



## South Midlands Great Crested Newt District Licensing Scheme

### Certificate

*Date of certificate issue:* **28<sup>th</sup> January 2021**

*Date of District Licence expiry:* **31<sup>st</sup> July 2021**

*Development title:* **Land adjacent Southernns Barn**

*Developer name:* **Greg Tovey Construction Ltd**

*Development location (8 figure grid reference):* **SO 7736 2494**

*Development address:* **Land adjacent Southernns Barn, Southend Lane, Newent,  
Gloucestershire, GL18 1JD**

*Planning application reference:* **P0241/20/FUL**

*Development plan reference:* **'Land adjacent Southernns Barn: Impact Map for great crested  
newt district licensing', dated 19<sup>th</sup> January 2021.**

This certificate confirms that the above development (as proposed in the assessed development proposals on 'Land adjacent Southernns Barn: Impact Map for great crested newt district licensing', dated 19th January 2021) has been evaluated by NatureSpace Partnership and (if/when planning consent has been granted) can be covered under the District Licence (WML-OR40-2019-1).



This proposed development has been evaluated in relation to the terms and conditions of the District Licence and to the South Midlands great crested newt (GCN) strategy and no further compensation actions are required by the developer.

Once authorised by the planning authority, works may proceed at the site (as per development plan 'Land adjacent Southern Barn: Impact Map for great crested newt district licensing', dated 19<sup>th</sup> January 2021) in accordance with WML-OR40-2019-1 and subject to any conditions of the planning consent. Under the requirements of the District Licence, the planning consent must include the following planning conditions and informatives:

**Planning condition:** No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's organisational licence (WML-OR40-2019-1) and with the proposals detailed on plan 'Land adjacent Southern Barn: Impact Map for great crested newt district licensing', dated 19<sup>th</sup> January 2021.

**Reason:** In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence (WML-OR40-2019-1).

**Planning condition:** No development hereby permitted shall take place except in accordance with Part 1 of the GCN Mitigation Principles, as set out in the District Licence WML-OR40-2019-1 and in addition in compliance with the following:

- Capture methods must be used at suitable habitat features prior to the commencement of the development (i.e. hand/destructive/night searches), which may include the use of temporary amphibian fencing, to prevent newts moving onto a development site from adjacent suitable habitat, installed for the period of the development (and removed upon completion of the development).

**Reason:** In order to adequately mitigate impacts on great crested newts.

**Informative:** It is recommended that the NatureSpace Best Practice Principles are taken into account and implemented where possible and appropriate.



**Informative:** It is essential to note that any ground investigations, site preparatory works and ground / vegetation clearance works / activities (where not constituting development under the Town and Country Planning Act 1990) in a red zone site authorised under the District Licence but which fail to respect controls equivalent to those in condition 3 above would give rise to separate criminal liability under District Licence condition 9 (requiring authorised developers to comply with the District Licence) and condition 21 (which requires all authorised developers to comply with the GCN Mitigation Principles) (for which Natural England is the enforcing authority); and may also give rise to criminal liability under the Wildlife & Countryside Act 1981 (as amended) and/or the Conservation of Habitats and Species Regulations 2017 (for which the Police would be the enforcing authority).

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The licence requires authorisations to specify which activities and operations are permitted from the list in Annex B of WML-OR40-2019-1.

In this case, the **licensed activities and operations will be as follows: A5, A6, A7, A8 and A11** (please see Annex 1 for full details of these activities and operations).

**The following Protocol conditions will apply: P1, P2, P3, P4, P5, P6, P8, P11 and P12** (please see Annex 1 for full details of these activities and operations).

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**Once authorised, developers working under the District Licence also should note:**

- 'Authorised developers' authorise (in writing) additional persons (e.g. employees, contractors) to act as 'Accredited Agents' under the District Licence;
- Authorised developers must ensure that all persons using the licence (including any Accredited Agents) must possess appropriate knowledge, training and experience to undertake licensed activities in accordance with the District Licence and accepted best practice;
- Developers must maintain a record of activities carried out under the District Licence and a list of any persons you authorise to act as 'Accredited Agents' - and provide a record of these activities and persons to Forest of Dean District Council or NatureSpace Partnership in a timely manner;
- It is a condition of any authorisation under the District Licence that reasonable requests for permission to access the site will be granted to employees and representatives of the Local Planning Authority and or Natural England for monitoring purposes;
- It is recommended that the attached Best Practice Principles are followed for all works on site.

**Licensable acts which will be made lawful when an authorisation for the proposed development is issued under the District Licence:**

Capture; Possess; Transport; Disturb; Killing & injuring; Damage & destroy resting places.



**NATURESPACE PARTNERSHIP**

**SIGNED** (on behalf of **Nature Space Partnership**)

by

PROJECT OFFICER

PROJECT DIRECTOR

**Important:**

This certificate is not an authorisation to work under a District Licence. Authorisations are issued separately by the Licensee (Forest of Dean District Council), in writing once the development has been granted a valid planning permission.

**Enquiries:**

For any enquiries relating to this report please contact NatureSpace Partnership:

Email: [info@naturespaceuk.com](mailto:info@naturespaceuk.com)

Tel: 01865 688307

Website: <https://naturespaceuk.com/>

For any enquiries relating to District Licensing, please contact either NatureSpace Partnership, your local planning authority or Natural England - [gcndll@naturalengland.org.uk](mailto:gcndll@naturalengland.org.uk)



## **Annex 1. Activities, Operations and Protocols under a District Licence**

The District Licence contains a 'Protocol for activities and operations affecting great crested newts within the licensed area' (see Annex B of the licence) – which contains a list of activities, operations and licensable acts. The full list in the District Licence does not apply in every authorisation under the District Licence. This report details the activities, methods and acts which would be permitted for the proposed development, based on the impacts as assessed.

**Permitted activities and operations under the District Licence** (subject to receiving planning consent and written authorisation from the planning authority):

- A5 Capture, exclusion and relocation of GCN from terrestrial habitat (by hand, hand searches of suitable features and/or destructive searches, night/torch searching, exclusion fencing (including upright and one-way temporary amphibian fencing)).  
NB: This includes fence installation and removal.
- A6 Relocating GCN at imminent risk of harm on Development Land (by hand, hand searches and/or destructive searches)
- A7 Site clearance - including removal of vegetation, hard- standing, buildings and landscaping
- A8 Removal of rubble and log piles and other potential hibernacula
- A11 Construction activities



## Protocols

Annex B of the District Licence is a 'Protocol for activities and operations affecting great crested newts within the licensed area' and includes a number of additional 'Protocol conditions'. The full list does not apply in every authorisation under the District Licence. This report details the 'Protocol conditions' which would apply to this site, based on the impacts as assessed.

### Protocol conditions (which would apply upon authorisation):

- P1 Before any works commence on a site in the Red Zone all those persons involved with the licensable works are to be briefed by someone suitably experienced by way of a 'tool box talk' on:
  - a. how to identify GCN
  - b. what to do should GCN be found, including good working practices and
  - c. what is and is not permitted under the licence.
  
- P2 Certain activities permitted by this licence require ecological expertise. Activities subject to this condition can only be carried out by an ecologist with an appropriate GCN Survey Licence or under the direct supervision of such a person.
  
- P3 Where licence or protocol conditions refer to publications, licence users are expected to refer to the most up to date iteration available. Natural England can direct users to the relevant iterations.
  
- P4 The biosecurity guidelines in Amphibian Disease Precautions: A guide for UK fieldworkers, Advice Note 4 (available from [www.arguk.org](http://www.arguk.org)) must be observed by all licence users.
  
- P5 GCN must not be relocated outside the Licensed Area, over a distance greater than 1 kilometre or beyond a significant physical barrier to dispersal without the permission of Natural England.
  
- P6 Any animal listed in Schedule 9 Part 1 (but not Part 1A or 1B) of the 1981 Act which is a species which is not ordinarily resident in England in a wild state, that is caught in a trap set under this licence must not be released or allowed to escape back into the wild; it must be humanely despatched, unless a specific licence to release that species has been obtained, or alternative advice has been provided by Natural England.



- P8 Persons capturing newts under this licence are expected to follow the advice on welfare considerations for capture programmes in the 'Great Crested Newt Mitigation Guidelines' available from Natural England.
  
- P11 GCN are not to be translocated to Compensation Land or other locations within the Licensed Area unless the terrestrial and/or aquatic habitats are suitable for GCN. The suitability of the site is to be confirmed by a suitably qualified person (e.g. an ecologist with a GCN survey licence).
  
- P12 Any licensable activities in the red zone must be carried out in accordance with the approved GCN Mitigation Principles.