

Guidance for works carried out under great crested newt district level licensing

Introduction

This annex contains guidance for developers acting under a GCN District Level Licence ('the Licence') authorising activities affecting great crested newts *Triturus cristatus* (GCN), a European Protected Species, which would otherwise be unlawful. Compliance with this guidance is not a requirement or condition of the Licence and is not mandatory.

The Licence permits acts, subject to licence conditions, including killing, injury, disturbance, capture and transport of GCN, as well as damage and destruction of their breeding sites and resting places. Impacts of development progressing under the Licence are being fully compensated for by off-site habitat provision that is being paid for by the developer and for this reason the Licence does not specifically require any on-site avoidance or mitigation measures to be undertaken. However, where desirable, reasonable measures can be undertaken to minimise suffering to any GCN which may be present within or immediately adjacent to the development footprint.

This document is specific to GCN and is only applicable to works proceeding under the Licence. It is important to note there may be other ecological considerations in relation to site works, including the measures identified within this document, for example those relating to other protected or priority species, habitats or designated sites.

Reasonable Avoidance Measures

While not a requirement under the Licence, Reasonable Avoidance Measures (RAMs) may be adopted to minimise impact on GCN during works. RAMs include sensitive clearance of vegetation, drain down of ponds and good working practices/ site housekeeping to avoid attracting newts onto development sites.

Should the holder of the Licence wish to carry out RAMs it is advisable, prior to the commencement of works, to offer a briefing (a 'toolbox' talk) from a licenced newt ecologist to all site personnel involved in licensable works. These would normally be expected to cover GCN identification, what to do if newts are found and what is permitted under the Licence. If applicable, the toolbox talk should also cover any reasonable avoidance or site specific measures which may be adopted. In addition to a copy of the Licence and authorisation to act under it, it is recommended that a newt identification sheet and a copy of this guidance is retained in the site office or similar.

Sensitive Vegetation Clearance

Sensitive and phased vegetation clearance can be undertaken to make habitats less suitable for newts within areas which are soon to be cleared/soil stripped. Best practice is to do this in phases: first cut any scrub and other tall vegetation to a height of c.250mm with all arisings removed; 48hrs later cut remaining vegetation to a height of c.150mm. The second phase should be undertaken in a directional manner, moving towards suitable areas of retained habitat, with arisings removed from the site. Soil strip can progress 48hrs after the second phase of vegetation clearance, again working towards retained habitat areas.

For the purpose of minimising impact on GCN, vegetation clearance and soil stripping can be restricted to areas where works are soon to commence. Once soil strip has been undertaken it is advisable to maintain the area as bare earth to minimise the likelihood of newts re-colonising. In order to be effective vegetation clearance should be undertaken during the active season for newts, typically February to October inclusive when temperatures are >5°C, and should avoid prolonged periods of hot dry weather when newt activity is reduced.

Pond drain-down

Damaging or destructive works affecting waterbodies potentially used by GCN should where possible be undertaken outside the breeding season (February – October, inclusive) unless it is impractical to do so.

Draining down of ponds can be undertaken via use of a pump operated at low speed fitted with a fine mesh filter or a trench dug into the bank of the pond from which the water can be drawn off. A fine mesh screen should also be fitted over the mouth of the trench to facilitate newt capture. Newts can be caught by netting as draining takes place and by hand searching through plants, debris and silt when the pond is dewatered.

Working practices and site housekeeping

For the protection of GCN, retained and offsite areas can be fenced using appropriate site fencing or hoarding, and vehicles, pedestrians and storage of materials excluded from these areas.

Storage of materials/waste is best undertaken on areas of hard standing or bare ground (for example areas which have been subject to the clearance measures identified above). Waste is best stored in skips or removed off site as soon as possible to avoid creating refuges which could be colonised by newts. If possible storage areas, waste material and site compounds are best placed in areas not adjacent to highly suitable off-site or retained habitat which may act as a source of colonisation by newts. Mounds of soil can be compacted around the base to avoid creating refuges which newts could occupy.

Site working should avoid the creation of temporary waterbodies which may be attractive to newts. For this purpose, excavations can be backfilled as soon as possible following creation, or fitted with ramps to allow a means of escape (for example a wooden plank set at an angle no steeper than 45°). A check for the presence of newts is advisable before excavations are infilled.

Other Measures

Other mitigation activities under the licence can be used to further minimise the risk to GCN, including hand/destructive searching, bottle trapping and pond drain down. These measures are included on the licence but are not mandatory for District Level Licensing. If these measures are undertaken, they should be carried out or directly supervised by a licensed GCN ecologist and should follow the methodology identified in The Great Crested Newt Mitigation Guidelines (English Nature, 2001).

Capture and release of newts

Works which may involve newt capture should be programmed to be undertaken during the active season, which is from February to October (weather dependent) when night-time temperatures are consistently above 5°C.

Any newts captured should be handled (by hand or by net, if in water) and can, if necessary, be temporarily held in a secure but ventilated container lined with damp vegetation and stored in a shady location prior to release.

Newts found to be at imminent risk of harm on development land may be captured and relocated to an area of land that will not be impacted by works, by any individual working under the Licence without direct supervision by an ecologist.

Natural England anticipates that in most cases some suitable habitat will remain on site. Such habitat may resemble the area where a captured newt was found, or may be rank grassland, scrub, hedge or woodland edge. In such cases captured newts should be released on-site in areas of these sorts and in places where they can quickly hide. If there is no such habitat remaining on site, then newts should be relocated to the safest possible location on-site, away from active

works. As a last resort, GCN may be moved to areas of rank grassland, scrub, hedge or woodland, preferably near a pond, up to 2km from the development site, at the licensee's discretion.

Reporting

Records must be kept of all activities progressed under the licence including:

- Site and development information
- Whether GCN were captured and where they were released;
- Whether dead/injured GCN were encountered;
- How many ponds were retained, damaged and/or destroyed; and
- How much terrestrial habitat has been damaged and/or destroyed and details of any other terrestrial habitat created.

Biosecurity

The biosecurity guidelines in Amphibian Disease Precautions: A guide for UK fieldworkers, ARG-UK Note 4 (available from www.arguk.org) must be observed by all licence users.

For further advice on great crested newt mitigation please refer to:

Baker, J., Beebee T., Buckley, J., Gent, A. and Orchard, D. (2011). Amphibian Habitat Management Handbook. Amphibian and Reptile Conservation, Bournemouth.

English Nature (2001). Great Crested Newt Mitigation Guidelines. English Nature, Peterborough.

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

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