

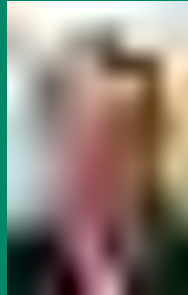
An overview of Great Crested Newt Ecology and guide to licensing

James Coupe & Matt Oakley

Introductions



James Coupe
Senior Ecologist



Matt Oakley
Technical Director - Ecology



Suzanne Lowry
Associate Director - Ecology

Overview



- Ecology & Surveying
- Legislation
- Licensing
 - European protected species license
 - Low impact class license
 - District level license



Ecology

Great Crested Newt (GCN) (*Triturus cristatus*)



Lifecycle



Great crested newts are **largely** terrestrial but breed in ponds



Images taken from Langton, T.E.S., Beckett, C.L., and Foster, J.P. (2001), Great Crested Newt Conservation Handbook, Froglife, Halesworth.

Surveying

Survey type	Survey timing
Habitat suitability index (HSI)	1 visit at anytime of year
Presence/absence surveys	4 visits Mid March-mid June (2 visits must be between mid-April and mid-May)
Population class estimates	6 visits Mid March-mid June (3 visits must be between mid-April and mid-May)
eDNA	1 visit April to end of June





Legislation

Legislation

Great Crested Newts are protected under the Conservation of Habitats and Species Directive (2017) a piece of EU legislation that has been retained in UK law.

GCN are protected under section 43 of these regulations making it an offence to:

- deliberately capture, injure or kill an animal
- deliberately disturb an animal
- or damage or destroy a breeding site or resting place used by an animal

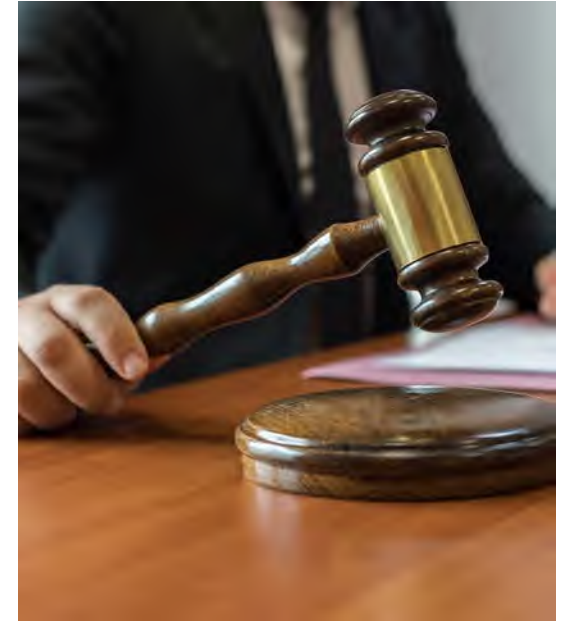
Deliberate capture or killing is taken to include “accepting the possibility” of such capture or killing.

Deliberate disturbance of animals includes in particular any disturbance which is likely:

To impair their ability:

- To survive, to breed or reproduce, or to rear or nurture their young; or
- In the case of animals of hibernating or migratory species, to hibernate or migrate; or
- To affect significantly the local distribution or abundance of the species to which they belong.

Where development works are at risk of causing one or more of the offences listed above, a mitigation licence from Natural England can be obtained to facilitate the works that would otherwise be illegal.

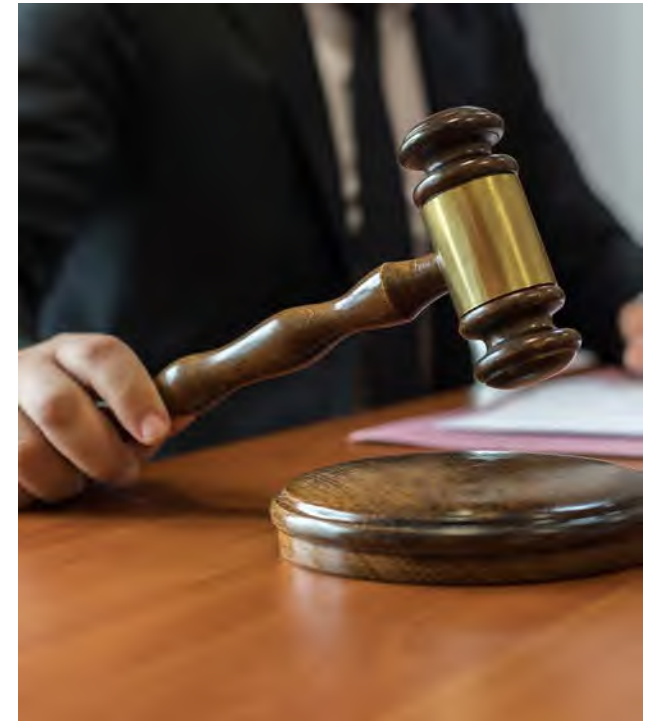


Legislation continued

GCN are also protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). This makes it an offence to intentionally or recklessly obstruct access to any structure or place used for shelter or protection or disturb an animal in such a place.

Lower levels of disturbance not covered by the Conservation of Habitats and Species Regulations 2017 remain an offence under the Wildlife and Countryside Act 1981 although a defence is available where such actions are the incidental result of a lawful activity that could not reasonably be avoided.

GCN are listed under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 as Species of Principal Importance for Conservation in England. Section 40 of the same Act requires that local and regional authorities have regard to the conservation of biodiversity in England, when carrying out their normal functions





Licensing

Whose role?

Developer

To hold the licence and are accountable for the legal enforcement of the licence.

Ecological Consultants

To provide advice to developers on what is needed to ensure development abides by all legislation concerning protected species and habitats.

To collect survey information and interpret it using professional judgement to determine if a site is licensable.

They need to be appropriately experienced to provide advice

Natural England

To determine if submitted licence applications are adequate and provide wildlife licences.

Can at anytime monitor the implementation of the licence through site visits.

European protected species mitigation licence (A14)

The 'traditional' method of licencing works that are likely to impact GCN

European protected species mitigation licence (A14)

Who holds the licence	Developer
What projects is it suitable for	All projects
Survey effort	Detailed population information needed
Determination time	Minimum 30 working days
Mitigation compensation required	Yes
Associated costs	Initial Surveys Application by ecologist and application fee Habitat creation Mitigation that may include, destructive searches or trapping and relocation Monitoring after development



Low impact class licence

Licence issued by Natural England to an ecological consultant with extensive experience

Low impact class licence

Who holds the licence	Developer holds the licence but a registered consultant is needed to register it with Natural England
What projects is it suitable for	Designed for projects with a small footprint and short timescale
Survey effort	Presence absence data only
Determination time	Maximum 10 working days
Mitigation compensation required	Yes
Associated Costs	Initial surveys Application by ecologist Habitat creation Mitigation that may include destructive searches or trapping and relocation



District Licence

Not available everywhere but being rolled out across the country

District licence

Who holds the licence	Depends on scheme
What projects is it suitable for	All projects
Survey effort	Presence absence data only
Determination time	Minimum 10 working days
Mitigation/compensation required	No
Associated costs	Completion of application and application fee Compensation payment



Where are district licences currently available (November 2022)

Natural England Schemes:

- Cambridgeshire
- Cheshire East, Cheshire West and Chester
- [Derbyshire](#)
- Essex
- Greater Manchester
- Halton
- Kent and Medway
- Lancashire
- [Leicestershire county](#) (all districts except Blaby), Leicester city, Rutland, Rushcliffe and South Kesteven
- Norfolk and Suffolk
- North Lincolnshire
- North Somerset and South Gloucestershire - excluding Bristol
- Northumberland, Durham, Tees Valley (Darlington, Hartlepool and Stockton-on-Tees only) and Tyne and Wear (Newcastle upon Tyne and North Tyneside only)
- Shropshire - except Telford and Wrekin which has its own scheme
- Somerset - excluding the former West Somerset district and Exmoor National Park
- Swindon and Wiltshire
- Warrington
- Yorkshire - excluding Calderdale, City of Bradford and Kirklees

NatureSpace schemes:

- Bedfordshire
- Berkshire
- [Buckinghamshire](#)
- East Sussex
- Gloucestershire
- [Milton Keynes](#)
- [Northamptonshire](#)
- [Oxfordshire](#)
- [Staffordshire](#) – excluding Cannock Chase, Stoke-on-Trent and the Peak District National Park
- Surrey – excluding Elmbridge, Runnymede, Spelthorne, Surrey Heath, Waverley and Woking

Local planning authority-led district level licensing schemes

- Dorset Council Great Crested Newt Licensing Scheme
- [Telford and Wrekin Strategic Newt Licencing](#)
- Woking crested newt pilot project

Summary

Licence Type	European protected species licence	Low impact Class licence	District level licence
Who holds the licence	Developer	Developer holds the licence but a registered consultant is needed to register it with Natural England	Depends on scheme
Ecological support required	To conduct surveys and complete application process	Registered consultant required	None
Projects suitable for	Any	Short term > 1 year Small footprint	Any
Survey effort	Highest level of survey effort	Presence/absence is maximum required	Presence/absence is maximum required
Natural England determination time	Minimum 30 working days	Maximum 10 working days	Minimum 10 working days
Mitigation/compensation required	Yes	Yes	No
Associated costs	Initial surveys Application by ecologist and application fee Habitat creation Trapping and relocation Monitoring after development	Initial surveys Application by ecologist Habitat creation Trapping and relocation	Completion of application and application fee Compensation payment

Any Questions?



Thank you.

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