



KEY POINTS:

- Protected Species licensing guidance
- Natural England issued a Conditional Warning Letter to a Network Rail Project in the South West region
- Consequences of breaching a European Protected Species Licences for Hazel Dormouse

Dear colleagues,

On 10th March 2023, the Okehampton Project Team (Network Rail) received a Conditional Warning Letter from Natural England's Enforcement Team.

Natural England's investigation found that there has been several breaches of the European Protected Species Licences for Hazel Dormouse (*Muscardinus avellanarius*).

The Conditional Warning Letter requires Network Rail to meet 6 conditions by a prescribed date to prevent further enforcement action.


Failure to comply with the conditions of the letter may result in Natural England bringing criminal proceedings or other enforcement action against Network Rail, its contractors or even individuals involved.

Protected Species Licensing

Any environmental licence, permit, or consent agreed with a statutory authority (Natural England) will be subject to legally binding conditions.

Before applying for a licence, a suitably qualified ecologist must be engaged (they will be the 'named ecologist'). It is essential that the team responsible for the works engage with this ecologist and heed the guidance provided to them before and throughout the delivery of works.



It is essential in the management of any ecological risk, that it is identified during the planning and/design stages of the work. Engaging early with specialist ecologists is essential to prevent program delays. Surveys must first take place before applying for a licence. Ecological surveys are restricted to certain times of year, refer to the  [Ecological Surveys SOP](#) for further information.

Project teams should contact the Octavius Environment Team for support and pass on records of Protected Species Licences to the Environment Team.