

## Part 1

This Part 1 of these GCN Mitigation Principles applies to **development** (as defined under the Town and Country Planning Act 1990) in the red zone where a site is authorised under one of the district licences issued under the NatureSpace District Licensing Scheme.

The best practice measures and the capture requirements described below in Sections 1 and 2 of this document are mandatory for all developments in the red zone.

The additional specific mitigation requirements detailed in Section 3 of this document will not apply to every development site in the red zone – the planning conditions will identify which, if any, specific mitigation principles will be required for each development parcel. These principles set out the minimum requirements necessary to comply with the licence.

Section 4 provides advice on experience requirements for supervising ecologists.

In addition to the above, all works must be carried out in accordance with ANNEX B of the licence (Protocol for activities and operations affecting great crested newts within the Licensed Area) as well as the most up-to-date version of the Great Crested Newt Mitigation Guidelines (English Nature, 2001), the great crested newt mitigation licence method statement template (Natural England 2017), the Great Crested Newt Conservation Handbook (Langton et al, 2001) and the Amphibian Habitat Management Handbook (Baker et al, 2011), unless otherwise stated.

Any newts which are captured also become protected under the Animal Welfare Act 2006 and the requirements under this legislation must also be complied with.

There may be other ecological considerations which should also be taken into account when planning works at a development site in the red zone.

### Best practice measures

The following measures are a requirement for all activities authorised under the district licence in the red zone:

- **Advice must be sought from a suitably qualified ecologist** on the requirements of the licence and any ecology-related planning conditions
- All capture, exclusion or relocation of great crested newts must be carried out by or under **supervision of a great crested newt ecologist** with the appropriate experience and knowledge of the techniques being used and who holds an appropriate great crested newt licence (see Experience Requirements in section 4 at the end of this document)



- Before any works commence, there must be a site induction **tool box talk** by a suitably experienced newt ecologist (see Section 4) to include great crested newt identification and what to do if newts are found, the legislative protection, any licence and planning requirements and any specific on-site reasonable avoidance measures or other requirements (including any seasonal timing constraints for vegetation clearance, searches for newts and on-site works)
- In advance of any works, **vegetation management** must be undertaken to reduce the suitability for newts, to discourage newts from areas which will be soon stripped:
  - Cut scrub and tall grass no lower than 150mm; carefully remove arisings and leave habitat undisturbed for 48 hours
  - To be followed by directional vegetation clearance (avoiding wet weather during the active period) and soil stripping – the direction of working to be determined by the location of good newt habitat to be retained (starting furthest away from the favourable habitat and working towards it, to encourage newts to disperse towards safe areas)
- With the exception of destructive searches and at the end of a pitfall trapping exercise, where capture of newts is required by planning condition under the district licence, capture exercises must be carried out before vegetation management. With regard to pitfall trapping, if, after a 25-day pitfall trapping period, newts are still being captured and the required 'very low capture' has not been achieved (see section 3.2.3.4 of this document), vegetation management can be undertaken to assist with capture, in accordance with the Great Crested Newt Mitigation Guidelines (section 8.4.2.2)
- Vegetation management must be undertaken at the appropriate time of the year and in appropriate weather conditions, to avoid killing/injuring newts
- Working areas must avoid any retained habitat
- Measures must be implemented to avoid indirect impacts on retained or off-site habitats such as run-off or accidental encroachment from working vehicles, material or operatives
- Machinery, materials etc must be stored on areas of hardstanding or raised off the ground on pallets (unless the area has been cleared and temporary amphibian fencing prevents access by newts)
- Waste materials must be removed off site immediately or stored in skips (unless the area has been cleared and temporary amphibian fencing prevents access by newts)

- Excavations must be backfilled, covered overnight, or ramps placed in to allow any animals to escape
- Excavations and working areas must be managed so as not to create temporary waterbodies which may attract newts onto site
- Access roads must use existing roads and tracks and keep habitat disturbance to a minimum, avoiding any areas of sensitive or potentially valuable habitat

### Capture of newts

Captured newts are subject to the protection of the Animal Welfare Act 2006, which means that it is an offence to cause any unnecessary suffering to an animal under the control of man.

Newt capture must only take place during the active season, which is generally February to October. The season is dependent upon weather (very cold late springs can delay the active season, and early or late onset of frosts in the autumn will bring forward or delay the hibernation season). Attempts to capture newts must avoid cold conditions (<6°C air temperature) and extended periods of very dry weather (particularly during June – mid-August).

Any captured newts must be kept in suitable lidded, ventilated containers and released as soon as possible after capture as close to the site of capture as possible. Newts must always be released in sheltered areas in sufficient good quality habitat and close to a suitable refuge. Terrestrial newts must be placed into suitable high quality terrestrial habitat, whereas newts captured at a pond must be released into high quality aquatic habitat, based on the Habitat Suitability Index (HSI) score (minimum HSI 0.7). The minimum habitat requirement for captured newts to be placed into is 0.5ha of suitable terrestrial habitat and 4 suitable and accessible ponds (unless there are already fewer than 4 ponds present, and the development will not damage or destroy any ponds with HSI >0.5). Release sites must ideally be as close as possible to the site of capture and must be within a maximum 1km of the site from which they were captured, with no barriers to newt movement (in exceptional cases translocation over longer distances may be acceptable - see section 3.2.4 below). An assessment by NatureSpace Partnership of the habitats to be lost and retained will inform this process. Landowner permission must be obtained prior to capture and relocation of any newts and sites with statutory conservation designations must not be used as release sites (unless specific written permission has been obtained from Natural England for a specific translocation exercise).

Whether or not the planning conditions require newt capture, where suitable habitat will remain on site or off site, temporary amphibian fencing (TAF) may be installed at the ecologist's discretion, under the district licence, to assist with reasonable avoidance measures and prevent newts re-occupying or moving onto the development site during works. Temporary amphibian fencing includes exclusion fencing and one-way fencing.

Under the district licence, records must be kept of any movement of newts, with dates, sites of capture and release, sex and ages of all captured and released newts. Any injury or mortality must also be recorded. All records must be submitted to NatureSpace or the local planning authority.

## **Specific mitigation requirements**

The following measures are required by specific planning conditions (and are therefore mandatory) for certain developments in the red zone (they are not mandatory for all developments in the red zone).

### **3.1 Aquatic habitats**

Restrictions will apply when ponds will be damaged or lost as part of development works, as these works lead to significant risks to great crested newts.

#### **3.1.1 Planning condition 3a**

This planning condition specifies that works to existing ponds onsite may only be undertaken during autumn/winter. This planning condition will apply to any ponds on site which are suitable for newts, (based on the HSI score and suitability of terrestrial habitat) and which will be damaged or destroyed during development. The metric assessment and resulting report provided by NatureSpace will specify which ponds this condition applies to.

This planning condition requires that any and all works to the specified ponds must be carried out during the autumn and winter. This is normally mid-September to early February. A pond which has ceased to hold water during the spring/summer would not be regarded as covered by this planning condition. If a pond will be lost, the pond must be drained down during the autumn/winter, using a fine mesh filter, followed by hand and destructive searches of the pond bed and immediate surroundings to capture any animals present.

If it is essential that a suitable great crested newt pond is drained down in the spring or summer, an intensive trapping exercise at the pond (in accordance with the requirements in section 8.3.2.3 of the Great Crested Newt Mitigation Guidelines – except that a minimum 60 days of (bottle) trapping is acceptable (rather than 90 days) when undertaken in conjunction with the use of netting and a high density of traps, to supplement the trapping) will be necessary. If the pond holds insufficient water for bottle trapping, or has a hard substrate with little vegetation, the use of netting alone instead of bottle trapping will be acceptable.

### 3.2 Terrestrial habitats

Timing restrictions and capture exercises will be requirements on a development site where the risks to newts are the greatest, and, in regard to the capture of newts, where capture operations are most likely to be effective. For example, relevant planning conditions will require capture where:

- Suitable terrestrial habitat will be damaged or lost within 50 metres of a breeding/occupied pond ( $\geq 0.001\text{ha}$  /  $10\text{sq m}$ )
- Suitable terrestrial habitat will be damaged or lost within 100 metres of a breeding/occupied pond ( $>0.02\text{ha}$  /  $200\text{sq m}$ )
- High quality connected terrestrial habitat up to 250m from a breeding/occupied pond
- Particular habitat features providing good connecting/connected habitat

#### 3.2.1 Timing restrictions in terrestrial habitats

On development sites which contain suitable overwintering habitat (or 'hibernacula') for great crested newts, the period within which damage or destruction of that habitat can be undertaken will be restricted by planning condition 3b. The timing restriction imposed by this planning condition means that works which will affect likely newt hibernacula must only be undertaken during the active period for amphibians. Amphibians are generally active during February to October, although this is weather dependent (see above, under 'Capture operations').

#### 3.2.2 Types of capture permitted

Planning conditions 3c and 3d relate to capture requirements under the district licences. Where either of these conditions are required under a planning permission, all capture must adhere to the standards outlined in the Great Crested Newt Mitigation Guidelines (unless otherwise stated in this guidance). A written record must be kept of capture effort and results, weather conditions (including rainfall) and minimum overnight temperatures.

Planning condition 3c requires the use of capture methods at suitable habitat features prior to ground clearance or removal of suitable habitat features. A suitably experienced and licensed ecologist must advise on the most appropriate method(s) for the site, depending on the types of habitats and features present. This must include at least one of following methods: hand searches, destructive searches and or night searches. The following section explains the minimum standards required for each of these methods:

### *3.2.3.1 Hand searches*

This refers to the careful searching, by hand, of potential refuges and suitable habitat features, and under the licence, this does allow for the removal of checked features. Hand searching can be done throughout the active season, providing weather conditions are suitable (e.g. not during very hot dry weather). Hand searches are ineffective on large expanses of habitat and are suited to searching of distinct habitat features, such as log piles. The time it takes to complete hand searches is dependent upon the extent and complexity of the features to be searched. Hand searching often requires less than 1 day where only small, simple features are present. Where there are large and complex features across the works area it may require 1-5 days.

### *3.2.3.2 Night searches*

This refers to searches by torchlight of suitable habitat where newts will be visible above ground. Night searches are best carried out during dispersal periods (March-June for adults and August-September particularly for juveniles) and during suitable weather conditions conducive to newt movements – i.e. warm, wet nights. Night searching along drift fences can be particularly effective and so is often most effective and efficient in conjunction with a pitfall trapping exercise – this can be a useful way to clear a site more quickly. The method is only effective in habitats that allow the surveyor to easily see newts as they disperse, and so areas with long vegetation or complex topography are not suitable. The minimum effort for night searching is 25 nights.

### *3.2.3.3 Destructive searches*

This is the careful dismantling of features (such as hedgerows, rubbles piles), with ongoing supervision to check for animals as works progress. Destructive searching can be done throughout the active season, providing weather conditions are suitable (e.g. not during very hot dry weather) and is usually combined with hand searches (and is similarly not suitable for large expanses of habitat). The time it takes to complete destructive searches is dependent upon the extent and complexity of the features to be searched and dismantled. In typical cases, destructive searches can be completed within 1-5 days.

### *3.2.3.4 Fencing and pitfall trapping*

Planning condition 3d requires the use of amphibian fencing and pitfall trapping at suitable habitats and features, prior to commencement of works. A suitably experienced and licensed ecologist must advise on the most appropriate fencing and trapping design for the site, depending on the types of habitats and features present. As a minimum fencing and pitfall trapping will be required on sites where suitable terrestrial habitat in good or moderate condition will be damaged or lost within 50

metres of a pond ( $\geq 0.001\text{ha}$  /  $10\text{sq m}$ ) and or where  $>0.02\text{ha}$  /  $200\text{sq m}$  suitable terrestrial habitat (in good or moderate condition) will be damaged or lost within 50-100m of an occupied or breeding pond. The following section explains the minimum standards required for fencing and pitfall trapping under the district licence:

- **Amphibian fencing**

Amphibian fencing design, installation and maintenance must follow best practice and must be focussed in and around suitable areas of habitat to be cleared – e.g. the use of lengths of drift fencing within 100m of great crested newt ponds. Fencing requirements are outlined in section 8.4.2.1 of the Great Crested Newt Mitigation Guidelines. Fencing may be installed year-round (unless in hibernation habitat, in which case fencing must not be installed during the hibernation season, unless this may be done without disturbing potential hibernation features). Temporary amphibian fencing must be removed promptly upon completion of the development works, at the appropriate time of year to avoid disturbing hibernating animals.

- **Pitfall trapping**

Where pitfall trapping is required (by planning condition 3d), it must be undertaken in line with the Great Crested Newt Mitigation Guidelines – section 8.4.2.2. With regard to effort, the minimum requirements under the NatureSpace District Licensing Scheme will be 25 days trapping, in suitable conditions for newt movements. There must be at least 5 days at the end of the capture period (which can be the last 5 of the 25 days) over which no more than 9 great crested newts are captured (and no more than 4 great crested newts in any one day). If 10 or more great crested newts are captured in the last 5 days, then capture must continue until a five day zero or very low capture period (as above, with  $<9$  great crested newts over 5 days and no more than 4 great crested newts in any one day) is achieved. Sites can be compartmentalised so that compartments can be released for works separately upon achieving the required capture period.

To offset the reduction in effort compared to standard recommendations, there must be an increase in trapping intensity – increased numbers of traps, additional fence lines where appropriate, and other methods (hand, night searches, artificial refugia, carpet tiles etc.) deployed where they would assist with capture. In order to maximise capture efficiency, trapping must occur during periods of expected high dispersal. This will depend on the time of year, location and weather, though would typically be March to June and August to September.

### 3.2.4 Translocation

Where capture of newts is required, and newts cannot be relocated to suitable habitat outside of the working area, or in habitat adjacent to, or within 1km (provided there are no barriers to newt movement) of the development site, this approach also includes the facility for off-site translocation



of great crested newts from development sites to conservation sites. This will only be appropriate where there are conservation benefits for doing so (e.g. to establish a new population, or where large numbers of newts are expected to be present at the development site and the retained or adjacent habitats are not considered suitable to support the population). NatureSpace and the Amphibian and Reptile Conservation Trust will provide site specific advice in any such cases. Captured newts must only be moved to suitable habitat and where there is sufficient suitable viable habitat to support the population. The minimum would be 0.5ha and 4 ponds that are suitable for and accessible (i.e. within 500m of the receptor site with no barriers to newt movement) to the translocated newts.

Any translocations, including receptor site selection, will conform to best practice for conservation science, including in regard to disease, and the Amphibian and Reptile Conservation Trust will provide specific advice for any such proposals. The 'triggers' for translocation off site (and which will require expert advice from ARC on individual proposals, and, if >1km from the capture site, consultation with Natural England) are:

- Evidence suggests there are large numbers of great crested newts on the development site and that there is insufficient habitat to be retained or in the vicinity of the development site in order to sustain a population of equivalent size and viability ("large" would typically mean a population that would qualify as a SSSI interest feature); or
- Habitat in the vicinity of the development site is insufficient in quality and/or quantity to support a viable great crested newt population in the long term, and there is no practical remedy for this (either on-site or within 1km); or
- A compensation site requires an introduction of newts from an existing (close-by) population, and sourcing founders from a development site would be consistent with improving Conservation Status of the species in the District.

Where off-site translocation is deemed necessary (following the above triggers), the actual detailed proposals will be site specific – including details on capture methodology (which will aim to capture newts of all life stages) at the donor site and habitat creation/management measures and monitoring (pre-and post-translocation) at the receptor site. NatureSpace Partnership will set out any Developer responsibilities/requirements.

NatureSpace and the Newt Conservation Partnership will design translocations to ensure there is no negative impact on the range metric. In general, any translocations will be within the maximum dispersal range of the existing population (around 2km), taking into account any barriers to movement. If a situation arises where translocation would be to a site outside of the dispersal range, then disease screening requirements would apply, and, in all cases, there will be consultation with Natural England where off-site translocation is triggered, and the receptor site is >1km away. Details of the receptor site will be provided, including distance from the donor site, extent, types and quality of habitats available, existing great crested newt status, landowner permission, conservation designation, etc.



## Experience requirements

Supervising ecologists must have appropriate experience, knowledge and relevant licence(s) for the techniques and methods being used. The minimum requirement is that the ecologist holds a great crested newt survey licence, as this demonstrates the licence holder has experience in handling newts and has appropriate understanding of welfare and biosecurity issues. However, if the district licence requires pitfall or bottle trapping at a development site, the supervising ecologist must either:

- Be the named ecologist on a great crested newt mitigation licence (or have held one within the last three years); or
- Be a registered consultant on the Great Crested Newt Low Impact Class Licence; or
- Hold a level 2 great crested newt survey licence.

In line with standard mitigation licences, the supervising ecologist named may appoint other persons in writing to enable them to handle great crested newts for the specific task of relocating animals from pitfall traps and/or artificial refugia (e.g. carpet tiles) either to the opposite side of the exclusion fencing or to the receptor site, as appropriate. Those appointed persons will be classed as 'assistants'. Assistants must have received appropriate training, including the handling and welfare of the species, but are not required to hold individual great crested newt licences and may work unsupervised. Persons appointed as assistants by the supervising ecologist will be required to produce on demand their written authorisation to a police constable or an officer of Natural England.

## Part 2

This Part 2 of these GCN Mitigation Principles applies to any **non-development works or activities** in the red zone where a site is authorised under the NatureSpace District Licensing Scheme (such as ground / vegetation clearance, site investigations and ground investigations).

The best practice measures and the capture requirements described below in Sections 5 and 6 of this document are mandatory for all works or activities in the red zone.

The additional specific mitigation requirements detailed in Section 7 of this document will not apply to every site in the red zone – they will only apply under this Part 2 (i.e. to non-development works or activities) where, and to the extent that, any equivalent planning condition 3a-3e has (pursuant to the planning metric) been imposed on the planning permission requiring delivery of specific mitigation requirements in relation to the development. These principles set out the minimum requirements necessary to comply with the licence.

Section 8 provides advice on experience requirements for supervising ecologists.

In addition to the above, all works must be carried out in accordance with ANNEX B of the licence (Protocol for activities and operations affecting great crested newts within the Licensed Area) as well as the most up-to-date version of the Great Crested Newt Mitigation Guidelines (English Nature, 2001), the great crested newt mitigation licence method statement template (Natural England 2017), the Great Crested Newt Conservation Handbook (Langton et al, 2001) and the Amphibian Habitat Management Handbook (Baker et al, 2011), unless otherwise stated.

Any newts which are captured also become protected under the Animal Welfare Act 2006 and the requirements under this legislation must also be complied with.

There may be other ecological considerations which should also be taken into account when planning works at a site in the red zone.

### Best practice measures

The following measures are a requirement for all activities authorised under the district licence in the red zone:

- **Advice must be sought from a suitably qualified ecologist** on the requirements of the licence
- All capture, exclusion or relocation of great crested newts must be carried out by or under **supervision of a great crested newt ecologist** with the appropriate experience and

knowledge of the techniques being used and who holds an appropriate great crested newt licence (see Experience Requirements in section 8 at the end of this document)

- Before any works commence, there must be a site induction **tool box talk** by a suitably experienced newt ecologist (see Section 8) to include great crested newt identification and what to do if newts are found, the legislative protection, any licence and planning requirements and any specific on-site reasonable avoidance measures or other requirements (including any seasonal timing constraints for vegetation clearance, searches for newts and on-site works)
- In advance of any works, **vegetation management** must be undertaken to reduce the suitability for newts, to discourage newts from areas which will be soon stripped:
  - Cut scrub and tall grass no lower than 150mm; carefully remove arisings and leave habitat undisturbed for 48 hours
  - To be followed by directional vegetation clearance (avoiding wet weather during the active period) and soil stripping – the direction of working to be determined by the location of good newt habitat to be retained (starting furthest away from the favourable habitat and working towards it, to encourage newts to disperse towards safe areas)
- With the exception of destructive searches and at the end of a pitfall trapping exercise, where capture of newts is required by planning condition under the district licence, capture exercises must be carried out before vegetation management. With regard to pitfall trapping, if, after a 25-day pitfall trapping period, newts are still being captured and the required 'very low capture' has not been achieved (see section 7.2.3.4 of this document), vegetation management can be undertaken to assist with capture, in accordance with the Great Crested Newt Mitigation Guidelines (section 8.4.2.2)
- Vegetation management must be undertaken at the appropriate time of the year and in appropriate weather conditions, to avoid killing/injuring newts
- Working areas must avoid any retained habitat
- Measures must be implemented to avoid indirect impacts on retained or off-site habitats such as run-off or accidental encroachment from working vehicles, material or operatives
- Machinery, materials etc must be stored on areas of hardstanding or raised off the ground on pallets (unless the area has been cleared and temporary amphibian fencing prevents access by newts)
- Waste materials must be removed off site immediately or stored in skips (unless the area has been cleared and temporary amphibian fencing prevents access by newts)

- Excavations must be backfilled, covered overnight, or ramps placed in to allow any animals to escape
- Excavations and working areas must be managed so as not to create temporary waterbodies which may attract newts onto site
- Access roads must use existing roads and tracks and keep habitat disturbance to a minimum, avoiding any areas of sensitive or potentially valuable habitat

## Capture of newts

Captured newts are subject to the protection of the Animal Welfare Act 2006, which means that it is an offence to cause any unnecessary suffering to an animal under the control of man.

Newt capture must only take place during the active season, which is generally February to October. The season is dependent upon weather (very cold late springs can delay the active season, and early or late onset of frosts in the autumn will bring forward or delay the hibernation season). Attempts to capture newts must avoid cold conditions (<6°C air temperature) and extended periods of very dry weather (particularly during June – mid-August).

Any captured newts must be kept in suitable lidded, ventilated containers and released as soon as possible after capture as close to the site of capture as possible. Newts must always be released in sheltered areas in sufficient good quality habitat and close to a suitable refuge. Terrestrial newts must be placed into suitable high quality terrestrial habitat, whereas newts captured at a pond must be released into high quality aquatic habitat, based on the Habitat Suitability Index (HSI) score (minimum HSI 0.7). The minimum habitat requirement for captured newts to be placed into is 0.5ha of suitable terrestrial habitat and 4 suitable and accessible ponds (unless there are already fewer than 4 ponds present, and the development will not damage or destroy any ponds with HSI >0.5). Release sites must ideally be as close as possible to the site of capture and must be within a maximum 1km of the site from which they were captured, with no barriers to newt movement (in exceptional cases translocation over longer distances may be acceptable - see section 7.2.4 below). An assessment by NatureSpace Partnership of the habitats to be lost and retained will inform this process. Landowner permission must be obtained prior to capture and relocation of any newts and sites with statutory conservation designations must not be used as release sites (unless specific written permission has been obtained from Natural England for a specific translocation exercise).

Whether or not the planning conditions require newt capture, where suitable habitat will remain on site or off site, temporary amphibian fencing (TAF) may be installed at the ecologist's discretion, under the district licence, to assist with reasonable avoidance measures and prevent newts re-occupying or

moving onto the development site during works. Temporary amphibian fencing includes exclusion fencing and one-way fencing.

Under the district licence, records must be kept of any movement of newts, with dates, sites of capture and release, sex and ages of all captured and released newts. Any injury or mortality must also be recorded. All records must be submitted to NatureSpace or the local planning authority.

## **Specific mitigation requirements**

The following measures apply to non-development activities / works where, and to the extent that, any equivalent planning condition 3a-3e has (pursuant to the planning metric) been imposed on the planning permission requiring delivery of specific mitigation requirements in relation to the development.

### **7.1 Aquatic habitats**

Restrictions will apply when ponds will be damaged or lost as part of works, as these works lead to significant risks to great crested newts.

#### **7.1.1 Works to existing ponds**

Works to existing ponds onsite may only be undertaken during autumn/winter (this applies to any ponds on site which are suitable for newts, (based on the HSI score and suitability of terrestrial habitat) and which will be damaged or destroyed)..

This is normally mid-September to early February. A pond which has ceased to hold water during the spring/summer would not be regarded as covered by this requirement. If a pond will be lost, the pond must be drained down during the autumn/winter, using a fine mesh filter, followed by hand and destructive searches of the pond bed and immediate surroundings to capture any animals present.

If it is essential that a suitable great crested newt pond is drained down in the spring or summer, an intensive trapping exercise at the pond (in accordance with the requirements in section 8.3.2.3 of the Great Crested Newt Mitigation Guidelines – except that a minimum 60 days of (bottle) trapping is acceptable (rather than 90 days) when undertaken in conjunction with the use of netting and a high density of traps, to supplement the trapping) will be necessary. If the pond holds insufficient water for bottle trapping, or has a hard substrate with little vegetation, the use of netting alone instead of bottle trapping will be acceptable.

### **7.2 Terrestrial habitats**

Timing restrictions and capture exercises will be requirements where the risks to newts are the greatest, and, in regard to the capture of newts, where capture operations are most likely to be effective. For example, capture will be required where:

- Suitable terrestrial habitat will be damaged or lost within 50 metres of a breeding/occupied pond ( $\geq 0.001\text{ha}$  / 10sq m)
- Suitable terrestrial habitat will be damaged or lost within 100 metres of a breeding/occupied pond ( $>0.02\text{ha}$  / 200sq m)
- High quality connected terrestrial habitat up to 250m from a breeding/occupied pond
- Particular habitat features providing good connecting/connected habitat

## 7.2.1 Timing restrictions in terrestrial habitats

On sites which contain suitable overwintering habitat (or ‘hibernacula’) for great crested newts, the period will be restricted within which damage or destruction of that habitat can be undertaken. The timing restriction means that works which will affect likely newt hibernacula must only be undertaken during the active period for amphibians. Amphibians are generally active during February to October, although this is weather dependent (see above, under ‘Capture operations’).

## 7.2.2 Types of capture permitted

Where capture is required, all capture must adhere to the standards outlined in the Great Crested Newt Mitigation Guidelines (unless otherwise stated in this guidance). A written record must be kept of capture effort and results, weather conditions (including rainfall) and minimum overnight temperatures.

Capture methods at suitable habitat features must be used prior to ground clearance or removal of suitable habitat features. A suitably experienced and licensed ecologist must advise on the most appropriate method(s) for the site, depending on the types of habitats and features present. This must include at least one of following methods: hand searches, destructive searches and or night searches. The following section explains the minimum standards required for each of these methods:

### 7.2.3.1 Hand searches

This refers to the careful searching, by hand, of potential refuges and suitable habitat features, and under the licence, this does allow for the removal of checked features. Hand searching can be done throughout the active season, providing weather conditions are suitable (e.g. not during very hot dry weather). Hand searches are ineffective on large expanses of habitat and are suited to searching of distinct habitat features, such as log piles. The time it takes to complete hand searches is dependent upon the extent and complexity of the features to be searched. Hand searching often requires less than 1 day where only small, simple features are present. Where there are large and complex features across the works area it may require 1-5 days.

### 7.2.3.2 Night searches

This refers to searches by torchlight of suitable habitat where newts will be visible above ground. Night searches are best carried out during dispersal periods (March-June for adults and August-September particularly for juveniles) and during suitable weather conditions conducive to newt movements – i.e.

warm, wet nights. Night searching along drift fences can be particularly effective and so is often most effective and efficient in conjunction with a pitfall trapping exercise – this can be a useful way to clear a site more quickly. The method is only effective in habitats that allow the surveyor to easily see newts as they disperse, and so areas with long vegetation or complex topography are not suitable. The minimum effort for night searching is 25 nights.

#### *7.2.3.3 Destructive searches*

This is the careful dismantling of features (such as hedgerows, rubbles piles), with ongoing supervision to check for animals as works progress. Destructive searching can be done throughout the active season, providing weather conditions are suitable (e.g. not during very hot dry weather) and is usually combined with hand searches (and is similarly not suitable for large expanses of habitat). The time it takes to complete destructive searches is dependent upon the extent and complexity of the features to be searched and dismantled. In typical cases, destructive searches can be completed within 1-5 days.

#### *7.2.3.4 Fencing and pitfall trapping*

Where the use of amphibian fencing and pitfall trapping is required at suitable habitats and features, prior to commencement of works, a suitably experienced and licensed ecologist must advise on the most appropriate fencing and trapping design for the site, depending on the types of habitats and features present. As a minimum fencing and pitfall trapping will be required on sites where suitable terrestrial habitat in good or moderate condition will be damaged or lost within 50 metres of a pond ( $\geq 0.001\text{ha} / 10\text{sq m}$ ) and or where  $>0.02\text{ha} / 200\text{sq m}$  suitable terrestrial habitat (in good or moderate condition) will be damaged or lost within 50-100m of an occupied or breeding pond. The following section explains the minimum standards required for fencing and pitfall trapping under the district licence:

- **Amphibian fencing**

Amphibian fencing design, installation and maintenance must follow best practice and must be focussed in and around suitable areas of habitat to be cleared – e.g. the use of lengths of drift fencing within 100m of great crested newt ponds. Fencing requirements are outlined in section 8.4.2.1 of the Great Crested Newt Mitigation Guidelines. Fencing may be installed year-round (unless in hibernation habitat, in which case fencing must not be installed during the hibernation season, unless this may be done without disturbing potential hibernation features). Temporary amphibian fencing must be removed promptly upon completion of the development works, at the appropriate time of year to avoid disturbing hibernating animals.

- **Pitfall trapping**

Where pitfall trapping is required, it must be undertaken in line with the Great Crested Newt Mitigation Guidelines – section 8.4.2.2. With regard to effort, the minimum requirements under the NatureSpace District Licensing Scheme will be 25 days trapping, in suitable conditions for newt



movements. There must be at least 5 days at the end of the capture period (which can be the last 5 of the 25 days) over which no more than 9 great crested newts are captured (and no more than 4 great crested newts in any one day). If 10 or more great crested newts are captured in the last 5 days, then capture must continue until a five day zero or very low capture period (as above, with <9 great crested newts over 5 days and no more than 4 great crested newts in any one day) is achieved. Sites can be compartmentalised so that compartments can be released for works separately upon achieving the required capture period.

To offset the reduction in effort compared to standard recommendations, there must be an increase in trapping intensity – increased numbers of traps, additional fence lines where appropriate, and other methods (hand, night searches, artificial refugia, carpet tiles etc.) deployed where they would assist with capture. In order to maximise capture efficiency, trapping must occur during periods of expected high dispersal. This will depend on the time of year, location and weather, though would typically be March to June and August to September.

### 7.2.4 Translocation

Where capture of newts is required, and newts cannot be relocated to suitable habitat outside of the working area, or in habitat adjacent to, or within 1km (provided there are no barriers to newt movement) of the development site, this approach also includes the facility for off-site translocation of great crested newts from development sites to conservation sites. This will only be appropriate where there are conservation benefits for doing so (e.g. to establish a new population, or where large numbers of newts are expected to be present at the development site and the retained or adjacent habitats are not considered suitable to support the population). NatureSpace and the Amphibian and Reptile Conservation Trust will provide site specific advice in any such cases. Captured newts must only be moved to suitable habitat and where there is sufficient suitable viable habitat to support the population. The minimum would be 0.5ha and 4 ponds that are suitable for and accessible (i.e. within 500m of the receptor site with no barriers to newt movement) to the translocated newts.

Any translocations, including receptor site selection, will conform to best practice for conservation science, including in regard to disease, and the Amphibian and Reptile Conservation Trust will provide specific advice for any such proposals. The 'triggers' for translocation off site (and which will require expert advice from ARC on individual proposals, and, if >1km from the capture site, consultation with Natural England) are:

- Evidence suggests there are large numbers of great crested newts on the development site and that there is insufficient habitat to be retained or in the vicinity of the development site in order to sustain a population of equivalent size and viability ("large" would typically mean a population that would qualify as a SSSI interest feature); or
- Habitat in the vicinity of the development site is insufficient in quality and/or quantity to support a viable great crested newt population in the long term, and there is no practical remedy for this (either on-site or within 1km); or

- A compensation site requires an introduction of newts from an existing (close-by) population, and sourcing founders from a development site would be consistent with improving Conservation Status of the species in the District.

Where off-site translocation is deemed necessary (following the above triggers), the actual detailed proposals will be site specific – including details on capture methodology (which will aim to capture newts of all life stages) at the donor site and habitat creation/management measures and monitoring (pre-and post-translocation) at the receptor site. NatureSpace Partnership will set out any Developer responsibilities/requirements.

NatureSpace and the Newt Conservation Partnership will design translocations to ensure there is no negative impact on the range metric. In general, any translocations will be within the maximum dispersal range of the existing population (around 2km), taking into account any barriers to movement. If a situation arises where translocation would be to a site outside of the dispersal range, then disease screening requirements would apply, and, in all cases, there will be consultation with Natural England where off-site translocation is triggered, and the receptor site is >1km away. Details of the receptor site will be provided, including distance from the donor site, extent, types and quality of habitats available, existing great crested newt status, landowner permission, conservation designation, etc.

## Experience requirements

Supervising ecologists must have appropriate experience, knowledge and relevant licence(s) for the techniques and methods being used. The minimum requirement is that the ecologist holds a great crested newt survey licence, as this demonstrates the licence holder has experience in handling newts and has appropriate understanding of welfare and biosecurity issues. However, if the district licence requires pitfall or bottle trapping at a development site, the supervising ecologist must either:

- Be the named ecologist on a great crested newt mitigation licence (or have held one within the last three years); or
- Be a registered consultant on the Great Crested Newt Low Impact Class Licence; or
- Hold a level 2 great crested newt survey licence.

In line with standard mitigation licences, the supervising ecologist named may appoint other persons in writing to enable them to handle great crested newts for the specific task of relocating animals from pitfall traps and/or artificial refugia (e.g. carpet tiles) either to the opposite side of the exclusion fencing or to the receptor site, as appropriate. Those appointed persons will be classed as 'assistants'. Assistants must have received appropriate training, including the handling and welfare of the species, but are not required to hold individual great crested newt licences and may work unsupervised. Persons appointed as assistants by the supervising ecologist will be required to produce on demand their written authorisation to a police constable or an officer of Natural England.