

BARNSELEY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan

REPORT OF THE EXECUTIVE DIRECTOR PLACE TO CABINET

NATURAL ENGLAND GREAT-CRESTED NEWT DISTRICT LICENSING SCHEME

1. PURPOSE OF REPORT

- 1.1 To inform members of the intention to sign up to the Natural England Scheme of District Level Licensing in respect of Great-crested Newts. --

2. RECOMMENDATIONS

- 2.1 **It is recommended that the Council signs up to the District Level Licensing Scheme for Great-crested Newts run by Natural England.**

3. INTRODUCTION

- 3.1 Great-crested Newts (GCN) are relatively common and widespread in England but have declined dramatically over the last 60 years. It is illegal to capture kill, injure or disturb a GCN or damage its habitat, without a license. Under the traditional licensing approach, developers are constrained by seasonal timings for surveys and mitigation and must recreate habitat on site. The amount of money spent on survey, trapping and exclusion may outstrip that spent on habitat creation and management by 7:1. Resources are concentrated on individual sites to prevent losses, whilst at the landscape scale GCN populations continue to decline. Despite being protected under UK and EU law, the species suffered the loss of around 50% of its pond habitat in the 20th century.
- 3.2 At present landowners or housing developers in Barnsley have to apply for a license before building on or around known great-crested newt breeding ponds and surrounding habitats on a site-by-site basis. This approach to date has missed opportunities to manage populations of great crested newts on a landscape scale, and it has resulted in habitat for newts being squeezed around development, sometimes in disconnected patches.
- 3.3 If Barnsley MBC signs up to the Natural England District Level Licensing Scheme, licensing will be applied at a district level. This 'landscape-scale' approach means that developers need only make a single application and payment to join their local, area-wide scheme. The one-off payment covers the creation, restoration, maintenance and monitoring of ponds around the area for 25 years, in locations specially chosen to provide the best habitat and most benefit.

- 3.4 There is another organisation called Naturespace that also runs a district level licensing scheme. Other South Yorkshire authorities are considering their positions. Early indications are that the majority are likely to sign up to the Natural England scheme. To provide consistency to landowners and developers it will be beneficial for us to be in the same scheme as most of our neighbouring authorities. It is also considered beneficial to go with the scheme run by Natural England as they are the Government's adviser on the natural environment in England.
- 3.5 No Memorandum of Understanding or legal agreement is required to sign up to the Natural England scheme. Officers will be required to provide Local Plan allocations data and to contribute to an occasional Steering Group for the SY scheme. Other than providing minimal resources there is no financial cost to the authority.

4. PROPOSAL AND JUSTIFICATION

- 4.1 It is recommended that Barnsley MBC signs up to the Natural England Great Crested Newt District Level Licensing scheme.
- 4.2 This scheme provides the opportunity to take a 'landscape-scale' approach to Great Crested Newt habitats. This means that developers need only make a single application and payment to join their local, area-wide scheme. The one-off payment covers the creation, restoration, maintenance and monitoring of ponds around the area for 25 years, in locations specially chosen to provide the best habitat and most benefit. At present landowners and developers have to apply for a license before building on or around the newts' pond habitat on a site-by-site basis. This approach to date has missed opportunities to manage populations of great crested newts on a landscape scale, and it has resulted in habitat for newts being squeezed around development, sometimes in disconnected patches.
- 4.3 There is no financial cost to the authority in signing up to the Natural England Scheme. A small resource in officer time and providing mapping information is required.

5. CONSIDERATION OF ALTERNATIVE APPROACHES

- 5.1 There are currently 2 options to join a District Level Licensing Scheme that have been considered. One is the scheme being run by Natural England as recommended. The other scheme is run by Naturespace. Partnership, which has been running since 2018 and the impact assessments carried out by Naturespace are accredited by Natural England. Out of the four South Yorkshire Local authorities, only one is considering Naturespace. It is considered beneficial for Barnsley to join the same scheme that the majority of neighbouring authorities within South Yorkshire are joining.

6. IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS

- 6.1 This approach will provide more certainty to landowners and developers than the current system of surveying on a site by site basis. -

7. FINANCIAL IMPLICATIONS

- 7.1 There are no direct financial implications arising from this report.

8. EMPLOYEE IMPLICATIONS

8.1 There are no employee implications arising from this report.--

9. LEGAL IMPLICATIONS

9.1 Our understanding at the current time is that no contract or Memorandum of Understanding required between the Council and Natural England. If this were to be the case legal support may be required.-

10. CUSTOMER AND DIGITAL IMPLICATIONS

10.1 Mapping data showing local plan allocations will need to be provided. --

11. COMMUNICATIONS IMPLICATIONS

11.1 Support from Communications may be required to assist in promoting and publicising this scheme if the decision is taken for Barnsley to join.--

12. THE CORPORATE PLAN AND THE COUNCIL'S PERFORMANCE MANAGEMENT FRAMEWORK

12.1 The proposal supports the corporate priority 'Thriving and Vibrant Economy' by providing greater certainty to developers and landowners on what the implications of the protection of Great Crested Newts has for their sites, and what costs may be associated with this protection.

13. PROMOTING EQUALITY, DIVERSITY AND SOCIAL INCLUSION

13.1 There are no direct equality issues arising from this report. The only issue that could arise is around communication with landowners who might have a visual or any other impairment. This can be dealt with on an exception basis.

14. TACKLING HEALTH INEQUALITIES

14.1 -Conserving and improving the natural environment can have a positive effect on mental health and wellbeing. -

15. RISK MANAGEMENT ISSUES

15.1 There is no risk to the Council in signing up for this scheme. It is run by Natural England which is the Government's adviser for the natural environment in England. It is an executive non-departmental public body, sponsored by the Department for Environment, Food and Rural Affairs.

16. CONSERVATION OF BIODIVERSITY

16.1 The recommendation to join this scheme will help to conserve and improve biodiversity through taking a more strategic approach to Great Crested Newts and their habitats.--

17. BACKGROUND PAPERS

If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

Report author: Paula Tweed

Financial Implications/Consultation

A handwritten signature in cursive script, appearing to read 'D Green', is written on a set of three horizontal lines.

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*(To be signed by senior Financial Services officer
where no financial implications)*