# Background

Licences issued for development under Regulation 55(2) of the Conservation of Habitats and Species Regulations 2017 (as amended) for European Protected Species (EPS) have a standard condition that the works be carried out in accordance with the method statement provided with the licence application. It is an offence to breach a licence condition under Regulation 60(1). NRW requires evidence that the licence holder has complied with the method statement submitted with their application when implementing their licence.

Where formal compliance audit is required, a series of performance indicators will need to be agreed together with the evidence required to demonstrate compliance. An example structure for a compliance audit for development works affecting bats is provided below.

**This template should be adapted according to the requirements of individual schemes.**

# Example licence compliance audit report template for developments affecting bats

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| **Natural Resources Wales licence reference number:** |  | Site name:  |  |
| Site grid reference: |  |
| Name of licence holder: |  | Name of developer if different from licence holder: |  |
| Name of ecological consultant: |  | Date/s of audit (dd/mm/yy): |  |
| Date licence issued (dd/mm/yy): | Date licence expired: | Licence implemented between (dd/mm/yy) |
|  |  | From: | To: |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **No** | **Performance Indicator** | **Evidence Required** - this list should be adapted to reflect the agreed method statement. | **Pass (Yes/No), Comments** | **What action is required as a result of findings?** |
|  | **General** |  |  |  |
|  | The licensee will advise NRW Species Officer of the start date for the works prior to works commencing.  | Written or electronic documentation with notification of start of works.  |  |  |
|  | A suitably experienced licensed ecologist will be appointed and retained during the life time of this licence to provide on-site advice. | Letter, contract or other document outlining the appointment of an ecologist for the lifetime of the project. |  |  |
|  | Prior to the start of any works on site, all site workers will be inducted by the project ecologist. This induction will cover the legal status of the species, the method of working and, action to be taken if protected species are encountered. | Copy of documents from ecological induction, showing induction content and detailing contact numbers and contingency procedures should bats be found during the course of works.List of induction attendees. |  |  |
|  | Preparation and implementation of a biosecurity risk assessment as detailed in E.5 of the method statement | Biosecurity risk assessment is available for inspection.Log of biosecurity measures is available for inspection and shows that they have been implemented.Field observation shows that biosecurity measures are in place e.g. anti-fungal spray  |  |  |
|  | **Licence available for inspection by any police constable, employee of the Welsh Assembly Government or employee of the Countryside Council for Wales or authorised persons on demand.** | **Licence is available for inspection on site** |  |  |
|  | **No agent of the licensee shall act under licence unless they are in possession of a letter signed by the licensee appointing them by name as the duly accredited agent of the licensee for the purposes of** **this licence, and shall carry with them the said letter and a copy of this licence and shall produce them to any police constable or employee of the Natural Resources Wales or other authorised person on demand**  | **All relevant accredited agents have copies of licence holder’s letter of authorization. Licence holder’s letter is available for inspection.**  |  |  |
|  | **E.1 Bat disturbance, capture and exclusion** |  |  |  |
|  | Works affecting bat roosts will not commence until the Project Ecologist has inspected the area and confirmed that work can go ahead – as detailed in E.1 of the method statement. | Log and field observation show disturbance, capture and exclusion (as relevant) have been undertaken as detailed in the method statement. Dates of action taken should be noted. Examples of actions to be included - * timing of observations and methods used to confirm if bats still present
* details of exclusions or deterrent methods used
 |  |  |
|  | Action taken if bats found during the course of work | Log detailing* number and species of bats found and location
* actions undertaken if animals found
 |  |  |
|  | **E.2 Bat roost and habitat retention, modification and / or creation** |  |  |  |
|  | Retention of existing roost/s and features (minor changes and maintenance works) as detailed in E.2.1 of the method statement.  | Log and field observation demonstrate retention is in accordance with method statement including: * type of replacement roofing material
* specification of roofing membrane
* use of appropriate timber treatment chemicals & works timed to avoid injury
* addition / changes to insulation and impact on temperature/humidity.
* retention or modification of roost entrances
* enhancements to the roosts e.g. crevice provision
 |  |  |
|  | Modification of existing roosts as detailed in E.2.2 of the method statement | Log and field observation demonstrate modification was in accordance with Method Statement including:* number, location and dimensions of roost areas, including partitioning of roof voids
* construction materials (e.g. roofing membranes, roofing material)
* number, location and design of entrances
* provision of roost crevices
* use of appropriate timber treatment chemicals & works timed to avoid injury
* lighting scheme to avoid illumination of roosts/ entrances
* installation of services that may require maintenance
 |  |  |
|  | Creation of new roosts (including bat houses and bat boxes) as detailed in E.2.3 of the method statement | Log and field observation demonstrate construction and installation was in accordance with Method Statement including:* number, location and dimension of roost areas
* construction materials (e.g. roofing membranes, roofing material)
* number, design & location of entrances
* number, design & location of roost crevices
* number, location and design of bat boxes as specified (e.g. make & model number)
* lighting scheme avoids illumination of roosts / entrances
* replacement roost in good order and ready for occupation (or occupied) before old roost damaged or destroyed
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|  | Retention &/or modification of existing and creation of new habitat as detailed in E.2.4 of the method statement | Log and field observation demonstrate retention, modification or creation was in accordance with Method Statement including:* measures to ensure that existing bat habitat (e.g. vegetation features close to roosts and/or used as flightlines, foraging habitat) have been retained and not damaged during construction.

for new or modified habitat: * design, habitat type, planting schemes & locations;
* provenance of imported plants & biosecurity considerations
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|  | **F and H Post-development site safeguard** |  |  |  |
|  | Implementation of roost site / bat habitat management / maintenance and monitoring as detailed in F.1 and F.2 of the method statement | If audit undertaken during development phase: * Habitat/site management plan demonstrates measures are in place to ensure ongoing maintenance of roost site/s and management of habitat (retained, modified and newly created) post-development and rectifying errors &/or ineffective mitigation including:
* responsibility for and funding for roost site maintenance and management
* maintenance and retention of existing bat habitat features
* monitoring the condition of new planting schemes including irrigation when appropriate, replacement of material that has failed within 2 months with new planting of the same species and size

If audit undertaken post development:* log or report demonstrate roost site management plan has been implemented
* site management works are maintaining the ecological functionality of the mitigation/ compensation site
 |  |  |
|  | Implementation of population monitoring as detailed in F.2 of the method statement  | If audit undertaken during the development phase: * monitoring plan demonstrates measures are in place to undertake bat population monitoring post-development.

If audit undertaken post-development:* log or report demonstrate monitoring plan has been implemented
* log or report demonstrate results passed to local record centre
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|  | Implementation of long term site safeguard proposals as detailed in F.4, H.1 and H.2 of the method statement*NB Not all schemes will require all of the activities* | Log of works demonstrates implementation eg:1. land transfer or other legal interest proposal
2. mitigation/compensation site been listed as a local land charge
3. proposed legal agreements and contracts been completed
4. wardening requirements implemented to proposed timescales and in accordance with the submitted Method Statement
5. financial plan in place to resource mitigation, compensation, monitoring, site management or wardening
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|  | **Any other points to note/comments from auditor:** |

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| **Auditor name and organisation** | **Signature** | **Date** |
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