

# Headline advice note for developers

## Hazel dormice

The notes below give headline advice only and may not include the latest information as legislation and guidance is subject to change. Please seek professional advice.

### When do I need to consider dormice?

Hazel dormice are protected under national and European legislation. If you are carrying out any work that could harm them or their habitats you should obtain advice from a [suitably experienced and licensed ecologist](#).

Devon is a stronghold for dormice and they are found across the county. They live in trees and bushes and so can be found in deciduous woodlands, hedgerows and scrub. They can sometimes be found in habitats considered (by us) to be less suitable such as conifer plantations and gorse.

Activities that could harm dormice include:

- Habitat loss, damage and disturbance
- Habitat fragmentation e.g. severance of hedgerows
- Predation by domestic cats.



A simple way of knowing whether you need to obtain advice is to fill in the [Devon Wildlife Trigger Table](#) (impacts vii and viii are relevant to dormice). If you are applying for planning permission from DCC please follow the [Wildlife Planning Guidance for Applicants](#). If applying for planning permission from another LPA please follow their guidance. If you are taking forward a DCC project that doesn't need planning permission please follow the internal Environmental Review guidance.

### Basic ecology

Hazel dormice are small and golden in colour with a furry tail and large black eyes.

They are nocturnal and generally require good connectivity of the tree or shrub layer to enable dispersal, although they are known to cross open spaces on the ground. They have a varied diet of fruit, nuts, pollen and insects.

**Summer nests are generally built in woody vegetation above the ground.** Nests may be built in low shrubs as well as high up in tree holes, old birds' nests and squirrel dreys as well as artificial bird or bat boxes. Within a week they may use three different nesting sites.

**Winter hibernation nests are built at ground level** where it is cool and humid e.g. among tree roots, in hollows under moss or leaf litter, under fallen timber or in the base of a hedge. Dormice are sensitive to climate and weather and will spend periods in 'torpor', a state of inactivity during cool or wet weather.

### Surveys - quick overview

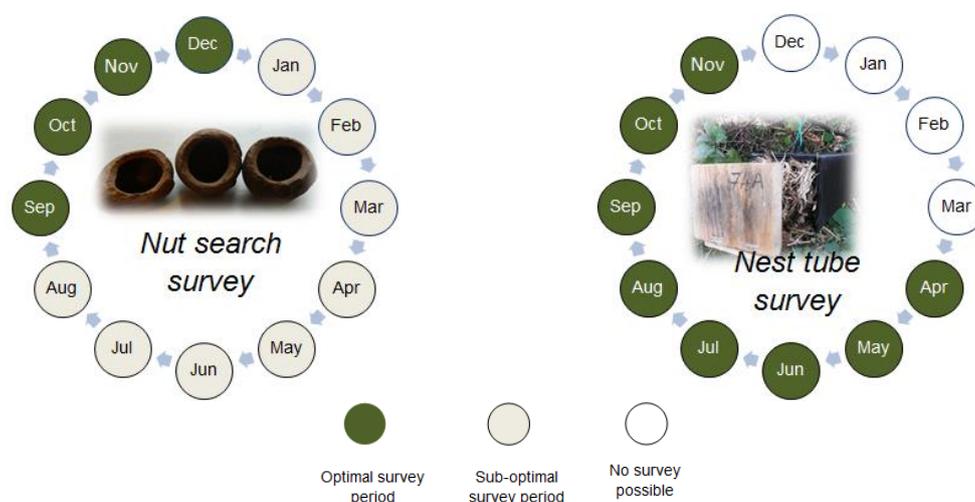
If the ecological consultant determines that the proposal will result in an offence a survey will be required to confirm dormouse presence (in order to obtain a licence from Natural England you must have proof that dormice are present). However if avoidance and mitigation measures can be put in place to avoid an offence being committed, a detailed dormouse survey may not be needed. Presence can be determined by a consultant ecologist in a number of ways including:

**Hazelnut search:** Dormice open these nuts by making a characteristic neat round hole, leaving toothmarks around the outside edge of the hole, with a smooth inner rim. The optimal period for nut searches is between September and December when nut shells and tooth marks are fresh.

**Nest tubes:** Nest tubes are small plastic tubes with wooden trays which dormice will use to build their summer nests and use between **April and November**. It is recommended that **at least 50 nest tubes** are set out before the survey season and checked every month between April and November (as dormouse nests may be destroyed by other small mammals, such as wood mice). National guidance specifies the survey effort to be used. Using a high concentration of nest tubes over a shorter time period is not best practice and may have implications if a EPS licence is required (see below).

**Note that a licence is needed to inspect the tubes due to the possibility of a dormouse being disturbed. You must therefore employ an ecologist with a dormouse licence.**

**National guidance should be followed. If not then this needs to be justified.** For more *information* see the [Dormouse Conservation Handbook](#), or [NE's Standing Advice](#)



**Legislation and licensing - headlines**

**Species legislation**

Hazel dormice and their habitats are protected under European and national legislation - the [Conservation of Habitats and Species Regulations 2010 \(as amended\)](#) and the [Wildlife and Countryside Act 1981 \(as amended\)](#). They are therefore a [European Protected Species \(EPS\)](#). **It is an offence to:**

- capture, injure, kill, or disturb dormice
- obstruct access to their resting or sheltering places
- damage or destroy a breeding site or resting place..

**Note that this is a simplified explanation of the legislation. If an activity is likely to result in any of the above please discuss this with your dormouse consultant.**

**Licences**

Activities likely to result in an offence will require a mitigation licence from Natural England. In order to obtain a licence three tests must be met:

1. The consented operation must be for 'preserving public health or public safety or other imperative reasons for overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'; and
2. There must be 'no satisfactory alternative'; and
3. The action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'.

**Wherever possible avoidance and mitigation measures (see below) should be undertaken to reduce impacts on dormice and avoid the need for a licence.** If an EPS licence is required for a development which also requires planning permission the LPA will need sufficient information to consider whether the three tests (see above) are met. If the tests are not met planning permission should not be granted. Note that the licence cannot be obtained before planning permission is granted.

### Priority species

Dormice are also identified as [UK](#) and [Devon Biodiversity Action Plan](#) priority species. Public bodies (including LPAs) must have regard to their conservation in fulfilling their duty under the [Natural Environment and Rural Communities \(NERC\) Act 2006](#).

## Avoidance, mitigation, compensation and enhancement measures

Example measures are given below. However these are for **illustrative purposes** only and you should follow the advice given by your dormouse consultant. Further information can be found in [Natural England's Standing Advice](#). Detailed information can be found in the [Dormouse Conservation Handbook](#).

### Examples of avoidance measures:

- Design the scheme in order to protect hedges and woodland and maintain arboreal connections e.g. use directional drilling under a hedgerow to install a pipeline rather than creating a gap in a hedgerow.

### Examples of mitigation measures:

- Remove all vegetation in October (to avoid the breeding and hibernation seasons).
- Remove above ground vegetation between October and April (to avoid the dormouse breeding period).
- Undertake ground disturbing activities between April and October (to avoid the hibernation period).

### Examples of compensation & enhancement measures (see species list below)

- Plant new areas of native trees, hedgerows and shrubs to provide cover and foraging habitat. Ensure that this is connected to existing habitat.
- Enhance existing habitats to improve them for dormice e.g. convert coniferous woodland to broadleaved, increase the structural or species diversity of existing woodland and scrub, restore gappy hedges, cut hedges on a two or three year rotation (flowers, nuts and berries are mainly produced on year old twigs).

Translocation of dormice should only be undertaken as a **last resort**. The best option is to ensure that a sufficient area of suitable habitat is retained on the site to support a viable population in the long-term. Strong ecological links to adjoining habitats, for example along hedgerows, should also be provided and managed for dormice.

## Where should I go for further information?

- [Devon Biodiversity Action Plan - Dormouse](#)
- Natural England (2006) [Dormouse Conservation Handbook](#).
- Natural England (2012) Standing Advice Species Sheet: [Dormice](#).
- [Devon Mammals Group – hazel dormouse](#)
- [Peoples Trust for Endangered Species](#)
- [Devon Biodiversity Records Centre](#)
- [Devon Wildlife Planning Guidance](#)
- [Biodiversity Planning Toolkit](#)
- [Devon's Hedges](#)

If you work for DCC and require further advice please contact the County Ecologist – [nature@devon.gov.uk](mailto:nature@devon.gov.uk)

## Important note

**Legislation, survey guidelines, species distribution and best practice mitigation may be subject to change and this note may not necessarily include the latest information. Please seek professional advice.**

**This Advice Note was produced by DCC's Ecologist with input and advice from**



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**The value of various species of trees and shrubs to dormice (Source: Paul Chanin, 2014)**

Bold/green background = higher value

<b>Hazel</b>	The principal source of food (nuts) for fattening prior to hibernation. Hazel also carries a very high biomass of insects as potential dormouse food. It forms a continuous understorey of sprawling poles, easy for arboreal activity. Hazel is an almost essential species.
Oak	A very important source of insect food which bridges the gap between spring flowers and autumn fruits. Dormice may also eat the flowers, but acorns are probably of little value, being unpalatable.
<b>Honeysuckle</b>	The finely shredded bark is the preferred nesting material used by dormice. Honeysuckle also provides food (from the flowers) at a time when little else is available, and berries later in the Year. Its climbing stems also offer convenient arboreal routes into the trees and dense shelter in which to move and nest.
<b>Bramble</b>	Flowers and fruits are important foods and tend to be available for a long period (especially where the site has slopes which vary the amounts of sunlight on the shrubs). The flowers are often produced late, when many other species have finished flowering. Dormice will also eat the seeds in autumn. The thorny bushes are not easy for dormice to climb about in, so are best if scattered among hazels and trees. However, the thorns provide good protection for nests built among brambles.
Ash	A common tree, whose seeds are sometimes eaten by dormice before they ripen and fall to the ground. Otherwise of little value, but useful in not casting a dense shade on understorey shrubs.
<b>Wayfaring tree</b>	Fruits in mid summer when little else is available. Dormice eat the seeds and perhaps also the flowers
Yew	the fruits are a favoured food and dormice will make special excursions to reach them, but the seeds are not eaten.
Hornbeam	Seeds are small and hard. but dormice eat them when they are abundant. An advantage is that they are too small to be attractive to squirrels, so hornbeam may provide an alternative food where squirrels have taken most of the hazel nuts. Fruiting is erratic.
Conifers	Cast a dense shade and suppress the understorey. However, small numbers may be useful in offering insects (aphids), seeds in cones and shelter. Dormice are occasionally reported from conifers, but it is not clear how they survive there, except where deciduous trees are also present.
Alder	Probably useful as alder supports a large biomass of insects: however they grow in wet places that would generally be unsuitable for dormice.
Broom	Flowers are eaten in early summer.
Sallow	Seeds are eaten in early summer. Sallow also supports many insects.
Birch	The catkins are over too early in the year to be much use to dormice. but they do eat the seeds during early summer when little other food is available. These are too small to attract squirrels and so may provide support where squirrels compete for hazel nuts.
Sweet chestnut	Fruits are an excellent food source; dormice may also eat the flowers.
<b>Blackthorn</b>	Fruits are eaten; flowers come too early in the year.
<b>Hawthorn</b>	Flowers are an important food in early summer: fruits eaten occasionally.
Cherry, crab apple etc	Little is known about the value of these trees to dormice. but it is likely that they will eat the pollen (anthers) and etc perhaps fruits.

Other Species: Dogwood, guelder rose, elder and probably gorse. In general, native species of local stock should be planted and if possible a few trees should be allowed to grow larger.

Garden Shrubs. Generally speaking any shrubs which produce flowers or fruits within the period when dormouse are most active (May to Oct) will be of value. Those most closely related to native species (eg *Viburnum* spp, *Cornus* spp, Honeysuckles) are likely to be of greatest value.