Badger Location and Usage Survey

Bourne Mill
Farnham

HED. 742.902
Date – November 07
Version. –1st

Hyland Edgar Driver
One Wessex Way
Colden Common
Winchester
Hampshire
SO21 1WG
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Appendix 2. Application for licence to interfere with a Badger sett for the purpose of development. Natural England
1.0 AIMS AND OBJECTIVES

1.1 Hyland Edgar Driver has been commissioned to undertake an independent inspection of the Bourne Mill site and to locate and survey the area for use by Badgers.

1.2 The first action was to contact the regional Badger Group via the National Association of Badger Groups who operate a code of practice in both gathering of survey information and the collection of local information.

2.0 Description of Site / West Sussex Badger Group Info

2.1 The site is located at the western side of the interchange of the A31 at Farnham and is occupied to the southern area by a water mill and associated pond. Around this is an area that sells wooden buildings and statues, further to the north the site is made up of Willow and Alder Carr with streams and ponds. In the very top of the site is an area of secondary woodland that has dryer areas and slopping ground up to the adjacent housing.

2.2 The West Surrey Badger group responded with information within Approximately 1 Kilometer of the A31 interchange.

2.3 From the supplied information this indicated that nearby there are three setts within the area searched plus a number of crossing points and road casualties, around the perimeter of the development site.

3.0 Location of off Site Badger Setts

3.1 Three locations were supplied by the Badger Group these were visited and viewed from a distance to limit disturbance to the setts. All three showed signs of usage, in the sett along the railway embankment new spoil had been pushed out of the hole. The other two were only small setts with a few active holes, these showed clear entrances but no spoil or nest material being recently removed from within the sett.
3.2 As badgers do have a regular range that they forage, it is possible that badgers from all of these setts could be using the site as a feeding area and have an annex sett or outlier sett on the site.

3.3 There are also a number of reports of deaths of badgers along the roads in the area. This unfortunately is the way badger populations are located or activities known. The main records for the area indicate the A31 road heading towards Guilford had a number of deaths which may indicate that the setts to the south mainly forage towards that area and not the development site.

3.4 Therefore the sett to the north of the site can be assumed as the location from which badgers use the site. There is evidence that there is a crossing point across the dual carriageway near to the site.

4.0 On Site Usage by Badgers

4.1 The Development site was surveyed looking for any main setts, annex setts or outlier setts, feeding areas, latrines, push-unders of fences and foraging routes. A plan has been produced showing the locations of any of the above (HED.742.500.01).

4.2 From the survey no main setts were found on the site during the survey, there were a number of foraging routes located, with push unders of the boundary fences. In 2 cases the fences had a number of hairs on the joints of the wires, these were identified as coming from a badger and were located at an end of a route that could be seen in undergrowth. Around the rest of the north western boundary of the site there were a number of entry points that could be used by a badgers, however there were also signs of them being used by other animals such as deer and fox, it has not been possible to full identify particular badger hairs at these points, but cannot be ruled out that they use these points.
4.3 The site was surveyed to find any sign of feeding activity was taking place. In the woodland area two positive areas of foraging could be seen. Other areas there was disturbance in the undergrowth but this could not be directly linked to badgers.

4.4 In the denser areas of the woodland a number of digging pits and a single latrine were found. The two pits had a number of good identifying footprints and claw marks, which could be seen in the soft earth and the deadwood that had been freshly broken open.
4.4 Along the western boundary on the steep bank to the rear of the wooden building storage area and at the base of a tree was a possible outlier sett. This was a wide broad hole with little leaf litter inside and the shape carried on down into the hole. The hole did not have a strong smell, which is an indicator of being used by a fox, there were some badger hairs within the hole. On balance this could be a hole used by badgers on an occasional basis and thereby considered protected by the Badger Act 1992.

4.5 The survey has taken into account the wider area to locate indicators that the site maybe visited by badgers. This resulted in locating foraging routes that led to and from the site, the information from the local badger group stated a possible crossing point to the north west along the dual carriageway, here a flatten route was found and within the soft mud along a part of the route a identifiable badger print was found. There are a number of other routes around the site that have the possibility of being used by badgers, but no direct evidence could be found.
5.0 Recommendations

5.1 From the survey no direct evidence could be found that the site at present contains a main sett. There is direct evidence that badgers are using and have a possible presence on the site. The location of an outlier sett, although sporadically used single hole, there is no direct evidence that other species are using the hole and due to its shape, size and the presence of hairs. As the site has a sett present the sequence the site is developed should follow those described in the Interim Guidance Note attached to this report (appendix 1). Therefore action should be taken to obtain the advice of the Local Species Protection Officer at Natural England.

5.2 Any works as indicated on the illustrated masterplan (HED.742.101) would require, were they are taking place within 30m of the possible sett, a license to consider and mitigate for its impact on the sett.

5.3 As the sett on site is considered at present an outlier, this with the present masterplan showing the retention of the bank in is current form, the sett can be retained in its present state. There is some screening caused by the placement of the wooden buildings and their removal should take place at a time when there will be no disturbance of the sett. Replacement screening of the sett should then take place, such as a row of shrubs, to keep the sett unseen from the proposed path at the base of the slope.

5.4 As the site is also used for the foraging by badgers the following are suggested as mitigation on the site:

- Retention of the vegetation on the slope to maintain the corridor route the badgers use.
- Retain the area and vegetation around the outlier sett.
- Enhance the retained woodland to mitigate for the loss of the foraging on the rest of the site.
- Produce a number of log piles from any trees or vegetation removed during construction.
- Any works to be planned around the time of year that the badgers will not be disturbed.
- The species to be planted as part of any landscaping scheme should aim to have food berries or provide enhanced habitat for the food that the badgers are foraging for at present.
6.0 Badger Information / Legislation

THE PROTECTION OF BADGERS ACT

In Britain the Eurasian Badger (Meles meles) is afforded legal protection under The Protection of Badgers Act, 1992. This Act consolidated previous legislation protecting the badger due to cruelty, primarily with regard to badger baiting, which although it has been illegal as early as the 1830’s, has continued to be practiced in parts of Britain.

It is deemed illegal to harm a badger, to disturb a badger occupying a sett (a structure with entrances excavated by a badger and forming tunnels and nest chambers, otherwise known as a burrow), to damage a badger sett, to prevent a badger from gaining access to its sett, or to block an entrance to a badger sett. A structure known as an artificial badger sett, constructed for the use by a badger, or badgers, when a natural sett is required to be removed under licence, is also protected under the same legislation once the structure has been occupied by a badger.

Disturbance to badgers, or their setts, is normally deemed legal provided that a Badger Disturbance Licence has been previously obtained from either English Nature or The Department of the Environment, Food and Rural Affairs (DEFRA), or an agreement has been obtained from either of these two entities. Such licensing agreements are normally carried out from 1 July until 30 November each year, although exceptions are sometimes agreed, depending on the individual circumstances. Licences to disturb badgers, or for the removal of their setts, are not normally permitted during 1 December until 30 June each year in order to allow the animals an undisturbed period for giving birth to cubs, which normally will be between January and March each year.

With regard to development issues or other works when the use of machinery such as mechanical excavation equipment is being considered near to badger setts, an exclusion zone of 30 metres around a sett is advisable, with the exclusion zone being 15-20 metres for smaller machinery.

Surveys of areas where mechanical diggers or other machinery are required to carry out works are normally conducted prior to any clearance or ground works being carried out to determine whether badgers are present. Although the legislation protects badgers and their setts, protection of foraging areas or areas that badgers use to move around their territories, are not normally protected under current legislation. It is, however, advisable to provide protected areas around badger setts and to retain access areas to allow the badgers freedom of movement to and from their setts, and for foraging, to limit the pressures of subsequent human encroachment and reduce the need for badgers to subsequently forage in gardens. Because badgers are fiercely territorial, and remain within their individual family territories, they are often unable to move to an alternative location if disturbance or encroachment takes place. Leaving or creating suitable habitat within new development will lessen the possibility of any future conflict involving humans and wildlife and will provide a pleasant and enhanced environment which will compliment any new development proposals.
7.0 Location Plans
INTRODUCTION
Badgers are among Britain's most loved wild mammals. They are relatively widespread in England, though their mainly nocturnal habits mean that many people encounter them only as road casualties. Increasing public concern for their welfare led to stronger legal protection being introduced with the Protection of Badgers Act 1992. Unfortunately, digging and baiting still affects badgers in certain areas and the Police, RSPCA and local badger groups work together to report and investigate offences.

Badgers are also affected by development and the purpose of this booklet is to provide guidance on how development can be carried out within the law and in a way that minimises the detrimental impact on this animal. The guidance also explains what development activities might require a licence and provides information on how to obtain a licence from Natural England.
BADGER BIOLOGY AND LIFESTYLE

Adult badgers grow up to a metre long and males can weigh up to 14 kg. They have strong claws and legs with which they dig and move earth. They are omnivorous and their diet typically consists of worms, insects, grain and fruits. During late summer and autumn they accumulate fat reserves. Badgers do not hibernate over winter but they are much less active and stay below ground especially during very cold or wet weather.

Badgers live in family or social groups of related mature and young adults and cubs, sometimes known as clans. Their “home ranges” consist of feeding grounds and one or more setts. A badger sett is defined in the legislation as “any structure or place which displays signs indicating current use by a badger”. Setts can usually be classified as one of the following:

1. **Main Setts**: These usually have a large number of holes with large spoil heaps, and the sett generally looks well used. They usually have well used paths to and from the sett and between sett entrances. Although normally the breeding sett is in continual use all year round, it is possible to find a main sett that has become disused because of excessive disturbance or for some other reason.

2. **Annexe Setts**: These are always close to a main sett and are usually connected to the main sett by one or more obvious, well worn paths. They consist of several holes, but are not necessarily in use all the time, even if the main sett is very active.

3. **Subsidiary Setts**: Often these have only a few holes, are usually at least 50 m from a main sett, and do not have an obvious path connecting them with another sett. They are not continuously active.

4. **Outlying Setts**: These usually only have one or two holes, often have little spoil outside the hole, have no obvious path connecting them with another sett, and are only used sporadically.

Whilst these categories look clear cut, classification might be difficult in the field. In areas of low badger density main setts may be relatively small with only a few holes. One should not necessarily expect to find examples of all sett types in a particular area. Many badger social groups do not have an annexe sett, for instance, whilst in poor badger habitat large areas may be searched without finding a main sett. Setts are sometimes taken over or cohabited by foxes or rabbits. However, they can still be recognised as badger setts by the shape of the tunnel (not the entrance hole), which is at least 250 mm in diameter and rounded or flattened oval in shape.
Badger family groups usually remain loyal to their main setts unless they are frequently disturbed. Opening up new setts and maintaining and extending old setts is a constant occupation, with bursts of digging activity at certain times of the year. Activity and use of setts can change steadily over the years, or very quickly in response to short-term changes such as flooding or a food crop ripening nearby. In general though, badgers are creatures of habit. They tend to use the same pathways to foraging areas and will continue to try to do so despite any obstacles that are placed in their way. New fences may be broken down and new roads crossed despite any difficulty or danger presented.

Badgers mate throughout the year but pregnancy starts around the end of November, or early December, when the previously fertilised embryos implant into the sow's uterus. Often only the most dominant sow in a family group will produce cubs, usually two or three per litter. These are born underground, usually towards the end of January or beginning of February, emerging for the first time after about 8 weeks. The cubs remain dependent upon the sow for a further few weeks while they are weaned and learn how to fend for themselves.

BADGERS AND THE LAW

This is only a guide to the main provisions of the law. Natural England does not provide legal advice to developers and the text of the Act should be consulted and professional legal advice sought for exact interpretations of offences and defences. The Protection of Badgers Act 1992 is based primarily on the need to protect badgers from baiting and deliberate harm or injury. It also contains restrictions that apply more widely and it is important for developers to know how this may affect their work. All the following are criminal offences:

- to willfully kill, injure, take, possess or cruelly ill-treat a badger;
- to attempt to do so; or
- to intentionally or recklessly interfere with a sett.

Sett interference includes damaging or destroying a sett, obstructing access to a sett, and disturbing a badger whilst it is occupying a sett. It is not illegal, and therefore a licence is not required, to carry out disturbing activities in the vicinity of a sett if no badger is disturbed and the sett is not damaged or obstructed.

Since development operations may take place over a protracted period, Natural England recommends that plans consider the effect of the development on seasonally-used setts as well as currently occupied setts. If a sett has shown signs of occupation within the past few months, it could be in use by badgers when development starts and should therefore be taken into account during the survey and any planning stages of the development. Where interference with a sett showing signs of use cannot be avoided during the development, a licence should be sought from Natural England.
Penalties for offences can be severe with fines of up to £5,000 plus up to six months imprisonment, for each illegal sett interference, or badger death or injury. The legislation does, however, recognise the need for a range of legitimate activities to be carried out and allows licences to be granted for certain purposes permitting work that would otherwise be illegal. The purposes for which licences can be granted are:

- Preventing serious damage to land, crops, poultry or any other form of property (e.g. a house, garden, road etc.)
- Any agricultural or forestry operations
- Any operation to maintain or improve any existing watercourse or drainage works, or to construct new works required for the drainage of land, including works of defence against sea or tidal water
- Preventing the spread of disease
- Development
- Controlling foxes in order to protect livestock or penned game
- Ringing and marking
- Scientific or educational purposes or conservation
- Preservation of ancient monuments or an archaeological investigation

The licensing authority in England is Natural England. For information on how to obtain a licence please see the final section of this guidance.

**BADGERS AND THE PLANNING SYSTEM**

Planning authorities are required to take account of protected species and habitat conservation when they consider planning applications. The Department for Environment, Food and Rural Affairs (Defra) published Planning Policy Statement 9: Biodiversity and Geological Conservation (PPS9) for local authorities in England. This document explains the role of planners in considering the requirements of wildlife legislation to protect wildlife. Where protected species are present local authorities should consult Natural England’s area teams before granting planning permission. They should also advise developers that they must conform to statutory species protection.

Natural England believes that all local development plans should contain policies for protected species, including badgers and their setts. Development should not be permitted unless it is possible to take steps to ensure the survival of the badgers in their existing range and at the same population status, with provision of adequate alternative habitats if setts and foraging areas are destroyed.
Natural England will only issue a licence after detailed planning permission has been granted, where applicable, so that there is no conflict with the planning process. Local authorities and developers need to be aware that it may be necessary for an environmental assessment to be carried out, prior to the development, if the proposed development site hosts badgers. Before the planning application is determined, the local planning authority should request a detailed ecological survey/report and developers should be prepared to provide the following information:

The numbers and status of badger setts and foraging areas that are affected by the proposal;

the impact that the proposal is likely to have on badgers and what can be done in the way of mitigation;

judgment on whether the impact is necessary or acceptable; and a recommendation on whether a licence will be required.

Planning Permission and badger licensing are separate legal functions. Thus receiving planning permission from the Local Authority is no guarantee that development operations will not breach the Protection of Badgers Act 1992. Similarly planning permission does not guarantee that a badger licence will be granted. It is important, therefore, that developers take adequate account of badgers at the planning stage in order to ensure that badgers will not be affected or, where a licence is required, that appropriate mitigation measures can be implemented.

BADGERS ON SITE – BEST PRACTICE GUIDANCE

The need to comply with the law is obvious. However, there are other more practical benefits in taking adequate account of badgers when planning a development. Public affection for this species means that the cost of mitigation to accommodate badgers may be small compared with that of dealing with protests or adverse publicity if badgers are not catered for. Natural England recommends that when any protected species is thought to occur on site, early advice be sought from an appropriately experienced adviser, as this can prevent costly delays at a later date. Following the advice below will help developers to avoid committing offences:

- Base your plans on competent advice and an appropriate survey.
- It may take a period of many weeks or months to obtain adequate information about how badgers are using a site. Bait marking (a method used to map territorial ranges) and other survey techniques are usually effective only at certain times of the year.
- Foraging areas should be maintained or new foraging areas should be created.
- Access between setts and foraging / watering areas should be maintained or new ones provided.
- Development that isolates a badger territory by surrounding it with roads or housing results in problems such as increased road traffic collisions, and badger damage to gardens and houses.
• Natural setts are usually favoured over artificial setts, so unnecessary closure of natural setts should be avoided.

• Badger tunnels can extend to 20m from the entrance holes and are located between 0.2 and several metres deep, depending on the soil and topography. Excavation work and heavy machinery should be kept well away from where it could result in damage to the sett or disturbance to any badger occupying the sett.

• Fires and chemicals should not be used within 20 metres of a sett

• Trees should be felled so that they fall away from active setts and badger paths should be cleared of felled timber and scrub wherever possible.

• Disturbances, such as loud noise or vibrations, that might agitate badgers occupying a sett should be avoided or limited to areas well away from the sett.

If this guidance cannot be followed and the work you are proposing is likely to cause sett interference you will need to apply for a licence. In considering your licence application you should note:

Sett interference should be avoided between the beginning of December and the end of June, which is when badgers are breeding. Badgers are particularly vulnerable at this time of year and sett interference can result in dependant cubs being left on their own.

The law does not permit licences to capture badgers for development purposes, so physically moving them out of the way of development is not an option.

The person to be licensed should be competent and will, ideally, have previous, relevant experience in carrying out this type of work.
APPLYING FOR A LICENCE
Licences cannot be issued retrospectively and we take 15 working days to determine applications.

Application forms for licences are available from Natural England at:
E-mail: wildlife@naturalengland.org.uk

Natural England, Wildlife Licensing Unit
Burghill Road
Westbury-on-Trym
Bristol
BS10 6NJ
Tel: 0845 601 4523
Fax: 0845 601 3438

To assess an application we will need:
• A completed application form
• A planning permission reference number, where applicable
• Information on the status, location and use by badgers of any setts that will be affected by the development
• Details of appropriate mitigation for any setts that will be destroyed
• An appropriately scaled map of the development site, which illustrates the location of setts in relation to the proposed development, including a six-figure grid reference and aerial photos if available
• Details of any experience you, or those working for you, have of dealing with badgers and badger sett interference
• A time plan for the proposed works
FURTHER INFORMATION
Further information on badger issues can be obtained from the following organisations:

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<th>Organisation</th>
<th>Contact details</th>
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<tr>
<td>The Badger Trust</td>
<td>2b Inworth Street London SW11 3EP Tel: 020 7228 6444 <a href="mailto:enquiries@badgertrust.org.uk">enquiries@badgertrust.org.uk</a> <a href="http://www.nfbg.org.uk">www.nfbg.org.uk</a></td>
</tr>
<tr>
<td>The Mammal Society</td>
<td>2b Inworth Street London SW11 3EP Tel: 020 7350 2200 (between 11am and 1pm on weekdays) <a href="http://www.abdn.ac.uk/mammal">www.abdn.ac.uk/mammal</a></td>
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<tr>
<td>The Police</td>
<td>Contact local station and ask for the Wildlife Crime Officer</td>
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<tr>
<td>Local Planning Authority</td>
<td>Contact local office</td>
</tr>
<tr>
<td>RSPCA</td>
<td>RSPCA Enquiries Service Wilberforce Way Southwater, Horsham West Sussex RH13 9RS Tel: 0870 33 35 999 (9am to 5pm weekdays only) <a href="http://www.rspca.org.uk">www.rspca.org.uk</a></td>
</tr>
<tr>
<td>The Wildlife Trusts</td>
<td>The Kiln Waterside Mather Road Newark Nottinghamshire NG24 1WT Tel: 01636 677711 <a href="mailto:enquiry@wildlifetrusts.org">enquiry@wildlifetrusts.org</a> <a href="http://www.wildlifetrusts.org">http://www.wildlifetrusts.org</a></td>
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Protection of Badgers Act 1992
APPENDIX 2

Application for licence to interfere with a Badger sett for the purpose of development

- Please complete this application form using **dark ink** and **BLOCK CAPITALS**
- All questions must be answered. Failure to provide all requested information will delay the processing of your application. The completed application should be sent to Natural England at the address given opposite.
- Natural England will aim to determine whether a licence should be issued within 15 working days of receipt of the completed application and all necessary accompanying documents.
- If you experience any problems completing this application, please contact the Wildlife Licensing Unit (details opposite).

The Protection of Badgers Act 1992 fully protects badgers and their setts and makes it an offence to kill, injure or take a badger, to cruelly ill-treat a badger or to interfere with a badger sett by
a) damaging a badger sett or any part of it;
b) destroying a badger sett;
c) obstructing access to, or any entrance of, a badger sett;
d) causing a dog to enter a sett; or
e) disturbing a badger when it is occupying a badger sett where the intention is to do any of those things or where a person is reckless as to whether his actions would have any of those consequences.

Under Section 10(1)(d) of the Protection of Badgers Act, Natural England has authority to issue licences to interfere with a badger sett for the purpose of **development**, as defined by Section 55(1) of the Town and Country Planning Act 1990. You are advised to read the Natural England guidance “Badgers and Development” carefully before completing this form.

**Part A. Personal Details and Experience**

1. Title (eg Mr/Mrs)  Forename(s)  Surname

(b) **Address of applicant**

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<th>Town</th>
<th>County</th>
<th>Postcode</th>
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Tel number (incl. national dialling code)

Fax number (incl. national dialling code)

Mobile number
2. Previous applications

(a) Have you applied for a licence under the Protection of Badgers Act before? Yes ☐ No ☐ If NO, please go to Question 3 below

(b) Have any of your previous licences covered the same activities and purpose as this licence application? Yes ☐ No ☐ If NO, please go to Question 3 below If YES, please give the licence number(s) (it is printed at the top of the licence) of any licences you have held in the last three years.

(c) Have you changed your address since your last licence was issued? No ☐ Yes ☐ If YES, please supply the address on your last licence.

3. Qualifications and experience

Please give brief details below of any experience you have had of dealing with badgers that is of relevance to the proposed activity.

If you do not have sufficient competence we strongly recommend that you involve a suitably experienced person and they apply for the licence.

4. Consultation

Have you consulted with anyone in Natural England regarding any aspect of this licence application? Yes ☐ No ☐ If YES, please give the name of the contact, date and relevant details stating whether the consultation was verbal or by letter. Please attach a copy of any written consultations.

5. Person(s) to be licensed

Persons undertaking any licensed action will be named on the licence. Will anyone other than yourself carry out work permitted by the proposed licence? Yes ☐ No ☐ If YES, please provide the name and contact details of any person(s) who will be acting under the licence (please continue on separate sheet if necessary).

<table>
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PART B Development Summary

Please provide a summary of the proposed development work and its potential effect on badgers or their setts. Please complete each box and attach additional information if appropriate.
A more detailed report or method statement, as explained in the Annexe to this form, must also be submitted in support of the application.

6. Please state the nature of the development work (e.g. new homes, roads etc.)

7. Please indicate the area of the proposed development work by stating the name of the nearest town or village and the county. Do not give the full address at this stage.
Nearest town/village: __________________________ County: __________________________

8. This development: (tick one box)

☐ Has been granted planning permission. Please state the type of planning permission and go to Question 9

☐ Does not require planning consent. Go to question 10

9. Name of the planning authority who issued planning permission: __________________________
Planning permission reference number: __________________________
Contact telephone number for local planning authority: __________________________
Date full planning permission issued: __________________________

Please tick each box to confirm:
☐ There are no planning applications for this site which have yet to be decided.
☐ There are no appeals against the planning application which have yet to be determined.

If planning permission is not full, please give confirmation that all planning issues relating to badgers have been fully resolved. Natural England will only usually issue a licence once detailed planning permission has been granted.

Please go to Question 11

10. Please give an explanation why planning permission is not required.
When do you wish to undertake the proposed action? Please note that licences to interfere with a sett are normally issued between July and November (inclusive). Licences outside of this period are only issued in exceptional circumstances due to concerns over the welfare of badgers during their breeding season.

Date from:       Date to: 

**Effect of the proposed development on badgers and their setts (Please read the Notes on the next page.)** Use photocopies of this page if there is insufficient space on one sheet.

<table>
<thead>
<tr>
<th>Name of sett(^1)</th>
<th>Type of Sett(^2)</th>
<th>Type of Interference(^3)</th>
<th>Method to be used(^4)</th>
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Additional sheet(s) attached?  

**NOTES:**
1. List each sett that will be affected by the development. Start a new line for each sett. Give the sett the same name as it appears in the Method Statement e.g. A, B, C
2. State whether each sett is main, annexe, subsidiary or outlying. If possible state the level of badger activity at the sett.
3. State whether the sett will be destroyed, partially damaged or access obstructed and state whether you propose to re-open the sett once the development is completed.
4. Give a brief methodology i.e. use of one way gates, use of handheld tools etc. Full details should be given in the method statement. State the type of machinery that will be used and the distance from the nearest sett entrance.

**Part C   Declaration**

13. Have you, or any persons named in this form, been convicted of any wildlife or animal welfare related offences?  
    Yes  [ ]  No  [ ]
14. Using and sharing your information

The data controller is Natural England, Northminster House, Peterborough, PE1 1UA.

Your information will be stored and processed in accordance with the Data Protection Act 1998. This Act gives you, as an individual, the right to know what data we hold on you, how we use it, with whom we share it and for it to be accurate. It will be used for processing your application.

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). You should address your correspondence to: Natural England, Wildlife Licensing Unit, Burghill Road, Westbury-on-Trym, Bristol, BS10 6NJ. Tel. 0845 601 4523; Fax. 0845 601 3438; Email wildlife@naturalengland.org.uk

15. Declaration

- I have read and understood 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.
- Where required, I undertake to obtain permission from landowners/occupiers of land to exercise any licence resulting from this application, and to allow any employee or representative of Natural England to monitor or inspect the work described in this application.

Signature of applicant Date

Name in BLOCK LETTERS

Please ensure that you have answered all relevant questions fully and have signed the declaration. If you wish to change the information in this form contact the Natural England Wildlife Licensing Unit.
What happens now?

An assessment of your application will be made by a Natural England wildlife adviser. The adviser might contact you if they need to clarify information about your application and the proposed development. They might also wish to visit the site, in which case they will arrange the visit with you at a mutually convenient time.

Natural England will notify you of the outcome of your application, normally within 15 working days of receiving this application and all the accompanying information. You will receive either a licence or a letter explaining why a licence will not be issued (this might be because a licence is not required, or because further information is needed before a licence decision can be made).

The Licence

If you receive a licence it will state:

- who is authorised to act under the licence,
- the activities that are permitted under the licence,
- where the licensed activities may be undertaken, and
- the time period when you are permitted to carry out the activities.

Activities carried out under licence are subject to a number of legally binding conditions. These are stated clearly on the licence, and must be adhered to or the licence will be invalid. Conditions vary according to the activity licensed.

Monitoring

Natural England monitors a sample of licensed operations to assess the success of licences as well as checking compliance with licence conditions. If a visit is carried out we will usually contact you in advance. However, we reserve the right to visit whenever it is considered necessary to fully discharge our statutory duties under this legislation.

Licence Returns

A report of the action taken under licence, including nil returns, must be sent to Natural England within two weeks (14 days) of the expiry of the licence. Failure to provide a licence report may result in refusal to grant a licence in future.

ANNEXE Specification for reports or Method Statements

To accompany this application we require a report or method statement that clearly describes how the proposed development work will interfere with the badger setts and also demonstrates how any mitigation work will be carried out.

All reports must contain the following information (if not already provided in the application form):
1. **Development site**

- Give the full postal address of the land where work is proposed.
- Give the full name and address of the developer.

2. **Map and site details**

- Give the six figure Ordnance Survey grid reference of the centre of the site, including the two grid letters found on the legend or corner of the map e.g. NZ835762.
- Include an appropriately scaled map of the development site that shows the site location. This map, or an additional larger scale map if necessary, should also show locations of all setts on the site. Aerial photographs of the site are also helpful.
- Setts should be named or numbered and referred to in the legend or report.
- Give the likely status of the setts (whether main, subsidiary, annexe or outliers) and whether they are active or not. State the number of entrance holes at each sett.
- Indicate and specify which setts are to be disturbed, damaged, destroyed or obstructed. Specify any setts that will be re-opened at the end of the works.
- Show the location of any mitigation work eg artificial setts, new foraging habitat, water sources etc.

3. **Survey information**

Give details (including methods and results) of the survey undertaken to identify the location, number and status of the setts that will be affected by the proposed development work. Include details of any bait marking survey or other exercise that indicates territorial range of the badgers on site.

4. **Work schedule**

Give a detailed schedule for all proposed sett interference, stating how and when each badger sett will be affected and indicating the type of machinery or tools to be used and the distance from the sett(s). Explain the rationale for the necessary badger interference. The dates of any proposed mitigation work must also be included (if applicable).

5. **Maintenance and monitoring**

Explain how you will:

i. Monitor badger activity to ensure that badgers do not regain access to excluded setts before and during site clearance and sett destruction.

ii. Monitor the proposed development work to ensure that all licence conditions are met.