  | | | | | | | | | | | | |
|  | | Do you propose to employ assistants? | | | | | | | Yes | |  | No |  | |
| If **YES, please** state their name(s) and the work they will be undertaking. | | | | | | |  | | | | | |
|  | | | | | | | | | | | | |
| **Part B. The Application** | | | | | | | | | | | | | | | |
| **4.** | Which of the following does your application cover? | | | | | | | | |  | | | | | |
| A | Inshore marine area (0 to 12 nautical miles) | | | | | | | | | | | | |  | |
| B | Offshore marine area (over 12 nautical miles) | | | | | | | | | | | | |  | |

**Please answer questions 6-11 for the species specified in question 5. Please give as much detail and information as possible. Insufficient information may mean delays in processing your application as you will need to be contacted to give this. Make sure you answer all questions, in full. Please remember for question 8 to include the month and year to which you wish the licence to run until. Complete and attach an extra sheet if necessary.**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **5.** | Species (please indicate with x in the box) |  | | |  |  | |
| A | Cetaceans | | | | | |  |
| B | Marine Turtles | | | | | |  |
| C | Common Sturgeon | | | | | |  |
|  | If the application is for cetaceans or marine turtles please list the species below (continue on a separate sheet if necessary) | | | | | | |
|  |  | |  |  | | |  |
|  |  | |  |  | | |  |
|  |  | |  |  | | |  |
|  |  | |  |  | | |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **6.** | **Purpose of the licence application** (tick one box only) | | | | |
|  | **Please indicate the primary purpose for undertaking the proposed works.** | | |  | |
| *Preserving -* | | public health |  | |
|  | | public safety |  | |
|  | | 1other imperative reasons of overriding public interest |  | |
| *For the purpose of* | | preventing serious damage to fisheries |  | |
|  | | preventing serious damage to property |  | |
|  | | preventing the spread of disease |  | |
|  | | the re-population of an area with, or the re-introduction into an area of, wild animals or wild plants (including any breeding or artificial propagation necessary for those purposes). |  | |
| *In the interest of* | | protecting wild flora or fauna or conserving natural habitats |  | |
| 1 including those of a social or economic nature and beneficial consequences of primary importance for the environment | | | | |
| Please explain fully below your reasons for the purpose chosen above. (E.g. Why are the works necessary; how do they fit the selected purpose; What will be the result after the works?) | | | | |
|  | | | | |
|  |  | | | | |
| **7.** | **Purpose of the proposed work** | | | | |
|  | (a) | Please explain why it is necessary to carry out the proposed work affecting the species. | | | |
|  | | | | |
|  | | | | | |
|  | (b) | Provide a description of the proposed activity | | | |
|  | | | | |
|  | | | | | |
| **8.** | **Satisfactory alternatives:** | | | | |
|  | Please provide details of what other courses of action have you considered to avoid or minimise the effects on the species? E.g. doing nothing, alternative designs, or sites. Why are the alternatives not suitable? Why have they been discounted? Please attach further information if necessary. | | | |  |
|  | | | | |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **9.** | Is your application subject to a marine licence? | | Yes |  | No |  |
|  | If **YES** please provide;  - The licence reference number; |  | | | | |
|  | -The year in which the licence was issued. |  | | | | |

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **10.** | **Activities to be Licensed** | | | | | | | | |
|  | (a) | | **Proposed Methods** | | | | | | |
| Please complete **all** relevant columns in the table below to indicate the methods you propose to **use, the activity involved, and the time period** for 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. | | | | | | | | |
| **Activity to be licensed (please place an x in the relevant box)** | | | | | | | Activity (e.g. piling) | **Time period** (month & year) | |
| Capture (including temporary possession) | | Transport | | Disturb | Injure | Kill (only in exceptional circumstances – see footnote[[1]](#footnote-1))\*\* |  | From | To |
|  | |  | |  |  |  |  | Click or tap to enter a date. | Click or tap to enter a date. |
|  | |  | |  |  |  |  | Click or tap to enter a date. | Click or tap to enter a date. |
|  | |  | |  |  |  |  | Click or tap to enter a date. | Click or tap to enter a date. |
|  | |  | |  |  |  |  | Click or tap to enter a date. | Click or tap to enter a date. |
|  | |  | |  |  |  |  | Click or tap to enter a date. | Click or tap to enter a date. |
|  | |  | |  |  |  |  | Click or tap to enter a date. | Click or tap to enter a date. |

\*\*please include biosecurity measures within the provisions of the method statement

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | (b) | **Location of proposed licensed action** | | | | | | | | | |
|  | | Location of proposed works | |  | | | | | | | |
|  | |  | | | | | | | |
|  | |  | | | | | | | |
|  | |  | |  | |  | | | |
|  | | | | | | | | | | | |
|  | | | **O.S. Ref. (e.g. ST 123 123)** | |  | | | | | | |
|  | | | | | | | | | | | |
|  | (c) | Does your Method Statement include a location map of relevant scale? Normally 1:25,000 | | | | | | Yes |  | No |  |
|  | | | | | | | | | | | |
|  | (d) | Please provide an estimate of the number of animals that will be affected by the licensed work? | | | | |  | | | | |
|  | | | | | | |  | | | | |
|  | (e) | Please state why the proposed actions will not be detrimental to the population of the species concerned at a favourable conservation status. | | | | | | | | | |
|  |  | | | | | | | | | | |
|  | | | | | | | | | | | |
| **11.** | **Consideration of Designated Sites** | | | | | | | | | | |
|  | **Designated Areas: Sites of Special Scientific Interest (SSSI), Special Protection Area (SPA), Candidate Special Areas of Conservation (CSAC), Special Areas of Conservation (SAC), Ramsar sites, Marine Conservation Zone (MCZ).** | | | | | | | | | | |
|  | | | | | | | | | | | |
|  | (a) | Will any part of the proposed activity fall within an area covered by a designated site. E.g. SSSI, SPA, CSAC, SAC, Ramsar, MCZ? | | | | | | Yes |  | No |  |
| (b) | Will any part of the proposed activity fall within or adjacent to a designated site? | | | | | | Yes |  | No |  |
| (c) | If YES to either of the above, have you consulted with Natural Resources Wales 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. | | | | | | | | | |
|  | | | | | | | | | | |

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Part C. Declarations** | | | | | | | | | | |
| **12.** | | Have **you**, been convicted of any wildlife or animal welfare related offences? | | | | | Yes |  | No |  |
|  | | | | | | | | | | |
|  | | If **YES**, please give details, including dates |  | | | | | | | |
|  | | **I authorise employees or representatives of Natural Resources Wales to accompany the licencee or anyone undertaking any activity under this application to monitor and inspect the permitted works (please tick the box opposite).** | | | | | | | | |
| **13.** | | I have read and understand the guidance provided in this application form. 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.  Applicants should note that it is an offence regulation 59 of the Conservation of Habitats and Species Regulations 2017 or Regulation 57 of the Conservation of Offshore Marine Habitats and Species Regulations 2017 to knowingly or recklessly provide false information in order to obtain a licence.  If a licence is granted I agree to send to NRW a written report of the licensed activities within four weeks of the expiry of the licence. | | | | | | | | |
|  | Signature of the **Applicant** | | |  | Date | Click or tap to enter a date. | | | | |
|  | | | | |  | | | | |
| Name in BLOCK LETTERS | | |  | | | | | | |
|  | | | | |  | | | | |

|  |
| --- |
| Please return your full completed application to the following Natural Resources Wales address: |
| **Species Permitting Team**  **Natural Resources Wales**  **Maes y Ffynnon**  **Ffordd Penrhos**  **Bangor**  **LL57 2DW**  **or e-mail your completed form to** specieslicence@naturalresourceswales.gov.uk  **Tel. 03000653000** |

Part D. Checklist

|  |  |  |  |
| --- | --- | --- | --- |
|  | Please return your completed application to the following Natural Resource Wales contact details. We would prefer an electronic submission if this is possible. | | |
| **Species Permitting Team,**  **Natural Resources Wales,**  **Maes y Ffynnon,**  **Penrhosgarnedd,**  **Bangor,**  **LL57 2DW**  **E-mail:** [specieslicence@naturalresourceswales.gov.uk](mailto:specieslicence@naturalresourceswales.gov.uk)  **Tel. 03000653000** | **Checklist before submitting your application:** | |
| Completed application form |  |
| Method Statement. |  |
| Copy of marine licence (if applicable) |  |
| Application form signed and dated |  |

1. Killing will only be licenced in exceptional circumstances [↑](#footnote-ref-1)