

HS2 - Licence to Kill



Jones Hill Wood, known affectionately as Roald Dahl woods, is destined to be destroyed as a Licence to fell is issued.

Natural England, the agency established to protect the Environment, have granted HS2 a licence to disturb and destroy bat roosts and felling has started in Jones' Hill Woods in Buckinghamshire. The ancient beech woodland is affectionately known by locals and campaigners as Roald Dahl Woods, as this magical woodland and its rich wildlife was part of the countryside near the author's home that inspired his tale of Fantastic Mr Fox.

This shock comes just as we receive the news that local MP, Cheryl Gillan has died aged 68. She dedicated her recent years to relentlessly protecting the natural environment she loved from HS2 and the havoc it has been unleashing on her constituency in Buckinghamshire.

The licence (WML OR-58) allows HS2 to capture, transport, disturb and destroy bat roosts, allowing HS2 to perform activities that would otherwise be illegal. Thus a licence to kill has been issued. The licence completely disregards the welfare and habitat of all other wildlife within the woods.

HS2 have gone from a position of last autumn claiming 'there are no roosts in the wood' to now 'there is one confirmed roost' in February of this year and now, in order to obtain the licence, accepting that there are likely to be several others, including breeding roosts of a rare species. This demonstrates that previous attempts to fell were illegal, and that actions such as flooding the woods with high powered lighting have also been potentially illegal. It is only the actions of dedicated campaigners and the threat of legal challenge that has forced them to carry out the surveys that they should have done, and have had seven years to do since HS2 was first approved.

"Squirrel", one of the protesters evicted from Jones Hill Wood in October stated, *"After spending the last year working alongside activists, community members, and academics to build a body of evidence and legal challenge to save Jones' Hill Wood, we have once again*

been let down by Natural England and been shown how ineffective UK wildlife law is in the face of an infrastructure project like HS2. Natural England themselves have recognised the significance of this habitat and area, but despite being created to protect the environment by law, they are issuing licences to kill. We have followed every avenue within the law, and yet again we are seeing HS2 being allowed to continue with inadequate surveys"

Actions of protestors, the local community and the threat of legal action by the Woodland Trust stopped Jones Hill Wood from being felled last autumn without a bat licence. It is now clear that this prevented offences under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017 from being committed by HS2. Whilst occupying the woodland in an attempt to protect it from HS2, Earth Protectors worked with the local community and independent ecologists to survey and monitor the rich ecosystem in the ancient woodland. The team discovered that Jones Hill Wood supports the rare and endangered barbastelle bat. With an unstoppable clamour from the Earth Protectors, the local community and NGOs including the Woodland Trust and Chilterns AONB, felling was halted. This has opened up ongoing legal and public scrutiny. Jones Hill Earth Protectors instructed Solicitors who have worked with their legal team to hold both HS2 and Natural England to account to ensure that both HS2 and Natural England fulfil their legal obligations. The Crowdfunder to finance the legal case has received support from 100's of supporters across the UK as opposition to the destruction caused by HS2 increases.¹

The issue of the licence by Natural England takes no account of the fact that since taking possession of Jones Hill Wood, HS2 have sought to sterilise the site's interest for bats via high human presence, clearance of understorey vegetation and the use of high powered lights that will inevitably have disturbed and deterred bats.

As part of obtaining a licence, HS2 are required to put in place adequate mitigation to ensure there is "no detriment to the species' conservation status". What they have done to meet this is laughable – with bat boxes installed within a 20 metre corridor, disturbed by bright lights, generators and human activity.

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<https://www.crowdjustice.com/case/protect-jones-hill-wood-from-h/>



If this is how HS2 and NE have behaved at Jones Hill Wood, where their every move has been scrutinised. Our question is, what has happened to the countless other woodlands and hedgerows along the route where lesser or no such scrutiny has been applied?

As well as the “mitigation” for bats, HS2 also plans to “mitigate” the damage done to the ancient woodland include planting saplings and moving the topsoil from the wood to a nearby field, a process called 'soil translocation'. Natural England has stated that it is impossible to replace or to move ancient woodland, this is no more than an unproven salvage operation. Ancient woods are our richest and most complex terrestrial habitat in the UK and they are home to more threatened species than any other. Centuries of undisturbed soils and accumulated decaying wood have created the perfect place for communities of fungi and invertebrates. Other specialist species of insects, birds and mammals rely on ancient woodlands. You simply cannot recreate this delicate habitat by raking up the soils and spreading them over an arable field.

The Legal Team, working with Ecologists and Earth Protectors on the ground, are making an urgent challenge as felling starts. The question is whether Natural England can be fully scrutinised so it will finally come through for the wildlife and environment it was set up to protect, or whether the build and destroy ethos that is pushing our planet to the brink of collapse will prevail?

Links

<https://www.crowdjustice.com/case/protect-jones-hill-wood-from-h/>

https://youtu.be/0y5u3jM8t_c

<https://naturalengland.blog.gov.uk/2021/03/31/bat-licensing-at-jones-hill-wood/>

<https://www.woodlandtrust.org.uk/trees-woods-and-wildlife/habitats/ancient-woodland/>

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