

Natural England's Response to the Examining Authority's Second Written Questions

ExQ1	Question	Natural England's Response
3. Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA))		
2.3.1	In its response to ExQ1.3.8 [REP1-071], NE stated that it would be helpful for the Applicant to provide a table with a reason for why each resource was scoped out / not carried forward in the assessment. The Applicant provided this at Deadline 4 [REP4-053]. Can NE please comment on this?	We are satisfied with the amended table provided by the Applicant, and the reasons why each resource was scoped out/not carried forward.
2.3.2	During Issue Specific Hearing 2, the ExA asked the Applicant about completing the surveys of Great Crested Newts, which had been curtailed due to COVID-19. The response [REP4-051] was that the survey window had now passed and that there were no further opportunities to survey this species within the remaining examination period. However, Requirement 7 of the dDCO requires pre-construction protected species surveys and the Applicant confirmed the surveys would be completed at this time and any necessary licences subsequently applied for. Is NE content with this approach given the circumstances?	<p>Natural England is willing for this approach to be adopted due to the circumstances around the pandemic. Provided the wording in the dDCO fully reflects that no pre-construction related activities, including any earth moving or habitat removal, can take place before survey work, assessment, and if necessary, any mitigation measures have been identified, and agreed with the relevant parties.</p> <p>We advise that consideration is given to whether any delay in habitat removal for the purposes of these surveys could have implications for any breeding birds, if it is not possible to removal suitable habitat in advance of their breeding season.</p>