Best Practice Principles

This advice note sets out best practice principles recommended for use on any development site authorised under one of the district licences issued under the NatureSpace District Licensing Scheme and are in respect of great crested newts only. There may be other ecological considerations which should also be taken into account when planning works.

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). Individual authorisations will specify which sections of the ANNEX B Protocol apply to a specific development site.

Further guidance can be found in 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).

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

Any capture/relocation of great crested newts must be carried out by or under supervision of a licenced great crested newt ecologist.

BEST PRACTICE MEASURES RECOMMENDED UNDER THE DISTRICT LICENCES

1. Before any works commence:
    - **advice should be sought from a suitably qualified ecologist:**
        (i) on the requirements of the licence and any recommendations to apply at the development site any of the measures listed at 3. Below; or
        (ii) any other measures (leaving aside those listed at 2. below which should be followed at every development site) to reduce the risks of harm to great crested newts.

        When providing this advice, the qualified ecologist should consider what is reasonable and proportionate, taking into account the relevant impact risk zone of the development site, the suitability of habitats at the development site, the proximity of the development site to ponds and the nature of the development works)[1];

[1] In NatureSpace's view, obtaining and following such ecological advice and following the reasonable avoidance measures listed in paragraph 2, is likely to assist in avoiding liability for offences which protect GCN under the Wildlife & Countryside Act 1981 (as amended).

- A site induction **tool box talk** should be arranged for site personnel, to be provided by a suitably experienced newt ecologist to include great crested newt identification and what to do if newts are found, the legislative protection and the reasonable avoidance measures to be adopted on site.

2. **The following reasonable avoidance measures** should be employed at every development site to reduce the risks to great crested newts during works (both development works, and any habitat creation/enhancement works):
   a) In advance of works, vegetation should be managed to reduce suitability for newts, to discourage newts from areas which will be soon stripped:
      i. Cut scrub and tall grass no lower than 150mm; carefully remove arisings and leave habitat undisturbed for 48 hours
      ii. 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)
   b) Vegetation management should be undertaken at the appropriate time of the year and in appropriate weather conditions, to avoid killing/injuring newts
   c) Working areas should avoid any retained habitat
   d) Measures should 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
   e) Machinery, materials etc should be stored on areas of hardstanding or raised off the ground on pallets where possible
   f) Waste materials should be removed off site immediately or stored in skips where possible
   g) Excavations should be backfilled, covered overnight, or ramps placed in to allow any animals to escape
   h) Excavations and working areas should be managed so as not to create temporary waterbodies which may attract newts onto site
   i) Access roads should use existing roads and tracks and keep habitat disturbance to a minimum, avoiding any areas of sensitive or potentially valuable habitat

3. **The following further avoidance measures (licensed activities)** should be carried out under the district licence (by or under the supervision of a suitably experienced and licensed great crested newt ecologist) where (as above) advised by a suitably qualified ecologist:
   a) Hand searches, destructive searches and/or night searches may be undertaken ahead of site works, to reduce the risk of newts being on the site during works (see further below regarding these methods).

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b) If it is suspected or known that great crested newts are using a pond, any works to the pond should take place during the autumn/winter (normally mid-September to early February). This can include, where necessary, pond drain down during using a fine mesh filter, and followed by hand/destructive searches of the pond bed and immediate surroundings to capture any animals present.

   If it is essential that a known great crested newt pond is drained down in the spring or summer, it may be recommended that a trapping exercise at the pond should be undertaken before drain-down. This should be 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). 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 is acceptable.

c) Where suitable habitat will remain on site or adjacent to a development site, temporary amphibian fencing (TAF) may be installed, to assist with reasonable avoidance measures and prevent newts moving onto the development site during works. This must be removed promptly at the end of the construction works.

Newt capture

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 may 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 should avoid cold conditions (<6°C air temperature) and extended periods of very dry weather (particularly during June – mid-August).

Any captured newts should be kept in suitable lidded, ventilated containers and released as soon as possible after capture. Newts should be released in sheltered areas in sufficient good quality habitat and close to a suitable refuge, with landowner permission if required. Release sites should ideally be as close as possible to the site of capture but within a maximum 1km of the site from which they were captured, with no barriers to newt movement. If there is no suitable release site within 1km, NatureSpace Partnership can advise on any alternatives which may be available under the district licence.

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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.

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 may 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.

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. 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. Typically night searching is carried out for at least 25 days.

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 may 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.

Amphibian fencing

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 moving onto the development site during works. Temporary amphibian fencing includes exclusion fencing and one-way fencing. Amphibian fencing design, installation and maintenance 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

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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.

Refugia

Reptile capture programmes using fencing and/or artificial refugia may also capture newts. If a site is covered by a district licence, great crested newts may also be moved if found during the course of a reptile translocation programme. Also see notes above on newt capture.

Relocating great crested newts at imminent risk of harm

Great crested newts should only be handled by a suitably experienced and licensed newt ecologist, and any capture exercise must be undertaken by or under the direct supervision of, a suitably licensed ecologist. However, if a great crested newt is at imminent risk of harm, a non-licensed person may 'rescue' and release the newt. See notes above on newt capture, regarding how to move newts and record keeping.

Biosecurity

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

Experience requirements

The supervising ecologist should as a minimum hold 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. Supervising ecologists should also have appropriate knowledge and relevant previous licence experience for the techniques and methods being used under the district licence.

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