

European protected species policy consultation

Page 2: Policy 1. To allow greater flexibility when excluding and relocating EPS from development sites.

Q1. Do you think that this policy could benefit great crested newts?

Yes

Please explain why

As with all of the policy options, the more flexible approach focusing on beneficial outcomes (for EPS and developers) is welcomed. Expenditure on capture and exclusion can be very high for a small number of individuals which is unlikely to effect the conservation status of the species. MPA members have reported that the current approach of trapping, exclusion and post-translocation monitoring can typically cost more than £100k per site (and so often >£1,000 per newt). In many cases expenditure on habitat creation, management and enhancement would be more likely to have a more valuable and long term benefit to the species and be more cost effective.

Q2. Do you think this policy could benefit other European protected species?

Yes

Please explain why:

Probably.

Q3. Do you think this policy could reduce costs, delays and uncertainty for developers?

Yes

Please explain why

As explained above, costs of fencing, survey, translocation and monitoring are particularly high and can result in significant delays.

Q4. Do you have examples of where this policy could have been helpful?

Yes

Please add case study name(s) and brief details. [AttachFile] if appropriate

We would be able to provide examples from minerals sites

Page 3: Policy 2. To allow greater flexibility on the location of habitats that are created to compensate for habitats that will be lost.

Q5. Do you think that this policy could benefit great crested newts?

Yes

Please explain why

Inevitably there may be better opportunities for creation of habitats that may be of better quality (and scale) off-site rather than restricted to what may be achievable on-site. This may not be as big an issue for minerals as with other developments, given the potential for on-site creation due to the large scale and requirements for long-term restoration (often to nature conservation) and aftercare.

Q6. Do you think this policy could benefit other European protected species?

Yes

Please explain why:

The opportunity for creation of better quality and scale of habitats may benefit other species and be able to deliver legal requirements

Q7. Do you think this policy could reduce costs, delays and uncertainty for developers?

Yes

Please explain why

It may be limited in practicability by ownership issues, particularly for smaller developers. It is likely to be practicable for minerals development. Use of a metric to calculate what type and area of habitat is necessary for compensation in a given situation would be helpful - perhaps a version of the offsetting metric?

Q8. Do you have examples of where this policy could have been helpful?

No

Page 4: Policy 3. To allow EPS to have access to temporary habitats that will be developed at a later date.

Q9. Do you think that this policy could benefit great crested newts?

Yes

Please explain why

Mineral working may be phased with large areas remaining unworked for relatively long periods or habitats may develop on operational land. Even apparently very poor quality habitat has been known to attract GCNs. Under the current implementation, operators need to prevent interest developing through exclusion and management of land to prevent it becoming attractive to GCNs (and other species including dormouse). It would be beneficial for the species if the land/habitats were retained and, where appropriate, managed specifically. 'Temporary' may be for a number of years, particularly on minerals sites.

Q10. Do you think this policy could benefit other European protected species?

Yes

Please explain why:

It is likely that this would also benefit dormouse

Q11. Do you think this policy could reduce costs, delays and uncertainty for developers?

Yes

Please explain why

Developers would avoid the expense of exclusion, trapping and translocation, 'management' of habitat to remain poor/unattractive, and the risk of delay and further cost should EPS colonise land. They could better fund good habitat creation and enhancement, including through site restoration in the case of minerals.

Q12. Do you have examples of where this policy could have been helpful?

Yes

Please add case study name(s) and brief details. [AttachFile] if appropriate
Ball clay sites in Devon (Sibelco) - NE is well aware of this example.

Page 5: Policy 4. To allow appropriate and relevant surveys to be carried out where the impacts of development can be confidently predicted.

Q13. Do you think that this policy could benefit great crested newts and bats?

Yes

Please explain why

The option requires that mitigation and compensation delivered would maintain conservation status - habitat creation / enhancement would deliver overall benefits to the species.

Q14. Do you think this policy could benefit other European protected species?

Yes

Q15. Do you think this policy could reduce costs, delays and uncertainty for developers?

Yes

Please explain why

Provides greater flexibility and should reduce delay, although it is not certain that overall costs will be lower or that there will be sufficient evidence available to allow this flexible approach to be implemented.

Q16. Do you have examples of where this policy could have been helpful?

Yes

Please add case study name(s) and brief details. [AttachFile] if appropriate
We could provide examples

Page 6: About you

Q17. Please enter your contact details

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Q18. Name of your organisation

Mineral Products Association

Q19. Type of organisation

planner/developer/energy company