

CLASS LICENCE

To carry our Volunteer Bat Roost Visitor activities for the purpose of conservation
Level 2



OVERVIEW

This licence permits registered Volunteer Bat Roost Visitors to undertake activities for the conservation of bats using artificial light (eg torches), endoscopes, hand and static hand-held nets; and to train unlicensed Volunteer Bat Roost Visitors under their personal supervision.

This licence may only be relied upon when undertaking official duties as a Volunteer Bat Roost Visitor, under Natural England's Bat Advice contract, or when training unlicensed Volunteer Bat Roost Visitors, for conservation purposes. Users must comply with licence terms and conditions at all times.

This licence does not permit surveying for science, education or research purposes including surveying hibernation sites or surveys to inform development proposals.

This licence is Level 2

A Level 1 licence, which excludes the training element, is also available and this may be more suitable for many people undertaking Volunteer Bat Roost Visitor duties (see Information and Advice note a).

Registration	Anyone wishing to use this licence who does not currently hold a personal Volunteer Bat Roost Visitor licence must first apply to Natural England to be registered.
Recording & reporting	There are data recording and reporting requirements.
Reference	WML – CL16

LICENCE TERMS and CONDITIONS

Legislation	Conservation of Habitats and Species Regulations 2017 ('the 2017 Regulations') and Wildlife and Countryside Act 1981 (as amended) ('the 1981 Act')
Relevant section(s)	Section 16(3)(a) and (b) and section 16(5) of the 1981 Act and under Regulation 55(2) (a) and (b) of the 2017 Regulations
Valid for the period	1 January 2019 to 31 December 2019 (inclusive)
Area valid in	All counties of England (landward of the mean low water mark)
Purpose(s) for which this licence is issued	Conservation
What this licence permits	Subject to all the terms and conditions of this licence and solely for the purpose stated above, this licence permits Registered Persons and their Assistants to: <ol style="list-style-type: none">i. Disturb bats (all species) (Chiroptera), andii. Take and/or capture bats (all species) (Chiroptera) by means of: <ul style="list-style-type: none">- Artificial light (eg torches);- Endoscopes;- Hand; and- Static hand-held nets while undertaking official duties as a Volunteer Bat Roost Visitor, and <ol style="list-style-type: none">iii. To train unlicensed Volunteer Bat Roost Visitors for the purposes of Volunteer Bat Roost Visitor activities.

Who can use this licence	Persons registered to use this licence (Registered Persons) and Assistants of the Registered Person (see 'Definitions used in this licence'), except those with a recent conviction (see Information and Advice note m).
Definitions used in this licence	<p>A "<i>Volunteer Bat Roost Visitor</i>" is a trained, experienced volunteer who agrees to visit bat roosts to provide advice to the general public to try and secure a favourable outcome for bats. They must also be registered as a Natural England Volunteer and may volunteer for Natural England.</p> <p>A "<i>Registered Person</i>" is a person who has successfully registered to use this licence in accordance with Condition 6.</p> <p>An "<i>Assistant</i>" is a person assisting a Registered Person in accordance with Condition 6. For the purpose of this licence Assistants only include registered trainee Volunteer Bat Roost Visitors, who are actively training for their licence with the support of a licensed trainer.</p> <p>A "<i>Volunteer Bat Roost Visitor Trainer</i>" is a person who has successfully completed a BCT Bat Trainer's course and is competent to train unlicensed Volunteer Bat Roost Visitors, who are registered with Natural England as volunteers, to undertake Volunteer Bat Roost Visitor activities under Bat Advice contract work.</p>

LICENCE CONDITIONS

1. This licence may only be relied upon during the conduct of official duties as a Volunteer Bat Roost Visitor or during the training of Volunteer Bat Roost Visitors (see Definitions).
2. Persons acting under this licence must abide by the most up to date iterations of the relevant species guidance. In this context the relevant species guidance includes:
 - i. The advice within the Bat Workers Manual (see Information and Advice note b), and
 - ii. The Bat Mitigation Guidelines (see Information and Advice note b).
3. All bats taken under this licence must be liberated at the site of capture immediately after examination unless specific permission has been granted by Natural England to do otherwise.
4. The licensee may disturb but **not** handle hibernating bats.
5. All relevant animal welfare legislation must be complied with at all times, including the Animal Welfare Act 2006 (see Information and Advice note f).
6. To use this licence you must:
 - a. Be a qualified Volunteer Bat Roost Visitor Trainer (see 'Definitions used in this licence'), and
 - b. Be a registered Natural England Volunteer Bat Roost Visitor who has registered to use this licence, or
 - c. Be authorised by a Registered Person to act as an Assistant (see Definitions), in which case you may act under the authority of this licence so long as you are doing so under the direct supervision of a Registered Person.
7. The Registered Person is responsible for all activities carried out under this licence, including activities carried out by their Assistants.
8. Whilst engaged in work permitted by this licence all persons registered or authorised to act under licence must have access to a copy of this licence and produce it to any police officer or any Natural England officer on demand.

Recording and reporting requirements

9. The Registered Person must return their Bat Roost Report Forms to their Bat Advice Contractor, in accordance with the requirements of Annex A. Records are to be made available for inspection at any reasonable time by Natural England.
10. The Registered Person must comply with the annual registration reporting requirements specified

in Annex A. The report of action must be submitted to Natural England Wildlife Licensing for the period from and including 1 April to 31 March by no later than 30 April each year.

11. If Conditions 9 and 10 are not met then the Registered Person will, by default, no longer be considered registered to act under this licence.

IMPORTANT

This licence authorises acts that would otherwise be offences under the legislation referred to above. Failure to comply with its terms and conditions:

- i. may be an offence against the 2017 Regulations and/or the 1981 Act or mean that the licence cannot be relied upon and an offence could therefore be committed. The maximum penalty available for an offence under the 2017 Regulations and/or the 1981 Act is, at the time of the issue of this licence, an unlimited fine and/or a six month custodial sentence; and
- ii. may result in your permission to use this licence being withdrawn. Natural England will inform any person or organisation whose permission to use this licence is withdrawn in writing. This sanction may be applied to other similar licences.

If the activity that you wish to undertake is not covered by this licence, or if you are unable to comply with any of the terms and conditions which apply to the use of this licence, then you will need to apply to Natural England for an individual licence.

Issued by and on behalf of Natural England on 1 January 2019

INFORMATION AND ADVICE specific to this licence

Level 1 and Level 2 Volunteer Bat Roost Visitor Class Licences

- a. There are two Volunteer Bat Roost Visitor Class Licences. These differ in the activities permitted: Level 1 (reference WML - CL15) permits a Registered Person (and their Assistant) to undertake certain activities, while a Level 2 licence (reference WML - CL16) additionally permits the Registered Person to train unlicensed Volunteer Bat Roost Visitors. **This is the Level 2 licence.**

Guidance on surveying

- b. The [Bat Workers Manual](#) is available from the JNCC website. More general advice is given in the [guidance](#) at Gov.uk. You will be expected to check whether this guidance has been updated and if so, to ensure that you act in accordance with the most up to date version.

Relevant legislation and good practice

- c. Persons acting under this licence may photograph bats in connection with licensed work provided that this causes no additional disturbance
- d. Natural England recommends that anyone handling bats wears gloves and is suitably vaccinated against rabies.
- e. A licence is not required for the short-term keeping of injured bats that were obtained legally for the purpose of tending them in order to release them when no longer disabled. However, if the bats are to be kept for longer than 6 months then the carer should apply for a licence to possess bats. This can be done using the possession licence application form [WML-A37](#).
- f. Persons acting under a licence should have regard to legislation and good practice relevant to the action(s) undertaken, including animal welfare and the Animal Welfare Act 2006 (2006 Act). It is an offence to cause any unnecessary suffering to an animal (including birds) under the control of man (section 4 of the 2006 Act). This applies to the humane despatch of captured animals and the treatment of animals held in traps or nets, including decoy birds and non-target animals. For advice on the relevance of the 2006 Act to wildlife management please refer to the Natural England leaflet [‘The Animal Welfare Act 2006: what it means for wildlife’ \(TIN072\)](#).

Registering for this licence

- g. Only Registered Persons, or persons authorised or supervised by a Registered Person (see Condition 6), may act under this licence. Anyone seeking to become a Registered Person must apply to Natural England. You can [register online](#) to use this licence. Alternatively applications can be submitted by email or post (contact details below). Applications require supporting evidence (including references) indicating appropriate knowledge and experience of the species covered by this licence and the management techniques permitted (see [‘Reference guidance’](#)). Applications require evidence that they have attended and successfully completed a Natural England/BCT ‘Bat trainer’s’ course.
- h. Once registered, a person is entitled to use this licence so long as they satisfy the licence's terms and conditions; annual re-registration is not required. Failure to comply by the terms and conditions, including the recording and reporting requirements, will, by default, render registration null and void. The annual reporting process is used to verify a person's desire to remain registered.

- i. Anyone seeking to confirm whether a person is registered to use this licence should contact Natural England Wildlife Licensing (contact details below).
- j. A person's registration may be revoked by Natural England, for example, if that person breaches the conditions of this licence. In these circumstances Natural England will normally give 28 days' notice of our intention to revoke a person's registration.

INFORMATION AND ADVICE for all Class and General Licences

General Information

- k. Natural England checks compliance with licences and the attached conditions. Where breaches are identified, these may be subject to enforcement action.
- l. Ordinarily, licences will be reissued on 1 January each year (*NB you do not need to re-register for those with registration requirements*). Please note, however, that they can be modified or revoked at any time by Natural England or the Secretary of State, but this will not be done unless there are good reasons for doing so. You are advised to check the terms and conditions of a licence prior to your first use of it each year in case of amendments.
- m. No person convicted on or after 1 January 2010 of an offence under the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981, the Protection of Badgers Act 1992, the Deer Act 1991, the Hunting Act 2004, the Wild Mammals (Protection) Act 1996, the Animal Welfare Act 2006 or the Protection of Animals Act 1911 (all as amended) may use this licence without the permission of Natural England unless, in respect of that offence, either:
 - i. they are a rehabilitated person for the purposes of the Rehabilitation of Offenders Act 1974 and their conviction is treated as spent; or
 - ii. a court has made an order discharging them absolutely.Any request to use the licence by a person to whom this note applies will be considered on its merits.

The limits of licences

- n. Licences permit action only for the purposes specified on that licence.
- o. Licences do not permit actions prohibited under any other legislation, nor do they confer any right of entry upon land.
- p. Unless otherwise stated the provisions of Natural England licences only apply landward of the mean low water mark in England. The Marine Management Organisation is responsible for all licensing seaward of the mean low water mark.

Protected sites

- q. With the exception of WML-CL25 (*To permit the diversionary feeding of hen harrier (*Circus cyaneus*) on grouse moors in northern England*), a licence is not permission from Natural England for an activity that could damage a Site of Special Scientific Interest (SSSI). The notification documents for each SSSI contain a list of operations that could damage its special features and for which prior permission from Natural England is required. Owners and occupiers of sites notified as SSSIs are required to give written notice to Natural England before beginning any of these operations, or allowing someone else to carry out these activities. A similar process applies for public bodies and statutory undertakers (as defined under Section 28G of the Wildlife and Countryside Act 1981 (as amended)) and this obligation applies even where the operations are carried out on land outside of the SSSI. See Gov.uk for further information.
- r. In considering whether to issue consent or assent for activities on a SSSI that is a European Site, in other words a Special Protection Area (SPA) or Special Area of Conservation (SAC), Natural England will consider whether there is likely to be a significant effect on features of European importance (alone or in combination) and carry out a Habitats Regulations Assessment, as required.
- s. To identify SSSIs, European Sites and the features for which they are designated, refer to www.magic.gov.uk. Consult the SSSI citation for details of 'operations likely to damage', and consider whether your activity is likely to have an impact. Advice may be sought from the local adviser for the SSSI: <https://www.gov.uk/government/organisations/natural-england>.

Using and Sharing Your Information

- t. There is significant public interest in wildlife licensing and in those who benefit from receiving a wildlife licence. We may make information publicly available, for more information, please see our [Privacy Notice](#).

Contact details for Natural England

For licensing enquiries:

Telephone 020 802 61089

Email wildlife.scicons@naturalengland.org.uk

Postal address Wildlife Licensing, Operations Delivery,
Natural England, Horizon House, Deanery Road, Bristol, BS1
5AH

For other enquiries use the Enquiry Service:

Telephone 0300 060 3900

Email enquiries@naturalengland.org.uk

Web <https://www.gov.uk/government/organisations/natural-england>

ANNEX A - Recording and reporting requirements

Bat Roost Visitor Reports

All Bat Roost Visitor Reports must be sent to the Bat Advice Contractor in accordance with the Bat Advice contract requirements (within one month of the final visit to a site unless the case is urgent). It is important that all sections of the report form are completed. These reports do not need to be sent separately to Natural England.

Records

Each Registered Person shall maintain a record, which must be kept for at least 12 months beyond the expiry date of this licence, of the following information from each visit undertaken in the capacity as a Volunteer Bat Roost Visitor:

- Date visit undertaken;
- Reference number for each bat advice letter/Bat Roost Visitor Report;
- Number and species of bats taken/released each time;
- Method used;
- 8-figure grid reference (minimum) and county; and
- Details of any accidental bat deaths or injuries, whilst using this licence.

If Bat Roost Visitor Reports are fully completed we may be able to remove the requirement to maintain separate records in the future.

Maintaining registration to use this licence:

Registered Volunteer Bat Roost Visitors are required to submit a report of action to Natural England on an annual basis. Natural England will contact you by email to:

- a. Enquire whether you wish to remain registered to use this licence by the **30 April** each year.
- b. To confirm that you have submitted a Bat Roost Visitor Report for each site the licence was used.
- c. To confirm the names of trainee Volunteer Bat Roost Visitors you have provided training to and specify names of those persons who have successfully completed their training.

The report of action template (LR-CL15-16) and applications forms are available online at:

<https://www.gov.uk/government/publications/bats-survey-class-licence-for-volunteer-bat-roost-visitors-level-2>.