

## **NRW's Species Permitting Service Coronavirus Covid-19 Questions and Answers**

In the first instance Natural Resources Wales (NRW) would advise you do everything you can to keep yourselves and others safe.

We have received many enquiries from applicants and ecologists in relation to some actions that are normally undertaken under licence since the outbreak of COVID 19 and the advice from government. This short Q and A seeks to address a number of these enquiries.

If the situation changes, we will update this accordingly.

### ***Contacting us during the outbreak***

- Our staff are now working at home and can be contacted by email. We will endeavor to be available to discuss important matters with you but discussions will now be conducted via phone, email or Skype facilities.
- Please be aware that in common with other public service organisations we expect that increased staff absences caused by COVID 19 will inevitably reduce our capacity over the coming weeks and months, despite our best efforts to minimise any disruption. We will use contingency planning to maintain our statutory and customer-facing activities as best as we can.

### ***Should we be surveying during the Covid outbreak?***

- NRW has received a number of enquiries asking whether ecological consultants should be surveying or attending site during the COVID 19 outbreak. NRW is not in a position to provide advice on such enquiries. We would advise that you follow government advice on the outbreak and liaise with your client to reach a suitable agreement.

The UK Government and Welsh Government announcements on the 23<sup>rd</sup> March 2020 introduced new measures to reduce day-to-day contact with other people <https://gov.wales/coronavirus> namely requesting that people stayed at home except for very limited purposes, closing non-essential shops and community spaces and stopping all gatherings of more than two people in public. It was announced that people can only leave home for:

- shopping for groceries or essentials
- any medical need
- travelling to and from work, if it is absolutely necessary and you cannot work from home
- one form of exercise per day

There have also been restrictions placed on non-essential travel.

### **PLEASE TAKE NOTE OF THE DIFFERENCE IN RESTRICTIONS PUT IN PLACE BY THE DEVOLVED ADMINISTRATIONS OF WALES, SCOTLAND AND NORTHERN IRELAND**

NRW's advice in response to these measures is that, at this time, any work you had planned **should only be undertaken where absolutely necessary**; where you cannot do that work from home; and in accordance with the **Government's guidance**. You should also look at guidance provided by overarching environmental businesses such as the BTO, RSPB, CIEEM, etc under which your particular type of work falls.

Please follow the latest Government guidance and restrictions advice in order to prevent the spread and transmission of infection.

The health of yourselves, your families and the wider population is important. Please stay safe and keep well.

***Due to the current situation are you still working and hoping to process applications within the timescales mentioned?***

***Licence Applications:***

- Yes. We are still working and aiming to process licence applications within the timescales stated. As we state above *'Please be aware that in common with other public service organisations we expect that increased staff absences caused by COVID 19 will inevitably reduce our capacity over the coming weeks and months, despite our best efforts to minimise any disruption. We will use contingency planning to maintain our statutory and customer-facing activities as best as we can.'* There may be times in which our service is more limited and delivering to the timescales mentioned proves not to be possible. However, we are trying to stick to our timescales as best as we can and our aim is to get your licence to you by the date noted in our email correspondence to you.

***Amendment requests:***

- In relation to amendment application requests to delay the date of works under an existing licence, we are currently receiving a significant number of such to extend licences into 2021 due to the impact of Covid-19 restrictions. Consequently, we have amended our service level to process this particular type of application to 3 months to enable us to deliver an effective service across all our species licensing responsibilities. All other species licensing service levels remain unchanged.

***I'm hoping to submit a licence application soon and wondered if the current situation with COVID-19 has caused any changes to the normal processes I am familiar with?***

- There are no changes at this time to the process for submitting a licence application. We would however advise that you consider the potential impacts of the current situation with coronavirus for your proposal and include suitable contingencies in your schedule to avoid having to seek an amendment.

***Survey Validity – my survey is over 2 years old and I will be unable to repeat it this year***

- NRW would normally anticipate that surveys submitted in support of a licence application would be no less than 2 years old. We recognise that at this time, it may not be possible to update your surveys this season. We will therefore this year be willing to accept surveys of 3 years in age.

***Survey Completion – I won't be able to complete surveys this year to understand the full significance of my site for the species***

- We would anticipate that such surveys are completed at the first available and appropriate opportunity once restrictions are lifted. In exceptional circumstances, NRW may consider a scheme based on an enhanced mitigation package, providing it satisfies the three tests.

***If we take the position that we cannot attend site (due to the Government Coronavirus advice/company policy) and the licence holder/developer undertakes work in our absence would we be penalised for not being available to undertaking the licensable work on the sites***

- Liability in such circumstances would obviously be for a court to decide. However, we would advise that you ensure that you have informed your client that you have considered the government advice and concluded that your presence on site would not be appropriate at this time. We would also advise that you highlight those aspects of the method statement which require ecological supervision to your client. Putting such advise into writing would be considered to be best practice.

***The licence was on track to be completed on time with the new building roofed and other repairs completed with new and retained bat mitigation features. Due to coronavirus, the building contractor has concluded he must suspend work at the site due to the safety of his workforce. The builder will not now complete the project within the current life span***

- We recognise that these are challenging times and are considering how best to address these circumstances. In the interim, you may apply for an extension to the licence of up to a year. However, you may notice that your amended licence is subject to some additional or varied conditions. Please adhere to these.

***We need to apply for a new application/amendment but don't know how long work will take to finish; including contingencies***

- We recognise that these are challenging times and are considering how best to address these circumstances. We will consider extending licences for a meaningful period to enable completion of work. We advise that ecological consultants ensure that suitable alternative contingencies are included within the licence application and method statement in case the work cannot complete as expected. The objective is to seek to ensure that species needs are also met alongside development aspirations and timescales and of course to satisfy the tests set out in law including that there will be no detriment to the favourable conservation status of the population in their natural range.

***Can NRW issue me with a letter which demonstrates that I need to make a journey to undertake duties associated with the licence I am the ecologist for?***

- NRW is not able to provide letters of this nature. As indicated above, please follow the latest Government guidance and restrictions advice on travel and work in order to prevent the spread and transmission of infection.

***What is NRW's view on the recent recommendations from the IUCN Bat Specialist Group?***

- You may be aware that the IUCN Bat Specialist Group have made some recommendations with respect to field work involving close contact with bats. In common with the other UK Statutory Nature Conservation Bodies, NRW is considering this further with the relevant Health Authorities and will provide an update on this in due course.

-----

***NOTE THAT THIS "Q AND A" IS SPECIFIC TO THE SPECIES PERMITTING SERVICE OF NATURAL RESOURCES WALES***