

District Level Licensing for Great Crested Newts

East Anglia

What I'll cover

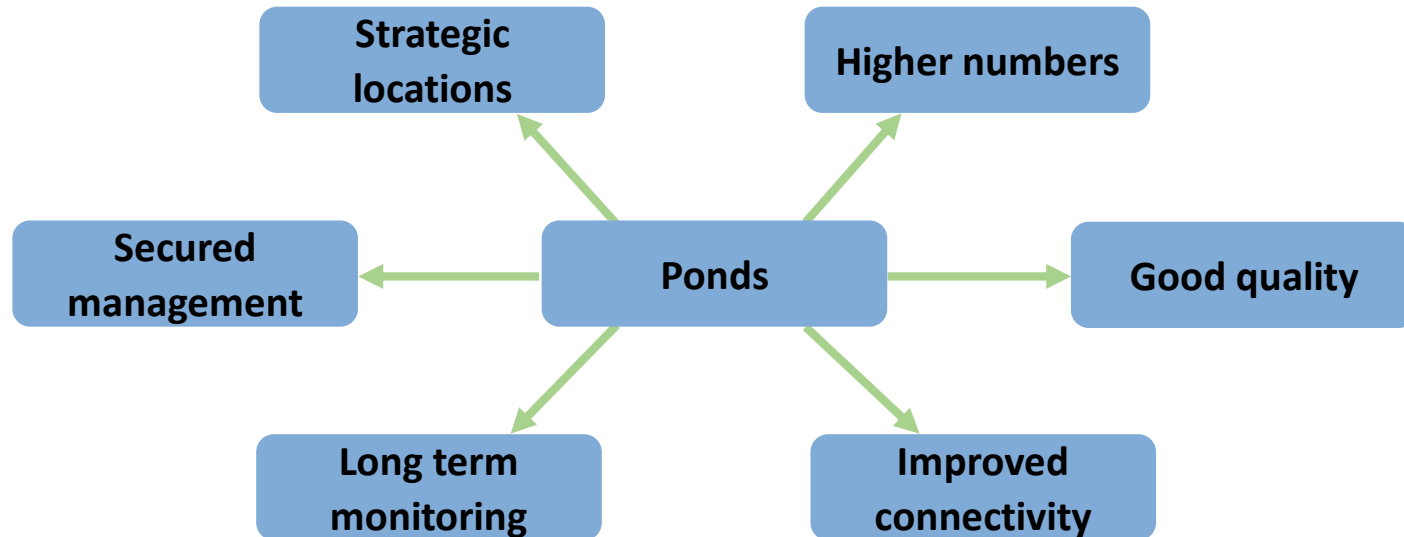
- Background and policy drivers
- Kent and Cheshire scheme design
- Habitat delivery
- Progress
- Questions

Great crested newts – current licensing approach



This isolated pond was retained within a housing development because it was home to Great Crested Newts, but suffers from many problems including dumped goldfish, invasive plants, and no long term funding or management plan.

New district level licensing approach – better for GCN



“More, bigger, better and more joined up” – Lawton Review 2010

New district level licensing approach – better for licence applicants

- Simple & quick to apply for & use
- No time constraints for works
- Enables better forward-planning
 - Certainty from the start
 - Fixed cost known at an early stage
 - No risk of delay due to weather/ staff/ change of plans etc.

A recent quote from a satisfied customer:

“I am really glad this scheme was rolled out and my clients are happy too. It opens up more developable area on sites but as an ecologist, I can totally see the logic behind conserving important areas for GCN rather than on a site by site basis. I think it's a fantastic system, I'll be sending another application in soon!”

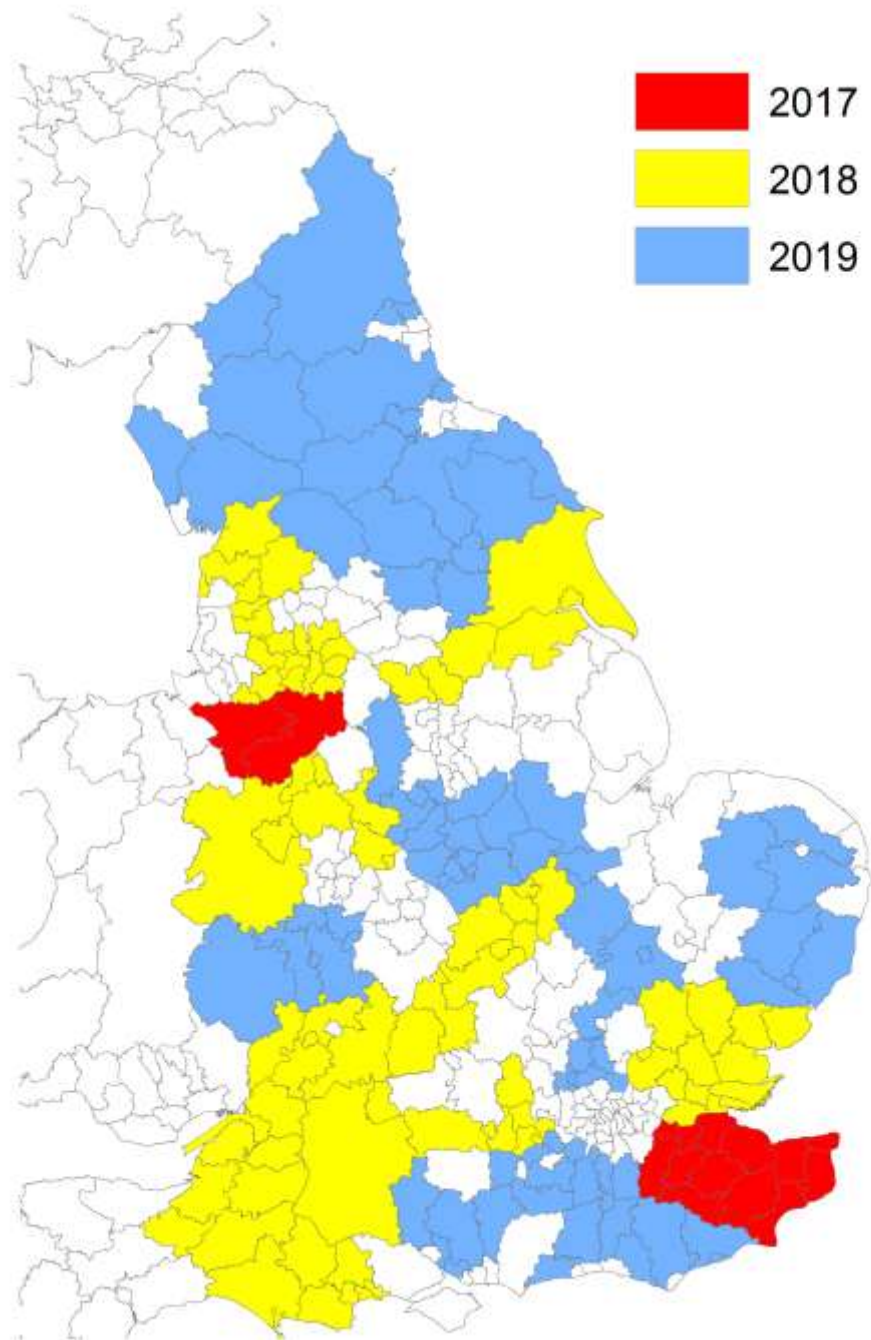
Two ways:

1. Organisational licence (held by Local Planning Authority or another party)
 - The Woking pilot
 - Nature Space Partnership approach
2. Natural England led:
 - Administers a strategic approach
 - Licences developers directly
 - Works with local partners to deliver the habitat

Strategic survey and data capture

- ~5,000 ponds surveyed by eDNA across England
- ~27,000 class licence records
- Other data collated from local stakeholders
- Almost all of this will be Open Access data

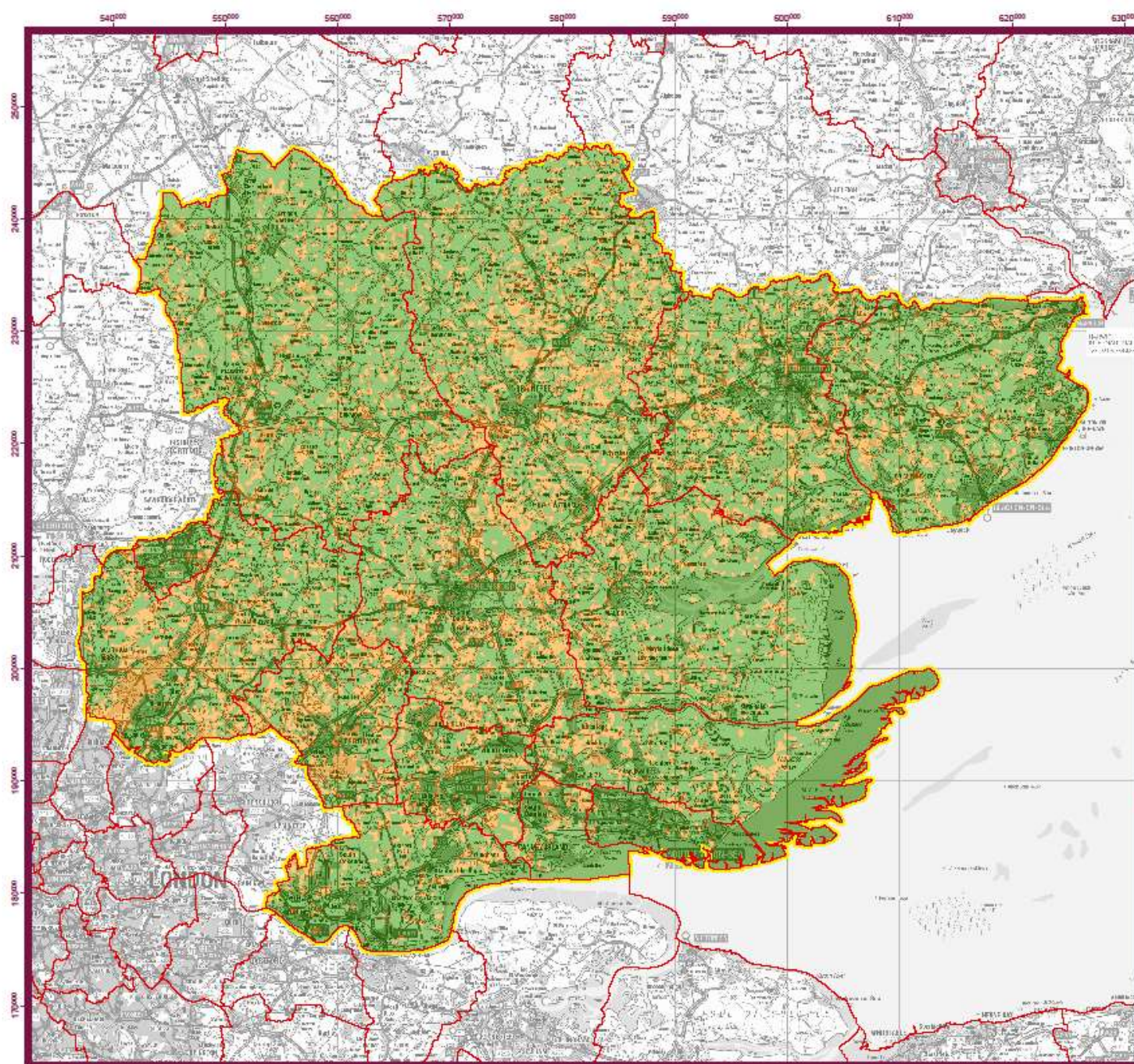




NB: map is indicative & areas may change


Modelling

- Species Distribution Models - predict where known GCN ponds are 95% of the time
- Risk maps:
 - **Red** = The best places in a county for GCN
 - **Amber** = Areas where GCN are likely to be present
 - **Green** = Areas where GCN are unlikely to be present
- Strategic Opportunity Area maps – best places to create/ restore ponds for GCN



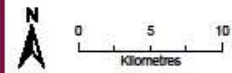
Risk Zones

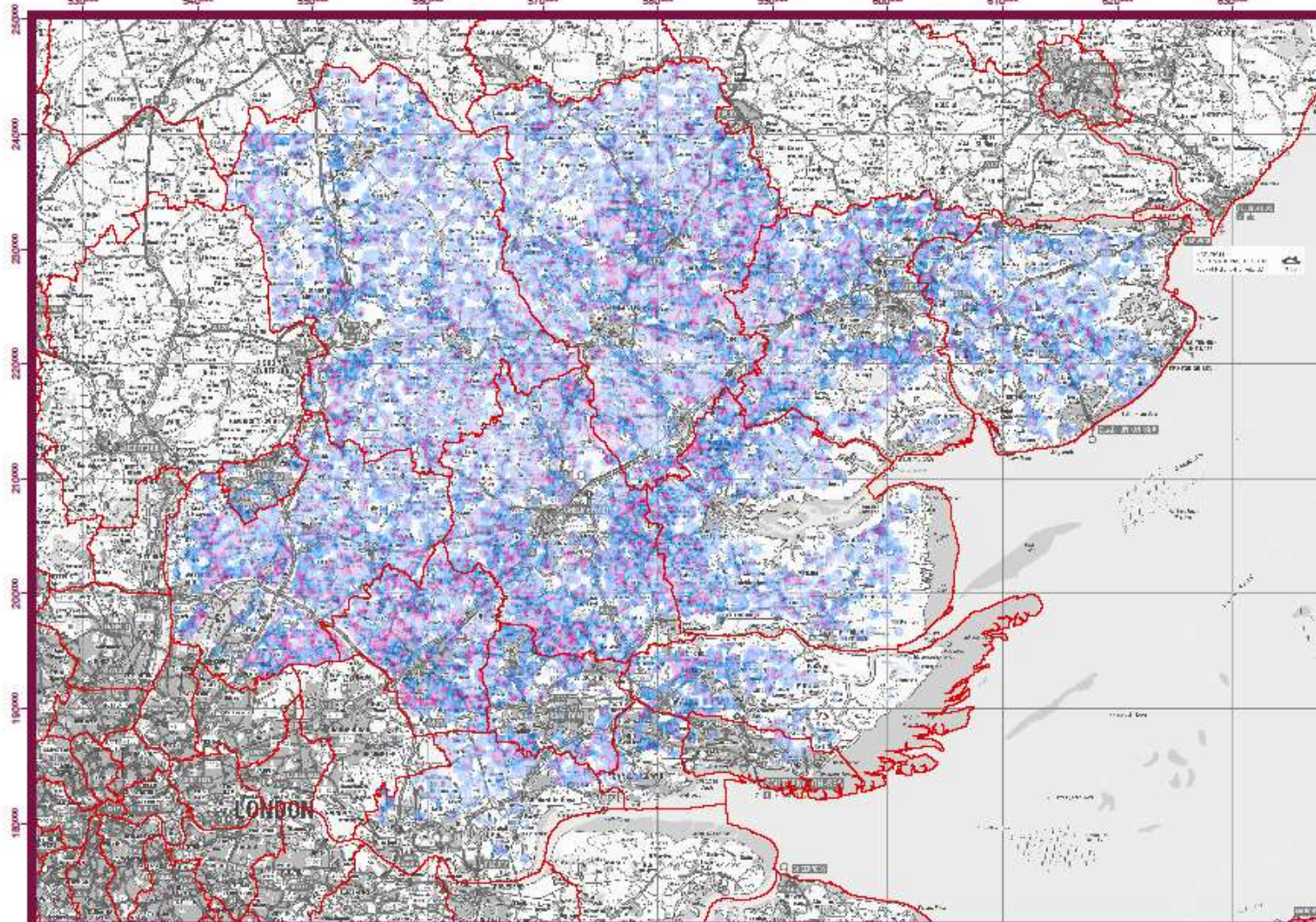
Essex

Zone	Area (ha)
 Amber Zone	105,493
 Green Zone	289,259

Map produced by Evidence Services
Date: 21/03/2019

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Opportunity Areas

Essex core and fringe areas

Score	Area (ha)
Core: -1	1,092
Core: 0	10,483
Core: 1	12,635
Core: 2	12,042
Core: 3	7,579
Core: 4	4,110
Fringe: -1	5,950
Fringe: 0	61,533
Fringe: 1	39,044
Fringe: 2	31,784
Fringe: 3	15,915
Fringe: 4	7,467

Total area (ha)
 All = 209,635
 Core (pink areas) = 47,942
 Fringe (blue areas) = 161,693

Higher numbers and darker colours equal greater presence of habitat features:

Variable	Score Applied
Distance from rivers <1500m	1
Density of arable land 50 - 100%	-1
Density of grassland 10 - 50%	1
Density of woodland 10 - 60%	1
Shannon-Weaver diversity -1.5 to -0.6	1

Core (pink areas): Pond densities of 2+ within the newt presence-predicted area

Fringe (blue areas): Pond densities of 1 within the newt presence-predicted area combined with a 250m expansion zone around the newt presence-predicted area

The following features are buffered and excluded:

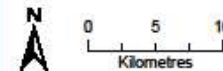
Feature	Buffer distance
Urban areas	+400m
Roads	+7.5m
Actual rivers	+7.5m

Map produced by, Evidence Services
 Date: 25/03/19

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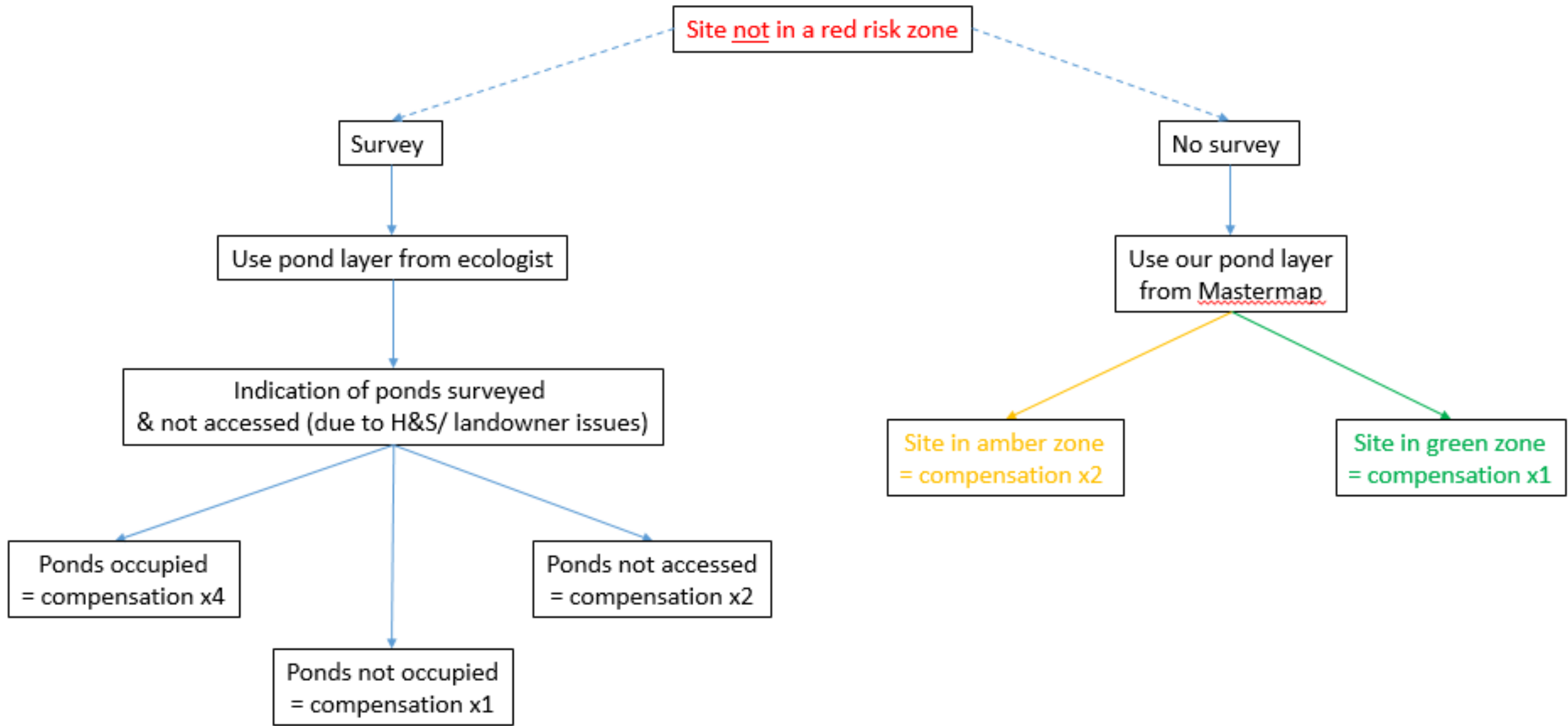


NE led approach developed in Cheshire & Kent.

The customer journey: four steps to obtain a district level licence

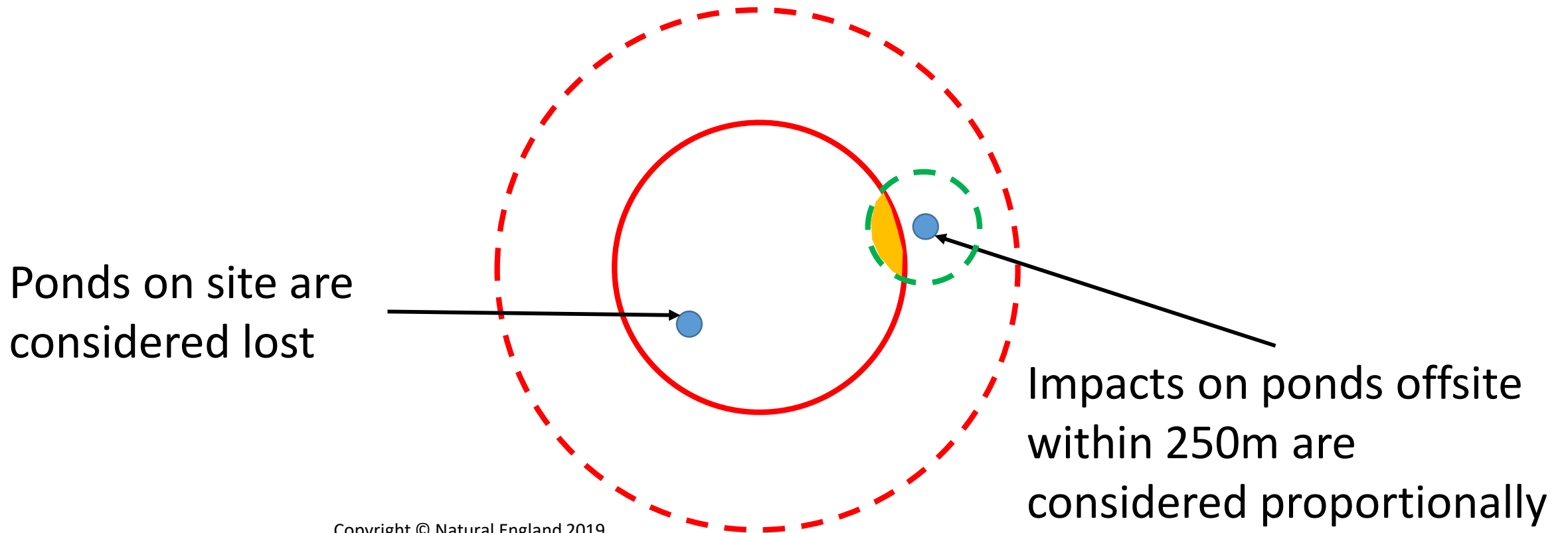
1. Applicant makes enquiry to NE to confirm:
 1. Eligibility to use DLL; *and*
 2. How much it will cost.
2. NE supplies a cost quotation to applicant for signature:
 1. Quotation forms a contract between NE and the applicant stating that DLL can be used to account for impacts to GCN as a result of development.
 2. Signed quotation informs the applicant's planning application.
3. Once planning permission granted, applicant pays NE and submits licence application (reasoned statement only).
4. Licence granted and works affecting GCN can legally proceed.

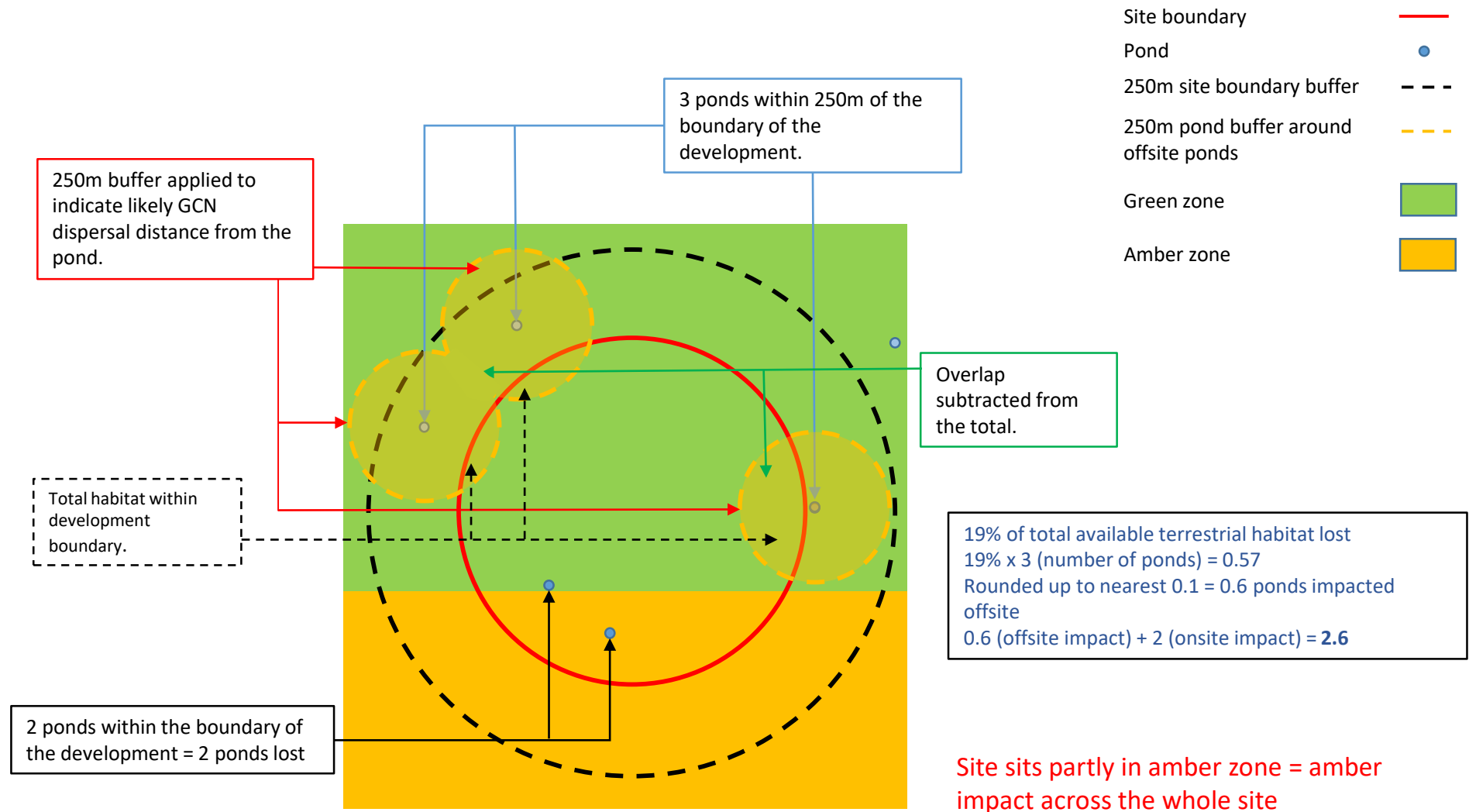
Two methods to use the strategic licensing approach



Impact Assessment

Impact is quantified as the number of ponds impacted by a development...





2.6 impacted ponds x 2 (amber multiplier) = 5.2 compensation ponds required

How much does it cost to join the NE-led scheme?

- Every compensation pond costs £15,165 + VAT
- Every licence costs £700 no VAT
- The total payment is calculated as:
 - ✓ **£670 enquiry fee**
 - ✓ **+ no. of compensation ponds required x £15,165 + VAT**
 - ✓ **+ £690 for licence fee**

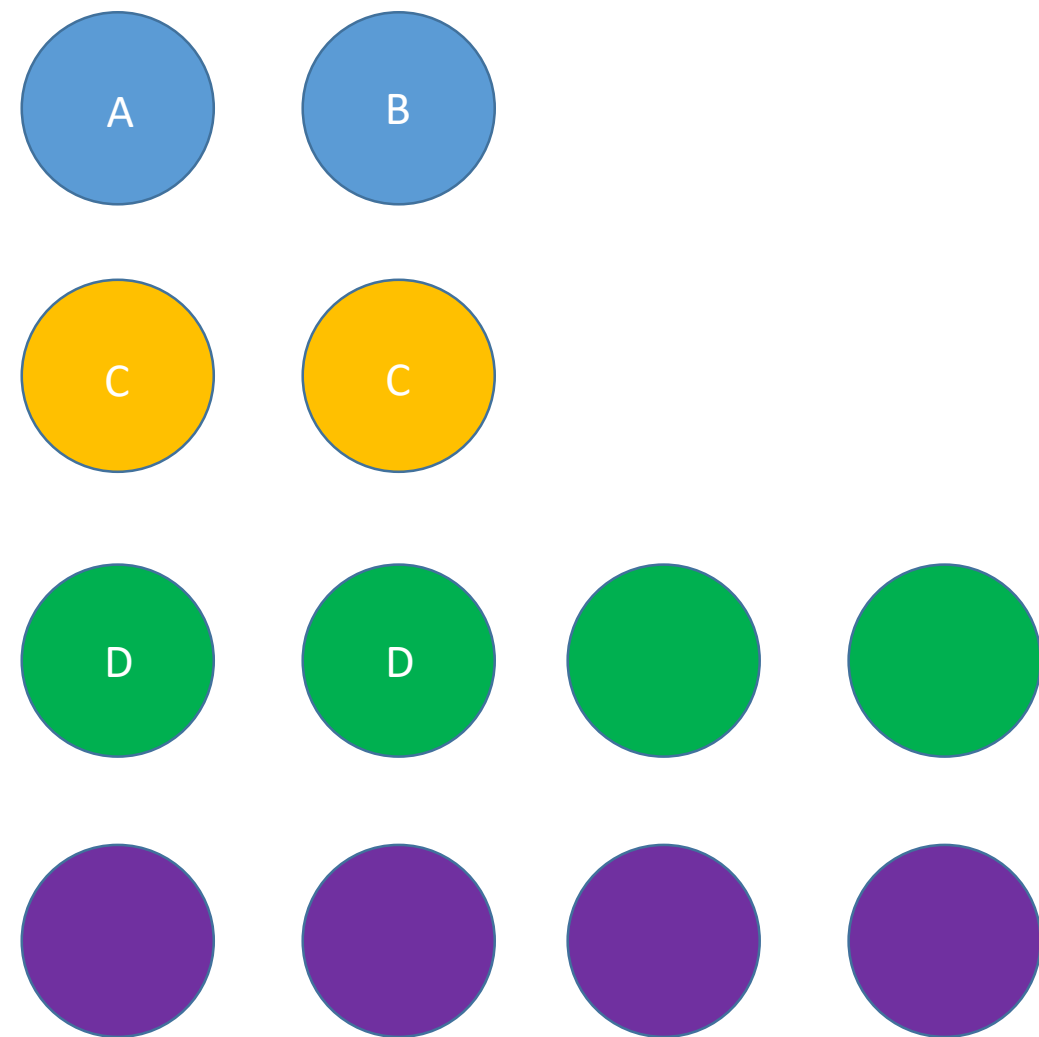
Payment category	Category proportion	Description	Payment amount
Habitat delivery	71%	Pond creation/ restoration	£3,500
		Pond contingency	£3,500
		Pond maintenance	£3,786
Habitat monitoring	14%	Monitoring	£2,000
		Modelling & mapping updates	£175
Administration	15%	Habitat delivery Project Officer cost	£1,400
		Natural England project management & administration	£804
TOTAL			£15,165

Cost comparison – traditional vs. new approach

	Residential development 1 onsite occupied pond (4:1 ratio + 1.1 time lag)	Small community facilities development. 3 off-site ponds within 250m, one occupied, one unoccupied, one not accessed
Initial surveys, trapping and translocation	£32,000	£12,835
Meetings, admin, travel costs	£3,000	£1,208
On-site habitat mitigation and management	£10,000	£1,000
Post-translocation monitoring	£17,000	£1,100
Estimated total traditional route	£62,000 (16% habitat delivery)	£16,143
Estimated total new route	£61,327 (85% habitat delivery)	£5,240

Contingency ponds: an illustration

Pond creation and allocation



Key:



Ponds funded by Development A
(needs 1 x pond)



Ponds funded by Development B
(needs 1 x pond)



Ponds funded by Development C
(needs 2 x ponds)



Ponds funded by Development D
(needs 2 x ponds)



Letter indicates pond allocated to
specific development

Note: Every development makes a conservation payment which funds two ponds (one specifically for compensation, the other as a contingency against failure of the original). Each contingency pond can be allocated as a compensation pond as required, and the new development requiring that pond will pay for a new contingency pond.

Pond failure and re-allocation

Key:



Ponds funded by Development A



Ponds funded by Development B



Ponds funded by Development C



Ponds funded by Development D



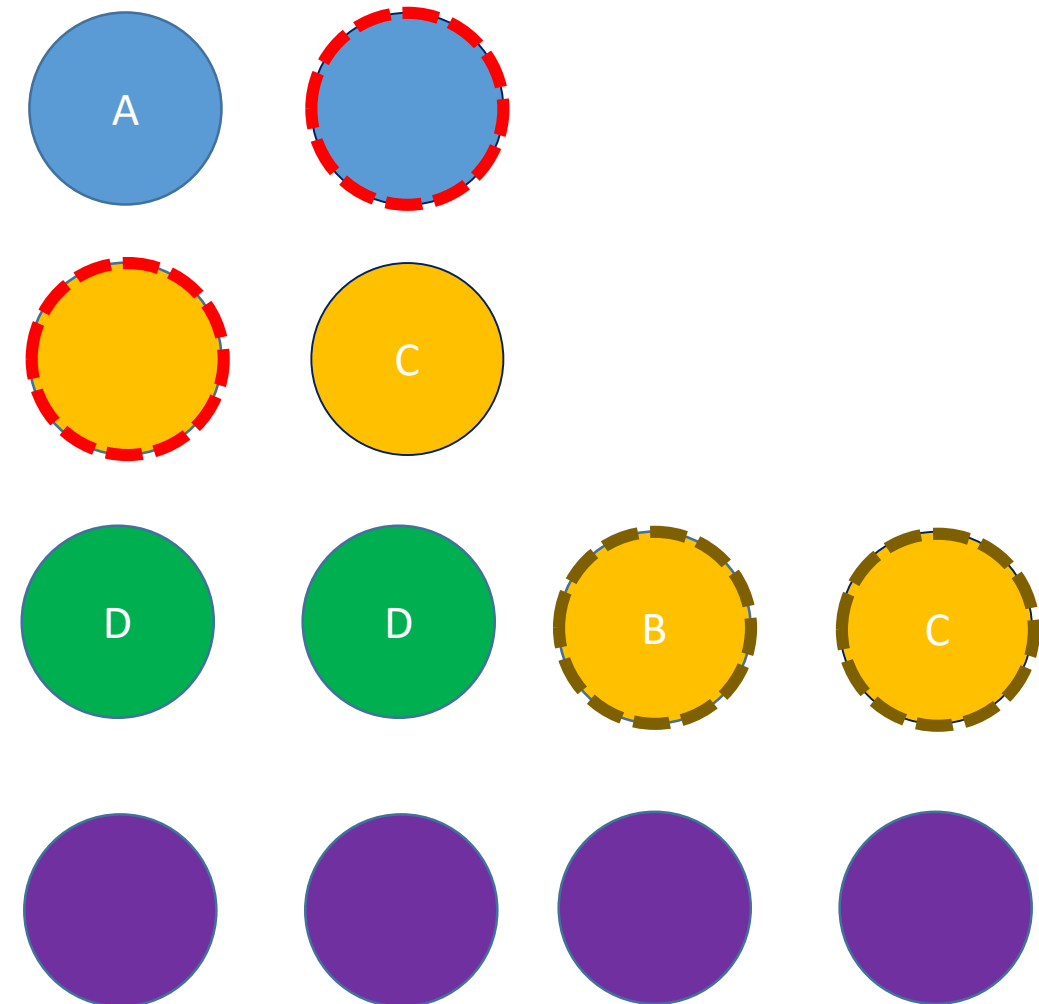
Letter indicates pond allocated to specific development



Pond failure



Re-allocated pond



Note: In the event of pond failure, a surplus pond is re-allocated as compensation for that development. The remaining monitoring and maintenance fund will also be re-allocated. The re-allocated pond is likely to be relatively new and likely less than a year old. Compensation ponds for a specific development will always be maintained for 25 years, though the pond location may change if the original compensation fails.

Compensation pond specification – in brief

- Pond location targeted using SOA maps. Final location approved by Project Officer (Habitat Delivery Body) using guidance and judgement
- Surface area between 100m² and 300m²
- Depth to vary between 1m and 3.5m
- Shallow areas valuable to wildlife with bank gradients of 1:10 or 1:20
- *At least* 3m terrestrial habitat surrounding every pond to act as a buffer, increase its value and encourage colonisation
- Buffer managed as habitat mosaic with hibernacula installed
- Ponds fenced except where not practicable or where a better conservation outcome can be achieved without a fence/ partial fencing

Monitoring and maintenance

Funds for every compensation pond will enable:

- Four eDNA and HSI surveys after creation/ restoration;
 - To measure pond quality and colonisation
- Three further HSI surveys and egg searches in years 8, 16 and 25 (during maintenance visits);
 - To measure pond quality and breeding presence over a longer period
- A contribution to national PondNet survey (equivalent of 1 x eDNA & HSI survey);
 - To measure national trends
- Population surveys of a sub-sample of DLL ponds and also a sub-sample of existing ponds;
 - To investigate how DLL ponds are functioning in relation to national trends
- Include a contingency eDNA & HSI survey;
 - For use where extra survey would prove useful
- Yearly mapping updates – ‘living’ pond layer & SOA maps
- Regular updates of Risk Maps
- Three maintenance visits & associated maintenance actions
 - To ensure ponds remain valuable for GCN

GCN Licensing Expert Panel convened to provide ongoing oversight

Positive response to Kent and Cheshire schemes

- Healthy pipeline of interest to date: tens of formal (paid for) enquiries since launch in both Kent and Cheshire
- So far, 8 sites in Kent and 5 in Cheshire have agreed to join the scheme, totalling £375k potential conservation payment income, with £185k+ already in the bank!
- Some enquiries are large, multi-phase schemes, e.g. Garden Village in Cheshire requiring 45+ compensation ponds
- Some very small, e.g. small development in Kent requiring 0.22 compensation ponds (cost £3,889)
- Approx. 94 compensation ponds already delivered across both areas

Framework document

- Overarching principles to which any DLL scheme must adhere
- Recognises there is no single best way to design and implement a DLL scheme
- Helps scheme designers (e.g. Local Planning Authorities (LPAs), groups of LPAs, or other public bodies, commercial bodies or non-governmental organisations) interested in participating in DLL
- Explains NE's approach to the assessment of DLL schemes under the legal licensing tests and relevant policy, and the documents and mechanisms likely to be needed to enable a licence to be granted
- Levels the playing field and sets the standard for DLL going forward

A Framework For District Licensing Of Development Affecting Great Crested Newts

Introduction

District licensing of development affecting great crested newts (GCN) involves consideration of the conservation of this species at a geographical scale broader than the development site in question. It can allow harm to individual GCN and their habitat caused by a development to be compensated for by the creation and/or restoration of suitable amounts of new habitat elsewhere. District licensing can be operated by local planning authorities (LPAs) within their areas, or by groups of LPAs, or other bodies on their behalf, or by Natural England. At the heart of district licensing is the grant, by Natural England, of an **organisational licence** permitting the holder to authorise developments affecting GCN in cases where planning permission is granted.

In appropriate cases, instead of requiring harm to GCN to be avoided or mitigated at a development site, GCN are benefited elsewhere in the area at the developer's expense. This safeguards the conservation status of GCN in the area concerned and also represents a significant streamlining of the GCN licensing element of the development consent process.

These overarching principles set out Natural England's expectations for applications for organisational licences and will also apply to Natural England in the administration of its own district licensing schemes. This document is aimed at helping scheme designers (e.g. LPAs, groups of LPAs, or other public bodies, commercial bodies or non-governmental organisations) who are interested in opportunities to participate in district licensing. This document explains how Natural England will approach the assessment of such a scheme under the legal licensing tests and relevant policy, and the documents and mechanisms that are likely to be needed to enable an organisational licence to be granted. Where it is indicated that Natural England expects or invites an applicant for an organisational licence to address a certain issue it follows that if the applicant does not do this to Natural England's full satisfaction its application will be unsuccessful.

There is no single best way to safeguard and improve the conservation status of GCN by compensating for losses caused by individual developments: within a given area it will be possible to devise differing conservation strategies of comparable effectiveness. The overarching principles set out in this document indicate the boundaries within which Natural England believes that schemes for this purpose should lie. It is not intended to take a prescriptive approach and Natural England will welcome locally tailored proposals that suit the areas and organisations involved, provided that they are not inconsistent with these overarching principles. All applications will be considered on their own merits, and Natural England is happy to work with applicants to develop local solutions under the terms of its Discretionary Advice Service.

When considering an application for an organisational licence Natural England's approach will treat the overriding goal as being the improvement of the conservation status of GCN and its decision-making will always be guided by this principle and by the precautionary principle.

The principles and approaches set out in this document apply only to the licensing of works affecting GCN and should not be taken as having broader relevance.

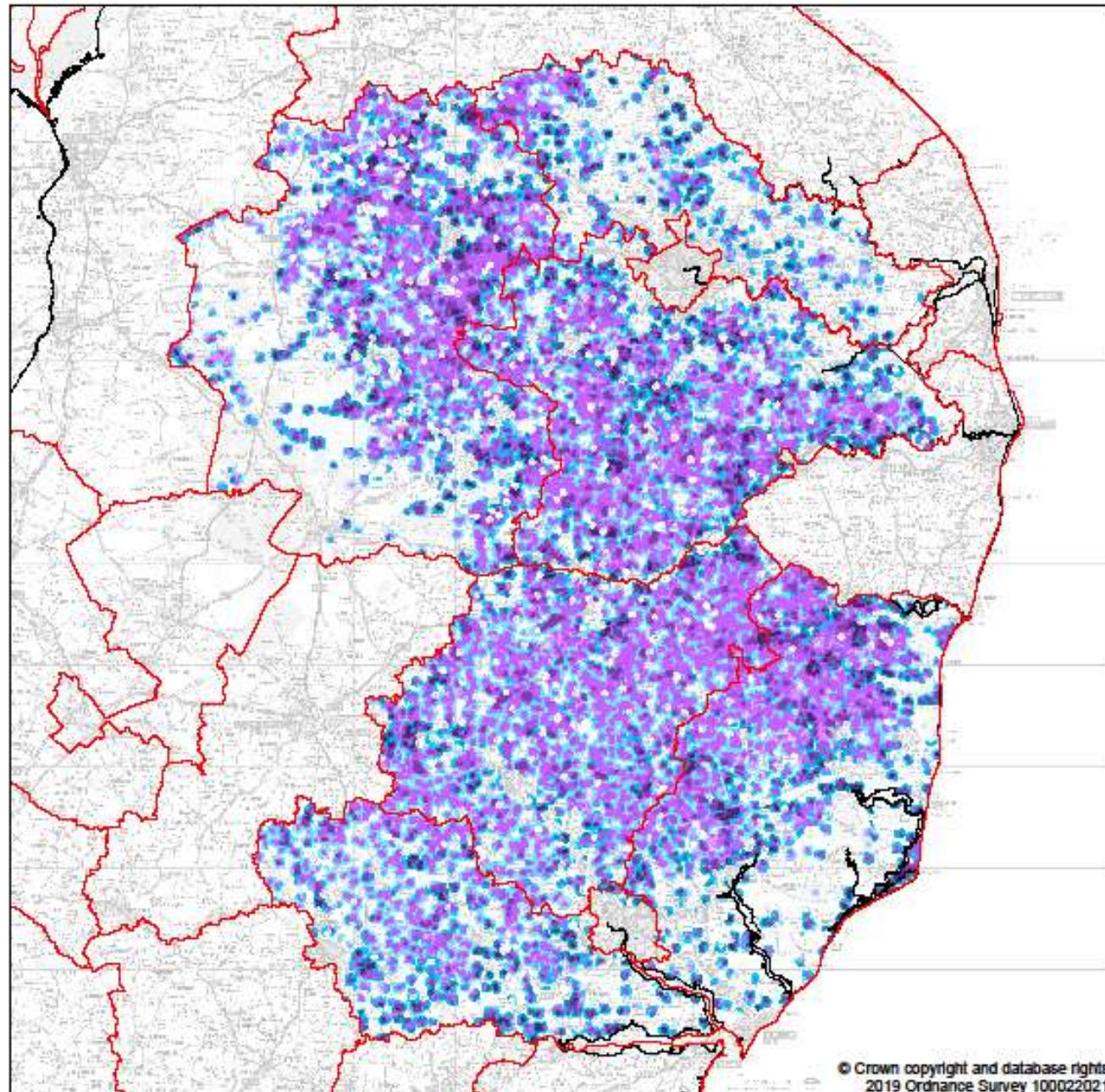
Where is district level licensing currently available?

LPA cluster name	Number of LPAs	Licence approach
Woking	1	LPA-held
Kent	13	NE-led, launched Feb 2019
Cheshire	2	NE-led, launched Mar 2019
South Midlands	7	Nature Space Partnership (NSP)
South Midlands extension	9	Nature Space Partnership (NSP)
TOTAL	32 (22%)	

DLL in East Anglia

- Essex – whole county - aiming to launch by March 2020 (4% of historic GCN mitigation licensing in England). Over £190k allocated for habitat creation work this winter – around 39 ponds.
- Norfolk & Suffolk – aiming to launch by September 2020 (1.7%). About £100k allocated – up to 20 ponds this FY
 - Breckland District
 - Broadland District
 - South Norfolk District
 - Ipswich
 - Mid Suffolk District
 - Suffolk Coastal District
 - Babergh District

Interim SOAs



□ District boundary

Score

- Core, 0
- Core, 1
- Core, 2
- Core, 3
- Core, 4
- Core, 5
- Fringe, 0
- Fringe, 1
- Fringe, 2
- Fringe, 3
- Fringe, 4
- Fringe, 5

Core Area:
140238 ha

Fringe Area:
104762 ha

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District level licensing – the future

- Now in the final year of the project...
- By March 2020 we will have:
 - Completed the largest baseline survey of its type for great crested newts
 - Produced risk zone and strategic opportunity area maps across 200+ LPA areas
 - Invested over £2m in habitat for great crested newts to pump-prime DLL schemes across England
 - Launched schemes in many more areas
- The Government's 'A Green Future: Our 25 Year Plan to Improve the Environment' cites district level licensing as an important forerunner to net gain. We will also:
 - Apply what we've learnt about DLL to net gain delivery
 - Consider how the approach could be extended to other protected species such as dormice and bats.

District level licensing – in summary

- **85%** of funding goes towards habitat creation, monitoring and maintenance. Remainder used to administer the approach.
- Lots of good quality ponds in the right places, safeguarded, maintained and monitored for 25 years...and lots of open data



Questions

