

Fivehead Parish Council.

Environment and Wildlife Legislation, including the updated Wildlife and Countryside Act 1981.

Created by Dave Braddock – July 2023.

Hazel Dormice Legislation (2015) – Natural England, Defra.

Next update July 2024.

A one stop place for all the community of Fivehead to check the latest legislation for Hazel Dormice protection. This document should hopefully assist as a guide if you are a member of the public and see something going on, a farmer wanting to work on a hedgerow, a Parish Councillor replying to a planning application, a resident thinking of doing some building work and a developer considering building on a plot of land. This document does not cover every legal aspect but is intended to be used as a guideline so professional advice is needed before starting.

If you see something going on in the community that you are not sure about, The Parish Council can be contacted at:

fiveheadpc@gmail.com

Target Audience.

- Parish Council
- Members of the public
- Planning Applications
- Farming Community
- Developers
- Illegal Activity

Hazel Dormice Legislation.

Hazel dormice, their breeding sites and resting places are protected by law.

You may be able to get a licence from Natural England if you can't avoid disturbing them or damaging their habitats.

What you must not do.

You're breaking the law if you do certain things including:

- deliberately capture, injure, or kill hazel dormice
- damage or destroy a dormouse resting place or breeding site
- deliberately or recklessly disturb a hazel dormouse while it's in a structure or place of shelter or protection
- block access to structures or places of shelter or protection
- possess, sell, control or transport live or dead hazel dormice, or parts of hazel dormice

Any of the following could happen if you're found guilty of any offence:

- you could get an unlimited fine
- you could be sent to prison for up to 6 months

Activities that can harm hazel dormice.

Hazel dormice can be affected by:

- handling
- disturbance, e.g., noise and light, woodland and hedgerow management
- habitat removal, clearing woodland and removing hedgerows
- habitat fragmentation and isolation

In most cases you should be able to avoid harming the hazel dormice, damaging, or blocking access to their habitats.

If you can't avoid this and you're doing development work, you can apply for a mitigation licence from Natural England. You'll need expert help.

When to ask for a survey.

You should ask for a survey if:

- distribution and historical records suggest dormice may be present -
- the development will affect an area of woodland, hedgerow, or scrub suitable for dormice

Absence of a record does not mean there are no hazel dormice. It could mean there is no survey data available for that location.

Surveys need to show whether hazel dormice are present in the area or nearby, and how they use the site.

Survey work can include:

- visual searches for nests and opened hazelnuts - for smaller projects, such as creating gaps in hedgerows or removing a small amount of bramble scrub
- using nest tubes and boxes - for more damaging projects or licence applications

If hazel dormice are found on part of the site, you can assume they're present in suitable habitats on the whole site.

Unless the proposal will have a low impact on hazel dormice, the survey should also include an assessment of the site's importance. Factors to consider include:

- the presence of other dormouse populations in the area
- whether dormice are widespread or limited to a few sites
- location of the population relative to dormouse range
- habitat composition
- predicted densities

The survey should be from the current or previous active season. Surveys up to 3 years old are acceptable if the habitats have not significantly changed.