



European protected species licences

Marine renewables

What is a European protected species (EPS) licence?

EPS licences are issued to allow an activity to go ahead which would otherwise be an offence under the Conservation of Habitats and Species Regulations 2010 and the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007.

The most common offence for which a licence may be issued is for the disturbance of an EPS. In the marine environment the main EPS are:

- whales (all species)
- dolphins (all species)
- porpoises (all species).

When would a licence be required?

The Joint Nature Conservation Committee (JNCC) has issued guidance on 'The protection of marine European Protected Species from injury and disturbance'. This is currently in draft format but copies are available on request.

EPS licences may be required when the acoustic disturbance of cetaceans cannot be completely mitigated during piling activities in the construction phase of wind farms.

Licences are issued only as a last resort. Mitigation should be applied to reduce the risk of an offence occurring to negligible levels in the first instance.



What is the application process?

Applications take six weeks to process. This includes a 15-day consultation with our statutory nature conservation bodies – Natural England and/or JNCC depending on the location of the activity.

It is advised, therefore, that applications for EPS licences are submitted at least six weeks before construction is due to start and on finalisation of the marine mammal monitoring protocol (MMMP).

We work closely with the Offshore Renewables Team at the MMO to ensure we are aware of Food and Environment Protection Act 1985 licence applications and Coast Protection Act 1949 consent applications and can consider the requirement of an EPS licence in these initial stages. We advise contact with our wildlife licensing team during this period to ensure a simplified and smooth running process.

Seismic surveys

The risk of committing an offence and recommendations for mitigation are outlined in the JNCC guidance. The need for mitigation and possible requirement for an EPS licence should be considered before carrying out a seismic survey. Please contact us for more information.

Acoustic deterrent devices (ADDs) and acoustic harassment devices (AHDs)

The risk of an offence and advice for the use of these devices is outlined in the JNCC guidance. Please contact us for more information on potential licensing requirements.



Who to contact

For English inshore and offshore waters (from 0 to 200 nautical miles) and Welsh offshore waters (from 12 to 200 nautical miles):

Wildlife Licensing
Marine Management Organisation
PO Box 1275
Newcastle upon Tyne
NE99 5BN
Website: <http://www.marinemanagement.org.uk/protecting/wildlife/index.htm>
Email: conservation@marinemanagement.org.uk
Phone: 0191 376 2564/2565

For Welsh inshore waters (from 0 to 12 nautical miles):

Welsh Assembly Government
Marine Consent Unit
Cathays Park
Cardiff
CF10 3NQ
Phone: 029 2082 3225

For Scottish waters (this will transfer elsewhere in the future – check website):

Wildlife Management Team
Natural Resources Division
Species Licensing Team
1 - D North
Victoria Quay
Edinburgh
EH6 6QQ
Website: <http://www.scotland.gov.uk/Topics/Environment/Wildlife-Habitats/16330>
Email: specieslicensing@scotland.gsi.gov.uk
Phone: 0131 244 6549

For Northern Irish waters:

Wildlife Team
Klondyke Building
Cromac Avenue
Gasworks Business Park
Belfast
BT7 2JA
Email: jon.lees@doeni.gov.uk
Phone: 028 905 69551

