

District Level Licensing Survey Report

Author:

Liz Hillary - Company Director

JPR Environmental

October 2018

The Malthouse, Standish,
Stonehouse, Gloucestershire GL10 3DL
01453 822584 enquiries@jprenvironmental.co.uk
www.jprenvironmental.co.uk

JPR Environmental is the trading name of
Slimbridge Wetland Plants Ltd.
Company number: 04598972



Cert No 12024
ISO9001, ISO14001

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Summary

The aim of this survey is to gather views about the introduction of District Level Licensing (DLL): whether people think it will save developers time and money and improve the conservation status of great crested newts (GCN); what the level of awareness is amongst developers; and whether the scheme is likely to affect the workload of ecologists.

The survey link went out via email and on social media. We received 41 responses: those people who chose to identify themselves included people from ecological consultancies, planning consultancies and local government. All respondents had some previous knowledge or experience of DLL which is reflected in the responses and the high level of awareness of the scheme.

Most, but by no means all, respondents feel that the scheme will save developers both time and money. Thirty-nine as opposed to 54% feel that the scheme will improve the conservation status of great crested newts (GCN). Just a quarter of respondents have had clients requesting a DLL rather than a site-specific licence and only 5 people have actually processed a DLL for a project. Nearly 70% of respondents felt that the introduction of the scheme will affect their workload as ecologists.

What is clear from the responses is that people feel strongly about the scheme – this is obvious from the comments where many respondents have taken the time to elaborate on their views. There is also a high level of uncertainty about the scheme which is still in its infancy; whether there will still be a need for surveys; whether there will still be a requirement to trap and translocate; how the compensatory habitat will be managed and maintained.

The original questionnaire and the responses are shown in the appendices. Comments are elaborated on in the main body of the report and are shown in italics.

Q1: Do you think a DLL will save developers time when applying for planning permission on a site where there are GCN?

Q2: Do you believe that DLL will save developers money when applying for a licence on a site where GCN are present?

Some objectives of the scheme are to save developers time and money, it was interesting to see whether ecologists felt that this would actually be the case.

In the results, 80% of respondents felt that it would save developers time and 78% felt that it would save them money. This indicates a clear view that the scheme will succeed in these objectives but the comments show more reticence over the answers. It is felt that the speed and cost of the new scheme will depend very much on local planning authority (LPA) workloads, the adequacy of baseline surveys in districts and whether other protected species than GCN are on site.

Below are a sample of comments on the time saving for developers:

- *It may save time on sites where GCN are the only ecological constraint, but this would be only a small proportion of sites. On most sites there are other issues which need to be addressed anyway, and with proper planning developers will just have the GCN surveys done at the same time as others.*

This concern about other protected species being on site and therefore necessitating other surveys needing to be done anyway may be 'got around' by the rolling out of DLL to other species (although this 'rolling-out' also raises concerns).

- *In practice, DLL on the small sites within the low risk areas with low populations of GCN could save time. Timing could be dependent upon the turn around of licence documents for developers. If the scheme becomes extremely popular there could be a risk of back-log similar to that of NE with full GCN EPS Licences.*

Note: with the DLL scheme, LPAs are divided into low, medium and high-risk areas for GCN (green, amber and red zones).

Here are a sample of comments on the cost saving for developers:

- *I agree that current survey methodology and trapping is often unnecessarily expensive.*
- *As costs are not clear prior to the initial payment, in many cases a traditional approach will be cheaper.*

The second comment refers to the fact that developers will not know how exactly much the DLL scheme will cost them before they start the process. Whilst it might in the long run be cheaper than a traditional site-specific licence, developers can't be given a cost before they start so might decide to go down the traditional route where they can be certain of their obligations in terms of cost and timescales.

Q3: Do you believe that DLL will improve the conservation status of GCN?

Just over half of respondents, 54%, felt that the introduction of the DLL scheme would not improve the conservation status of GCN, 39% felt that it would (7% skipped the question).

There are concerns about how the scheme is managed, how well and thoroughly baseline surveys are carried out (these will form the basis for designating the low, medium and high-risk areas and will determine how DLL will be implemented in each area).

Some respondents question whether 'favourable conservation status' has been adequately defined in a given area. Whilst there might be a general feeling that the current licensing scheme does not contribute to the favourable conservation status of GCN, there is no actual evidence that it is not as the research has not been done.

Worries are expressed about where the money developers will be required to pay as compensation through DLL will be spent and whether it might effectively create 'newt reserves' that could result in a fragmentation of newt populations rather than increasing their range and favourable status (which is a direct, stated purpose of the scheme).

Views differ about whether DLL will provide the 'joined up thinking' needed to improve the conservation status of GCN or that it will help conservation efforts be more targeted.

- *I don't know. At the moment I don't think so, but this is partly because NE have not demonstrated that they have established what FCS actually means in a given area, in which case how can we tell whether it's improved conservation status or not? NE keep stating that the current system is not helping GCN, and they may well be right, but so far they have not produced any evidence to support this statement.*
- *DLL absolutely has the potential to do so, but I have concerns that the data underpinning the zoning are inadequate, that insufficient money will be made available for land purchase costs and in the longer term for land management), that areas for GCN will be dictated by (rather than influencing) Local Plans, and that GCNs will be shipped into convenient silos rather than driving bigger-better-more-joined up conservation outcomes.*
- *DLL should result in targeted conservation rather than lots of small isolated receptor sites.*
- *One would hope this would be the case. Monitoring data should demonstrate that monies are better spent enhancing and joining sub-optimal GCN habitats, rather than shoe-horning GCN into development sites.*

Q4: Are any of your clients aware of the changes to the licensing?

Q5: Have any of your clients requested a DLL rather than a site specific licence for any project?

Q6: Have you processed a DLL for a project?

- *56% of respondents say that their clients are aware of DLL*
- *24% have requested a DLL rather than a site specific licence for a project*
- *12% (5no.) respondents have actually processed a DLL*

The most interesting comment here is:

- *... the client couldn't get over that they wouldn't know the total cost of the scheme until after the stage one payment, whereas we were able to give a costed quote for the 'traditional' route. It is possible that they would have saved money through using DLL, but the client needed certainty.*

Q7: Is it your understanding that, if the developer has been granted a DLL licence for GCN, then there will still be a requirement to trap and translocate any GCN found on site during development?

Some respondents felt that there would still be a requirement to trap and translocate GCN even if DLL was used for the site (22%) whereas 63% felt that this would not be necessary. Not everyone is clear whether there will be a requirement to trap or not (15% did not answer the question).

It is likely that requirements will depend on the zone the development site falls into. Comments include:

- *Not actually sure. We would be advocating that reasonable avoidance measures were still in place and that if found they should be translocated. Whether this has to occur I would need to check*
- *This is a Yes and No depending on the issuer of the DLL licence and which 'zone' the development falls within. In a higher risk area The licensing agent may ask for translocation. In an area where newts are not predicted, no one will be looking for newts so I doubt translocation will happen!*
- *We have been told that in some circumstances on site mitigation will be required, but despite lots of enquiries and attendance at a seminar, the licence facilitator will not provide information on what these circumstances are, so we are unable to give reasonably confident advice on the matter to our clients.*

Q8: Did you know that there are plans to roll out DLL to cover other protected species?

Most respondents are aware that there are plans to roll out DLL to cover other protected species (71%) and most comments show concern. Many feel that other protected species such as bats, have such species-specific and different requirements to GCNs that a roll out of DLL in its current form is not practical or advisable.

One respondent would welcome a DLL approach to bats within planning, but it would not necessarily 'look' like the GCN Woking model.

Others feel that the current DLL scheme needs to be fully assessed as to its effectiveness before it is rolled out to cover other species.

- *I strongly oppose this [rolling out DLL to cover other species] unless and until it can be demonstrated that the requirements of other species have been taken account of properly, and that any such scheme will bring demonstrable conservation benefit, which I don't believe is even the case for GCN, let alone bats, which are obviously more complex to deal with. Currently DLL as it applies to GCN should not be rolled out to cover bats under any circumstances.*
- *I think we should fully assess the success or otherwise of the initial projects on GCN!!!!!!!!!!!! I can't emphasise that strongly enough. Natural England claim to be evidence-led, so let's see that happen in practice.*

Q9: Do you think that the widescale introduction of DLL will affect your workload as an ecologist?

A large number of respondents, 68%, felt that the widescale introduction of DLL would affect their workload as an ecologist, 27% felt that it would not.

Some of those commenting felt that there would be a reduced need for surveys to happen but others thought that there would still be some need for surveys. Others felt that their workload might change but not necessarily lessen. Many were still unclear as to how DLL would affect their workload, but most felt that it would affect it in some way.

- *Work load should change so there is a reduction in GCN surveying, pitfall trapping and licensing but an increase level of work in management plans and practical GCN delivery.*
- *Certainly [not] in the short term as district plans are put in place. It may in the long term reduce our workload if a success.*

Conclusions

Respondents, who are in the main ecologists processing European Protected Species licences, have strong feelings about the introduction of DLL.

The survey received 41 responses in total so it would be wrong to read too much into the results but these are people who will have to make the DLL work in practice; they express diverse views on the subject.

Respondents do not agree on how the introduction of DLL will affect developers' costs and timescales, the conservation status of GCN or ecologists' workload. The points below are an attempt to summarise the views expressed:

- *There is confusion as to whether DLL will save developers time and money. Whilst lots of respondents think it will, due to the two-part nature of the process, it leaves uncertainty for developers (something developers try to avoid) which could mean that they do not save time and do not know what their budget will be (whereas developers can budget for the current system)*
- *There is confusion as to whether sites with a DLL will still require survey, trapping and translocation – it may be that certain sites will and others won't*
- *Many respondents want more data on how the current system is working and what effect it is having on the conservation status of GCN – some even want the baseline favourable conservation status of GCN adequately defined so that there is something against which to measure*
- *Overall, there is hope that the scheme really will improve the conservation status of GCH with more of a focus on wider populations but worries that the driver behind the scheme is not the conservation of GCN but the easing of the planning process for developers*

The big questions surrounding DLL and its implementations still haven't been answered:

- *Exactly how the scheme will be rolled out and how it will work in practice.*
- *Will developers be allowed to destroy GCN on sites without any mitigation measures, if they have a DLL in place?*
- *Who will manage the compensatory habitat that developers fund through DLL and how will it be maintained long-term?*
- *Will newt fencing still be happening in 10 years' time?*

Links to further reading

CIEEM's Position Statement on Natural England's Great Crested Newt District Licensing Scheme, February 2018:

https://www.cieem.net/data/files/Resource_Library/Policy/Position_Statements/CIEEM_Position_on_GCNDistrictLicensing_FINAL.pdf

Press release from Natural England on the national roll-out of new approach to great crested newt licensing, February 2017: <https://www.gov.uk/government/news/national-roll-out-of-new-approach-to-great-crested-newt-licensing>

Kent Reptile & Amphibian Group Position Statement regarding District Level Licensing for Great Crested Newts in Kent, May 2018:

<file:///C:/Users/Liz/Downloads/KRAG-DLL-Position-Statement.pdf>

Amphibian and Reptile Groups of the UK have a variety of information about DLL including briefing sheets from Natural England: <https://www.arguk.org/>

Appendix One – Survey on District Level Licensing (DLL) for great crested newts (GCN)

Background to survey

We are a specialist ecological works contractor who put in place the work prescribed by ecologists. We want to know what YOU think about the introduction of DLL and whether it has or is likely to affect your work. The survey should only take 10 minutes of your time.

After a pilot scheme in Woking, Natural England is rolling out a new, District Level Licensing (DLL) approach to issuing great crested newt (GCN) licences (these changes are currently proposed for England only; there are no changes to great crested newt licences proposed for Scotland, Wales or Northern Ireland). This new, district level approach (also known as an Organisational Licence) offers an alternative to a site specific licence which has been the standard so far.

The stated aims are to take a more strategic approach by considering maintenance of the favourable conservation status of GCN in their natural range at the district level and to reduce the time and cost for developers working in areas with GCN.

JPR Environmental are aiming to gather opinions from ecologists about the scheme and how it is currently working and present a summary of the views at the CIEEM autumn conference in Glasgow. For those not visiting the conference, we can make a summary of the findings available.

1. Do you think a DLL will save developers time when applying for planning permission on a site where there are GCN?

Yes/No

Please enter any further comments about your answer

2. Do you believe that DLL will save developers money when applying for a licence on a site where GCN are present?

Yes/No

Please enter any further comments about your answer

3. Do you believe that DLL will improve the conservation status of GCN?

Yes/No

Please enter any further comments about your answer

4. Are any of your clients aware of the changes to the licensing?

Yes/No

5. Have any of your clients requested a DLL rather than a site specific licence for any project?

Yes/No

6. Have you processed a DLL for a project?

Yes/No

If yes, please provide further information if possible, including location

7. Is it your understanding that, if the developer has been granted a DLL licence for GCN, then there will still be a requirement to trap and translocate any GCN found on site during development?

Yes/No

Please enter any further comments about your answer

8. Did you know that there are plans to roll out DLL to cover other protected species?

Yes/No

Do you have any comments on rolling out DLL to cover other protected species?

9. Do you think that the widescale introduction of DLL will affect your workload as an ecologist?

Yes/No

Please enter any further comments about to answer

10. Do you have any further comments or observations about DLL

11. Please provide your contact details if you would like a copy of the summary of findings from this survey

Name

Company

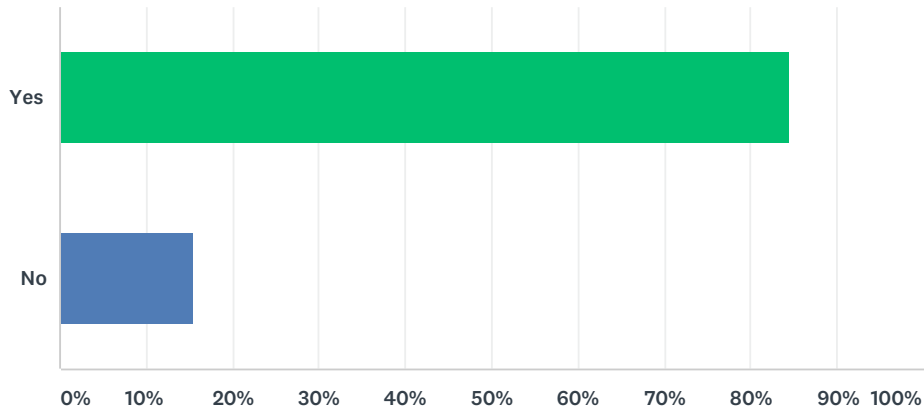
Email Address

DONE

Appendix Two – Summary of survey responses with charts

Q1 Do you think a DLL will save developers time when applying for planning permission on a site where there are GCN?

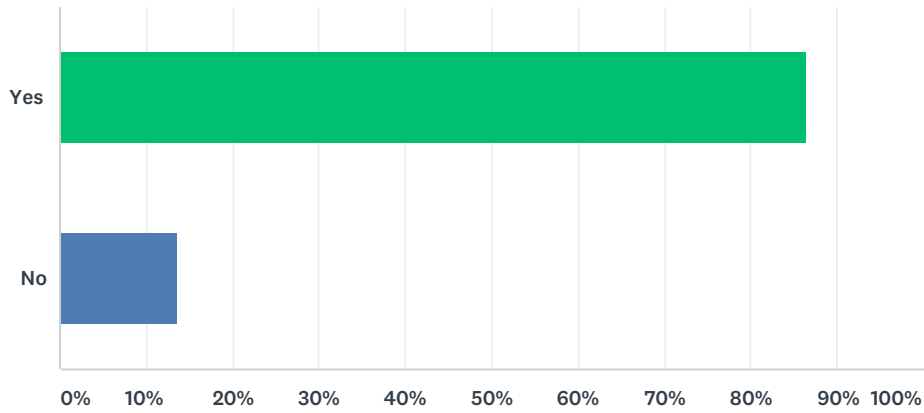
Answered: 39 Skipped: 2



ANSWER CHOICES	RESPONSES	
Yes	84.62%	33
No	15.38%	6
TOTAL		39

Q2 Do you believe that DLL will save developers money when applying for a licence on a site where GCN are present?

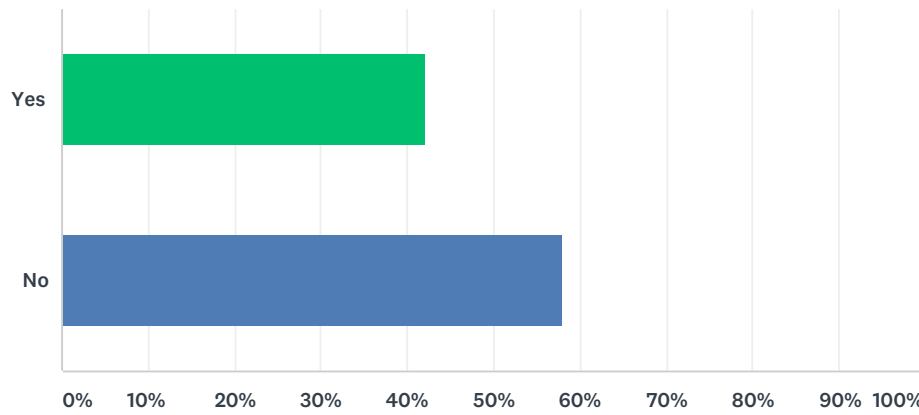
Answered: 37 Skipped: 4



ANSWER CHOICES	RESPONSES	
Yes	86.49%	32
No	13.51%	5
TOTAL		37

Q3 Do you believe that DLL will improve the conservation status of GCN?

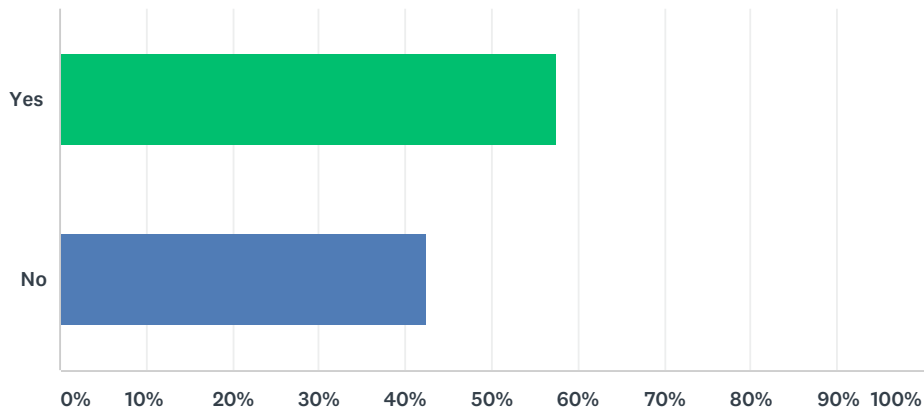
Answered: 38 Skipped: 3



ANSWER CHOICES	RESPONSES	
Yes	42.11%	16
No	57.89%	22
TOTAL		38

Q4 Are any of your clients aware of the changes to the licensing?

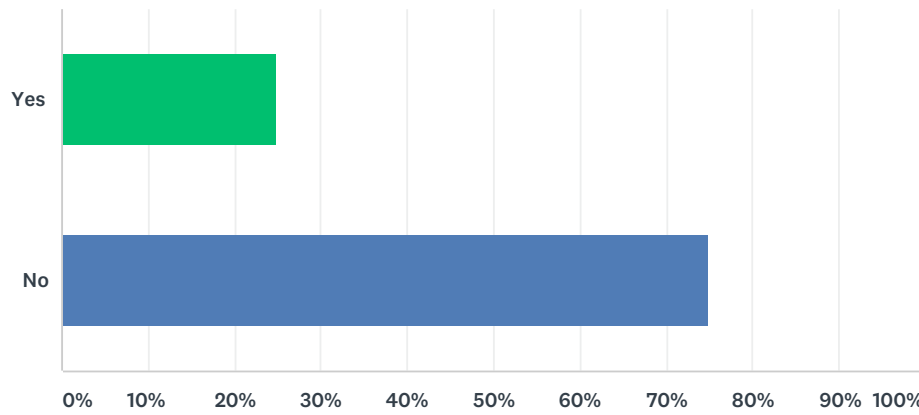
Answered: 40 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	57.50%	23
No	42.50%	17
TOTAL		40

Q5 Have any of your clients requested a DLL rather than a site specific licence for any project?

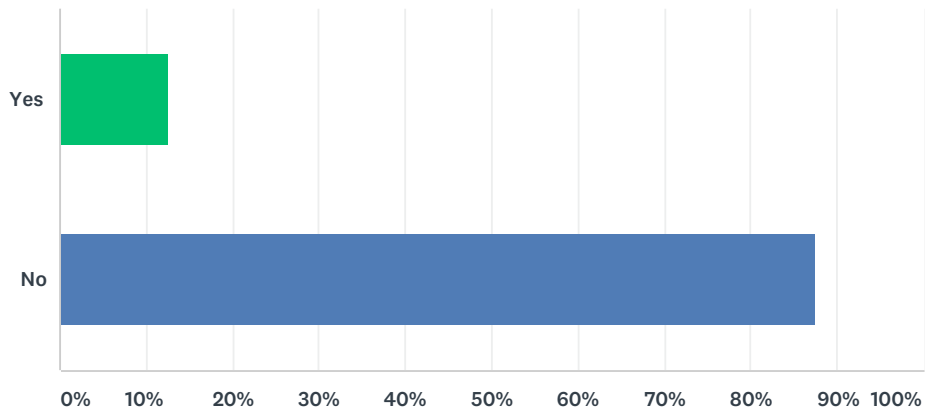
Answered: 40 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	25.00%	10
No	75.00%	30
TOTAL		40

Q6 Have you processed a DLL for a project?

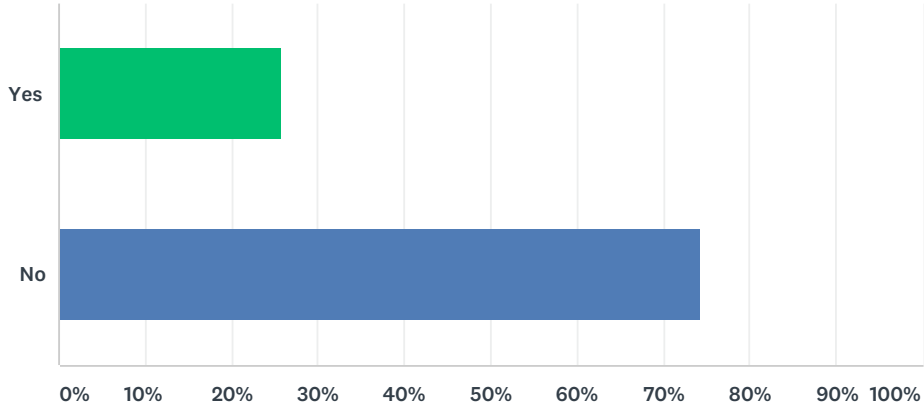
Answered: 40 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	12.50%	5
No	87.50%	35
TOTAL		40

Q7 Is it your understanding that, if the developer has been granted a DLL licence for GCN, then there will still be a requirement to trap and translocate any GCN found on site during development?

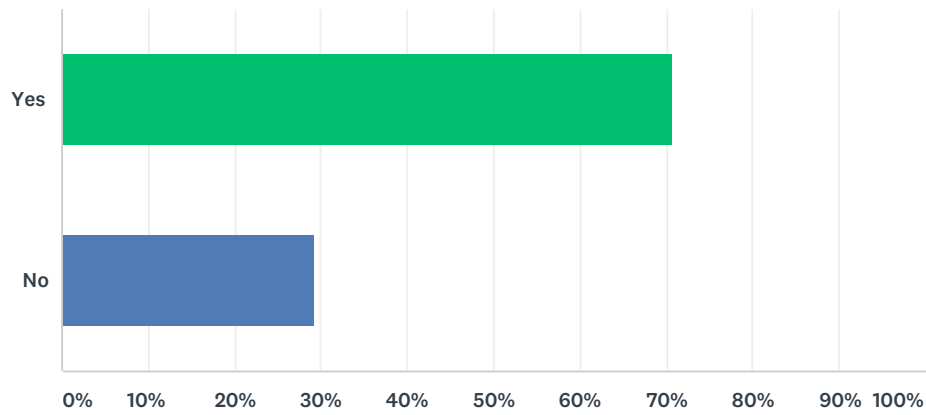
Answered: 35 Skipped: 6



ANSWER CHOICES	RESPONSES	
Yes	25.71%	9
No	74.29%	26
TOTAL		35

Q8 Did you know that there are plans to roll out DLL to cover other protected species?

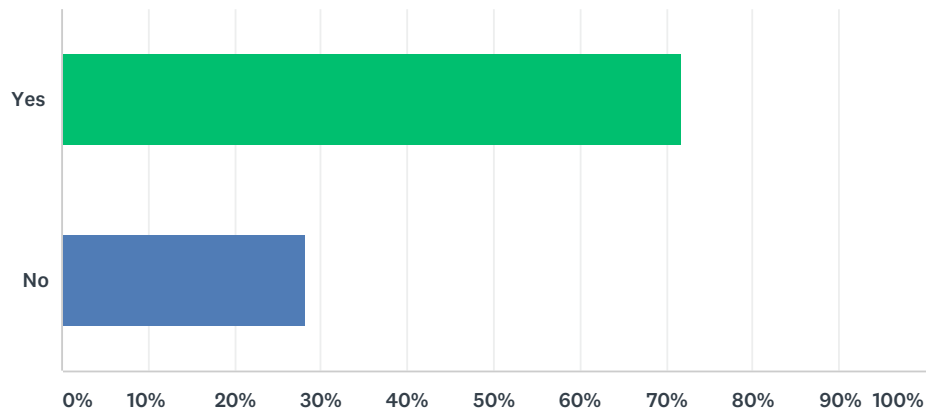
Answered: 41 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	70.73%	29
No	29.27%	12
TOTAL		41

Q9 Do you think that the widescale introduction of DLL will affect your workload as an ecologist?

Answered: 39 Skipped: 2



ANSWER CHOICES	RESPONSES	
Yes	71.79%	28
No	28.21%	11
TOTAL		39

Q10 Do you have any further comments or observations about DLL

Answered: 21 Skipped: 20

Q11 Please provide your contact details if you would like a copy of the summary of findings from this survey

Answered: 23 Skipped: 18

ANSWER CHOICES	RESPONSES	
Name	100.00%	23
Company	86.96%	20
Address	0.00%	0
Address 2	0.00%	0
City/Town	0.00%	0
State/Province	0.00%	0
ZIP/Postal Code	0.00%	0
Country	0.00%	0
Email Address	100.00%	23
Phone Number	0.00%	0