The Conservation of Habitats and Species Regulations 2017 (as amended)

Wildlife and Countryside Act 1981 (as amended)

European Protected Species Mitigation Licensing -

Reasoned Statement for the purpose of Imperative Reasons of Overriding Public Interest (IROPI)

* The information provided in this form will be used by Natural England to determine whether the proposed activity affecting the European Protected Species meets the requirements of Regulation 55(2)(e) and 55(9)(a) within The Conservation of Habitats and Species Regulations 2017 (as amended), and Section 16(3)(j) and 16(3B)(a) in the Wildlife and Countryside Act 1981 (as amended). These are known as the ‘**purpose**’ and ‘**no satisfactory alternatives**’ tests.
* This form should only be used for licence applications for the purpose of Imperative Reasons of Overriding Public Interest.
* In some circumstances you do not need to complete a reasoned statement. Read the guidance on GOV.UK for more detail on when you do or do not need a reasoned statement − [Protected species licences: when to include a reasoned statement](https://www.gov.uk/government/publications/reasoned-statement-to-support-a-mitigation-licence-application).
* If your application is for the purpose of preserving public health and safety (PHS), you must use the separate [PHS reasoned statement form](https://www.gov.uk/government/publications/reasoned-statement-to-support-a-mitigation-licence-application).

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| *Important Note*: Detailed information on the proposal is required to demonstrate that it will meet the tests set out under the legislation. If you encounter difficulty answering the questions or providing the evidence required, it may suggest that your proposal is insufficiently advanced to satisfy the licensing tests. In that case, you should consider delaying your application until this information is available. |

Please read the following and complete:

* ***Section A: Purpose test***

“*Imperative reasons of overriding public interest” (IROPI) including those of a social or economic nature and beneficial consequences of primary importance for the environment”; “overriding public interest”*

* *Section B: No Satisfactory Alternative test*

The tests are applied proportionately, so the strength of the evidence required to meet each will need to be sufficient to justify the impact upon the protected species. You need to provide clear, concise information for us to be able to meet the licensing tests.

When providing supporting evidence please provide clear referencing, such as page numbers and paragraphs of specific documents, so these can easily be cross-referenced. Please only provide the relevant extracts that help to demonstrate your reasoning rather than including lengthy documents in their entirety. Please do not provide website links to separate documentation, unless you identify where exactly in the linked document or web page the evidence referred to is located. Please note that it may take longer to determine your application if the evidence is submitted as individual documents in their entirety or website links.

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| Section A: Purpose Test | | |
| **A1 Please select against all of the following below which apply to your proposal. You are asked to indicate against those that apply whether the projected benefits are primary or secondary or not applicable to your proposal.**  Please note: A primary benefit is considered to be the key social, economic or environmental benefit brought about from the proposal. A secondary benefit is considered to be an additional benefit, but not the main reason for the proposal. There may be more than one secondary benefit but supporting evidence should be provided in Section A3 where applicable, for each benefit selected. | |
| Does your proposal: | |
| Provide housing in an area where shortfalls have been clearly identified? | Primary benefit  Secondary benefit  N/A |
| Create, repair or enhance essential infrastructure at a local, regional or national level? | Primary benefit  Secondary benefit  N/A |
| Provide care facilities or another essential public service in an area where it is known to be required? | Primary benefit  Secondary benefit  N/A |
| Address another clearly identified social, religious or cultural need? | Primary benefit  Secondary benefit  N/A |
| Create long term employment opportunities in an area of high unemployment? | Primary benefit  Secondary benefit  N/A |
| Deliver other economic benefits or otherwise contribute in some way to the wider economy? | Primary benefit  Secondary benefit  N/A |
| Contribute to addressing problems associated with climate change or promote sustainable energy use | Primary benefit  Secondary benefit  N/A |
| Conserve a place of environmental interest? | Primary benefit  Secondary benefit  N/A |
| Provide alternative sources of energy? | Primary benefit  Secondary benefit  N/A |
| Deliver other benefits from those specified above? | Primary benefit  Secondary benefit  N/A |

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| If ‘Other benefits’ is selected, please provide details here: |  |

A2 In relation to the primary and secondary benefits identified in A1, to help demonstrate the need for the proposal, please provide the evidence and details for all the benefits ticked above.

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| *Important note:* Reference the supporting evidence upon which your reasoning is based and include the relevant extracts. This evidence must link back to the tick boxes selected above. Failure to do so will lead to us having to come back to you for further information.  Supporting evidence can usefully include some or more of the following: Local planning polices and plans, planning permission, policy documents, specialist reports, feasibility studies, extracts from relevant legislation, photographs, media articles or related correspondence. Where applicable, please ensure that planning officer or committee reports, and design and access statements are included as supporting evidence. |

A2 (i) Please provide full details of the proposal in the box below.

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A2 (ii) (a) Explain why your proposal is considered to be imperative (essential).

For example, if your development proposal is for a housing development reference the local housing need as set out in the area plan and explain how your proposal contributes to meeting this need, or how the requirement for the proposed new public service, care facility or infrastructure project was identified.

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A2 (ii) (b) Please provide details of supporting evidence. See guidance on page 1 and above in A2

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| Which of the following are you providing to support the statement you have made above? | | |
| Relevant extracts  from specific  documents | *Reference the document name/s, relevant page/paragraph number/s and insert extracts here:* | |
| Individual  documents in their  entirety | *List the document name/s attached to your application and provide the relevant page/paragraph number/s here:* | |
| Website links | *Insert website links here and specify where exactly in the linked document or web page the evidence referred to is located:* | |
| A2 (ii) (c) If you have not inserted the relevant extracts in the table above, please confirm the above cited supporting evidence is attached to your application. | | Yes  N/A |

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| |  |  | | --- | --- | | A3 There must be a Public Interest. You need to demonstrate that your proposal will deliver a public benefit rather than a solely private interest.  Note: Planning consent (or its equivalent) is considered evidence of public interest so please ensure to reference here but only include details in the application form. | | | A3 (a) Indicate the scale of these benefits: | Local  Regional  National | | A3 (b) Where possible, explain the scale of the primary and secondary benefits that will be achieved from your proposal, in quantifiable terms, as indicated above.  For example, this could be the number of new houses provided in proportion to the identified need (including the number of affordable units) at a local and regional scale; the number of long term employment opportunities that will be created at a local level; the level of reduced Co2 emissions at an ‘X’ level and any other economic benefits for the local area. | | |

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A3 (c) Please provide details of supporting evidence. See guidance on page 1 and above in A2

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| Which of the following are you providing to support the statement you have made above? | | |
| Relevant extracts  from specific  documents | *Reference the document name/s, relevant page/paragraph number/s and insert extracts here:* | |
| Individual  documents in their  entirety | *List the document name/s attached to your application and provide the relevant page/paragraph number/s here:* | |
| Website links | *Insert website links here and specify where exactly in the linked document or web page the evidence referred to is located:* | |
| A3 (d) If you have not inserted the relevant extracts in the table above, please confirm the above cited supporting evidence is attached to your application. | | Yes  N/A |

A4 (a) Explain why the benefits of your proposal (as detailed above in A3) override any harm to the protected species.

The benefit/s arising from the proposal must outweigh the harm (or risk of harm) to the protected species. Generally, this means long-term public benefits rather than short term benefits (i.e. creation of permanent employment opportunities rather than temporary employment or creation of infrastructure that helps to provide long-term solutions to clearly identified national problems associated with energy demands). Please ensure you reference the species concerned i.e. the population size or common/rare species of bat and if the proposed mitigation/compensation will ensure the work is not detrimental to their population and will maintain or increase the favourable conservation status (FCS) of the species impacted by works.

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A4 (b) Please provide details of supporting evidence to verify the above, (this can be documents you are providing in relation to the FCS and Population Status tests). See guidance on page 1 and above in A2

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| Which of the following are you providing to support the statement you have made above? | | |
| Relevant extracts  from specific  documents | *Reference the document name/s, relevant page/paragraph number/s and insert extracts here:* | |
| Individual  documents in their  entirety | *List the document name/s attached to your application and provide the relevant page/paragraph number/s here:* | |
| Website links | *Insert website links here and specify where exactly in the linked document or web page the evidence referred to is located:* | |
| A4 (c) If you have not inserted the relevant extracts in the table above, please confirm the above cited supporting evidence is attached to your application | | Yes  N/A |

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| SECTION B: No Satisfactory Alternative Test (NSA) | |
| Please explain why there is no satisfactory alternative to your proposal.  A “satisfactory alternative” is a different way of achieving the objective of the activity (i.e. meeting your need) which has a *less negative impact on the protected species*. If there is a less damaging satisfactory alternative available that is feasible, then legally, a licence cannot be granted.  You are expected to have considered all reasonable alternative solutions when developing your proposal(s) and to have suitable grounds (and evidence) for discounting each against the proposed solution to meet the need. There are technical and non-technical elements to consider for this test and this part of your application will consider the non-technical elements – focussing on delivering the need. Alternatives can include different locations, routes, designs and construction methods. The Method Statement focusses on the technical elements of this test – i.e. reducing the impact on the species (see ‘Important Note’ below).  *Important Note:* Alternative mitigation (including timing of licensable works) and compensation solutions are considered as part of the FCS and Population Status tests and should be included in the relevant species Method Statement submitted with your application and not here. | |

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| B1 (a) Firstly, please explain why the current situation (i.e. the status quo) isn’t acceptable or feasible, e.g. The consequences of doing nothing. |

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B1 (b) Please provide details of supporting evidence. See guidance on page 1 and above in A2.

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| Which of the following are you providing to support the statement you have made above? | | |
| Relevant extracts  from specific  documents | *Reference the document name/s, relevant page/paragraph number/s and insert extracts here:* | |
| Individual  documents in their  entirety | *List the document name/s attached to your application and provide the relevant page/paragraph number/s here:* | |
| Website links | *Insert website links here and specify where exactly in the linked document or web page the evidence referred to is located:* | |
| B1 (c) If you have not inserted the relevant extracts in the table above, please confirm the above cited supporting evidence is attached to your application | | Yes  N/A |

Please use the tables below to describe each alternative considered.

Please use a separate line for each and tick the relevant reason(s) why it was dismissed. It is important to explain why each alternative was judged to be unsatisfactory or unfeasible to meet the need for the proposal put forward in your application and to provide concise supporting evidence as appropriate (*Please insert additional rows as required).* All three sections (B2, B3 & B4) need to be completed even if you think that the alternative is not applicable; you must provide an explanation as to why an alternative is not applicable and provide supporting evidence.

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| B2 (a) Set out what alternative locations and/or routes (for linear schemes) were considered and indicate how and why they were not acceptable. | | | |
| ‘Not applicable to situation’  If you have ticked *‘Not applicable to situation’*, please explain why here and include supporting evidence in B2 (b): | | | |
| Otherwise please complete this table as appropriate | Won’t deliver need | Not feasible | Greater impact on species |
| Location or route 1: |  |  |  |
| Describe the location or route considered |  | | |
| Clearly set out how and why the alternative location/route was discounted. |  | | |
| Location or route 2 |  |  |  |
| Describe the location or route considered |  | | |
| Clearly set out how and why the alternative location/route was discounted. |  | | |
| Location or route 3: |  |  |  |
| Describe the location or route considered |  | | |
| Clearly set out how and why the alternative location/route was discounted. |  | | |
| Location or route 4: |  |  |  |
| Describe the location or route considered |  | | |
| Clearly set out how and why the alternative location/route was discounted. |  | | |

\**Please note: you can add more rows to the table: Right click in the bottom row > Choose Insert > Insert rows below.*

B2 (b) Please provide details of supporting evidence. See guidance on page 1 and above in A2.

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| Which of the following are you providing to support the statement you have made above? | | |
| Relevant extracts  from specific  documents | *Reference the document name/s, relevant page/paragraph number/s and insert extracts here:* | |
| Individual  documents in their  entirety | *List the document name/s attached to your application and provide the relevant page/paragraph number/s here:* | |
| Website links | *Insert website links here and specify where exactly in the linked document or web page the evidence referred to is located:* | |
| B2 (c) If you have not inserted the relevant extracts in the table above, please confirm the above cited supporting evidence is attached to your application | | Yes  N/A |

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| B3 (a) Set out which alternative development scales or designs were considered for the chosen plot or route. | | | |
| *Important note: If new infrastructure is to be created explain why the need cannot be met by expanding existing infrastructure.* | | | |
| ‘Not applicable to situation’  If you have ticked *‘Not applicable to situation’*, please explain why here and include supporting evidence in B3 (b): | | | |
| Otherwise please complete this table as appropriate | Won’t deliver need | Not feasible | Greater impact on species |
| Development scale or Design 1: |  |  |  |
| Describe the development scale or design considered. |  | | |
| Clearly explain how and why the different development scale or design considered was discounted. |  | | |
| Development scale or Design 2: |  |  |  |
| Describe the development scale or design considered. |  | | |
| Clearly explain how and why the different development scale or design considered was discounted. |  | | |
| Development scale or Design 3: |  |  |  |
| Describe the development scale or design considered. |  | | |
| Clearly explain how and why the different development scale or design considered was discounted. |  | | |
| Development scale or Design 4: |  |  |  |
| Describe the development scale or design considered. |  | | |
| Clearly explain how and why the different development scale or design considered was discounted. |  | | |

\**Please note: you can add more rows to the table: Right click in the bottom row > Choose Insert > Insert rows below*

B3 (b) Please provide details of supporting evidence. See guidance on page 1 and above in A2.

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| Which of the following are you providing to support the statement you have made above? | | |
| Relevant extracts  from specific  documents | *Reference the document name/s, relevant page/paragraph number/s and insert extracts here:* | |
| Individual  documents in their  entirety | *List the document name/s attached to your application and provide the relevant page/paragraph number/s here:* | |
| Website links | *Insert website links here and specify where exactly in the linked document or web page the evidence referred to is located:* | |
| B3 (c) If you have not inserted the relevant extracts in the table above, please confirm the above cited supporting evidence is attached to your application. | | Yes  N/A |

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| B4 (a) Other alternative activities, processes or construction methods considered which would achieve the design but reduce the impact upon the species | | | |
| *Important note* – *detailed timings of licensable works, alternative mitigation and compensation which will reduce the degree of harm are to be considered within the Method Statement and not here.* | | | |
| ‘Not applicable to situation’  If you have ticked ‘Not applicable to situation’, please explain why here and include supporting evidence in B4 (b): | | | |
| Otherwise please complete this table as appropriate | Won’t deliver need | Not feasible | Greater impact on species |
| Alternative activity, process or method 1: |  |  |  |
| Describe the alternative activity, process or method considered. |  | | |
| Clearly explain why this alternative was discounted. |  | | |
| Alternative activity, process or method 2: |  |  |  |
| Describe the alternative activity, process or method considered. |  | | |
| Clearly explain why this alternative was discounted. |  | | |
| Alternative activity, process or method 3: |  |  |  |
| Describe the alternative activity, process or method considered. |  | | |
| Clearly explain why this alternative discounted. |  | | |
| Alternative activity, process or methods 4: |  |  |  |
| Describe the alternative activity, process or method considered. |  | | |
| Clearly explain why this alternative was discounted |  | | |

\**Please note: you can add more rows to the table: Right click in the bottom row > Choose Insert > Insert rows below*

B4 (b) Please provide details of supporting evidence. See guidance on page 1 and above in A2

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| Which of the following are you providing to support the statement you have made above? | | |
| Relevant extracts  from specific  documents | *Reference the document name/s, relevant page/paragraph number/s and insert extracts here:* | |
| Individual  documents in their  entirety | *List the document name/s attached to your application and provide the relevant page/paragraph number/s here:* | |
| Website links | *Insert website links here and specify where exactly in the linked document or web page the evidence referred to is located:* | |
| B4 (c) If you have not inserted the relevant extracts in the table above, please confirm the above cited supporting evidence is attached to your application. | | Yes  N/A |