

By email only

To: John Atwood
Sherfield on Loddon Parish Council
PO Box 6862
Basingstoke
RG24 4QZ

Tel: 01189 759387
Mobile: 07949 153954
Email: giles@gsecology.co.uk

27 November 2018
Our reference: ECO2273

Email: johnattwood760@btinternet.com

Dear John,

Re: Great Crested Newt assessment, Jubilee Pond, Sherfield on Loddon

1.1 I am writing following my site visit to the Jubilee Pond on 5 October 2018 and to provide you with recommendations.

2 Background

2.1 Sherfield on Loddon Parish Council wishes to restore the Jubilee Pond which at the time of my site visit was almost dry. The pond is known to host a population of great crested newts (GCN) and the Parish Council are keen to ensure that it holds water for most of the year and is an asset for the community.

2.2 It is my understanding that you are in the process of appointing a local ground works contractor to undertake the works.

3 Great crested newt ecology

3.1 The great crested newt (*Triturus cristatus*) (GCN) can grow up to 18cm in size. It is Britain's largest newt. The body has a warty appearance and the skin is normally dark brown or black; the belly is predominantly bright yellow or orange with black markings. During the breeding season the males develop a crest on their back and tail which they use to attract a mate.

3.2 The species is widely distributed in Britain but is absent from Cornwall, Devon, and parts of Wales and Scotland. It is uncommon but locally abundant. The population has undergone a significant decline in the last 50 years mainly due to the loss of breeding ponds.

3.3 The species can be found in northern Europe and part of West Siberia. The edge of the northern range extends from northern France, Great Britain, southern Scandinavia to the north of Russia, and the southern edge from central France to south-western Romania into central European Russia. Britain is one of the last strongholds for the species.

3.4 GCN spend most of their lives on land, within up to 500m of their breeding ponds. The most important terrestrial habitat for GCN is within 100m from a breeding pond, where most of the population are likely to be located foraging, resting, sheltering and hibernating relatively close to their breeding sites. However, a proportion of the population is also likely to forage for food and shelter in suitable habitats (such as long grassland, woodland or scrub) up to 250m from a breeding pond and juvenile GCN have been known to disperse up to 500m from their breeding pond, in a single season. Optimal GCN habitats are not always equally distributed around a pond and as such terrestrial habitat outside of the core areas, particularly where there is sub-optimal habitat, can be of considerable importance to a GCN population.

3.5 The mainstay of their diet is invertebrates. They return to waterbodies, usually ponds, in the spring to breed. Adults enter the ponds from February onwards with the courtship and egg-laying period being

from mid-March to mid-June. Eggs are laid in the folds of debris or the leaves of submerged aquatic plants. A female lays up to 200 eggs per season. Eggs take 3 weeks to hatch and the larvae take 2 to 3 months to develop. Adults begin to leave breeding ponds gradually from late May. However, they can over-winter in ponds and also sometimes return to feed. Young start to emerge from the pond in August and will not normally return until they have reached sexual maturity, 2 to 4 years later.

4 GCN legislation

4.1 GCN receive special protection under UK law and it is an offence under the Wildlife and Countryside Act 1981 (as amended) and the European Habitats and Species Directive (92/43/EC), enacted in the UK through The Conservation of Habitats and Species Regulations 2017 (The Habitat Regulations) to deliberately or recklessly, destroy or damage their habitat, or disturb, kill or harm them without first having obtained the relevant licence [henceforth referred to as a GCN licence] for derogation from the regulations from the Statutory Nature Conservation Organisation (the SNCO – Natural England in England).

4.2 In order to issue such a licence, the SNCO must apply the requirements of Regulation 53 of the Regulations and, in particular, the three tests set out in sub-paragraphs (2)(e), (9)(a) and (9)(b)6. These are as follows:

(1) Regulation 55 (2)(e) states: a licence can be granted for the purposes of “preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”.

(2) Regulation 55(9)(a) states: the appropriate authority (the SNCO) shall not grant a licence unless they are satisfied “that there is no satisfactory alternative”.

(3) Regulation 55(9)(b) states: the appropriate authority (the SNCO) shall not grant a licence unless they are satisfied “that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.”

4.3 Newts are likely to be disturbed by any work that involves altering their breeding pond (e.g. by introducing fish, deepening or altering its size) or works that involve clearing land up to 500m around ponds, where such land has been managed and maintained in such a way that it is likely to support GCN. In such cases a GCN licence may need to be obtained to allow works to be undertaken in accordance with the law.

5 GCN at Jubilee Pond

5.1 Surveys undertaken in 2017, to inform a planning application for housing on a site adjacent to the A33, found that the pond hosted a “medium” population of GCN. It is therefore considered very likely that the pond is used by GCN as aquatic habitat (when the pond contains water) and as terrestrial habitat (when the pond is dry).

5.2 This means that to restore the pond, a GCN licence, will need to be obtained.

6 Pond restoration and ongoing management

6.1 It will be important to ensure (and a condition of the GCN licence) that works to restore the pond are undertaken in such a way so as to ensure that GCN are not harmed during works and will continue to inhabit the pond after it has been restored. The following details are as discussed during the site visit (Target Notes locations are shown on Figure 1):

Tree/ shrub removal: Over the winter of 2018/ 2019 remove and reduce some of the trees and shrubs around the edge of the pond. This will prevent leaf fall (which has caused some of the silting up of the pond) and reduce shading. Removal of the oak at Target Note A, the cherry at Target Note

B and a reduction in the height of the willow at Target Note C would reduce leaf fall, silting and shading.

Pond desilting and reprofiling: During a period of dry weather, when GCN are no longer hibernating (from mid-February) and when the pond is dry, desilt and re-profile the pond. The silt could be deposited adjacent to the pond at Target Note D or to the east of the Cricket Ground at Target Note E. These works will need to be overseen by an ecologist licensed by Natural England to move GCN with any animals found moved to suitable habitat nearby (for example the pond at Target Note F).

It will be important to ensure that the pond has a variety of depths and a varied profile. We discussed having a shallower margin at Target Note G. The most pragmatic approach would be to agree this with the contractor once they have been appointed.

Enhance nearby terrestrial habitat for GCN. The most important area for GCN is land within 100m of their breeding ponds. It will therefore be important to ensure that there is suitable habitat for the species within this zone. It is recommended that some additional areas of long grass/ bulb planting are created (e.g. at Target Note H) along with two hibernacula (refer to Figure 2).

Manage the pond for GCN: It will be important to ensure that the pond is managed for GCN in the long term. It will need to have good water quality, a healthy invertebrate population, and marginal and aquatic vegetation (on which GCN can lay their eggs). It will also be important to ensure that the pond is not used by large numbers of ducks and that fish are not introduced (both ducks and fish predate on GCN). Consideration will need to be given as to how best to achieve this, and it may be necessary to prohibit the feeding of ducks in the Jubilee Pond and discourage them from using it by marginal planting.

7 Next steps

- 7.1 If the parish council agree to the works, we will need to apply to Natural England for a GCN licence. Natural England take at least 30 working days to determine a licence application. It would be advisable to meet the contractor on site prior to submitting the licence application.
- 7.2 Please feel free to call or email if you have any questions.

Yours sincerely,



Giles Sutton MSc MCIEEM CEnv
Director
GS Ecology LTD

Appendix 1 - Figures

Figure 1 – Target note referred to in main text

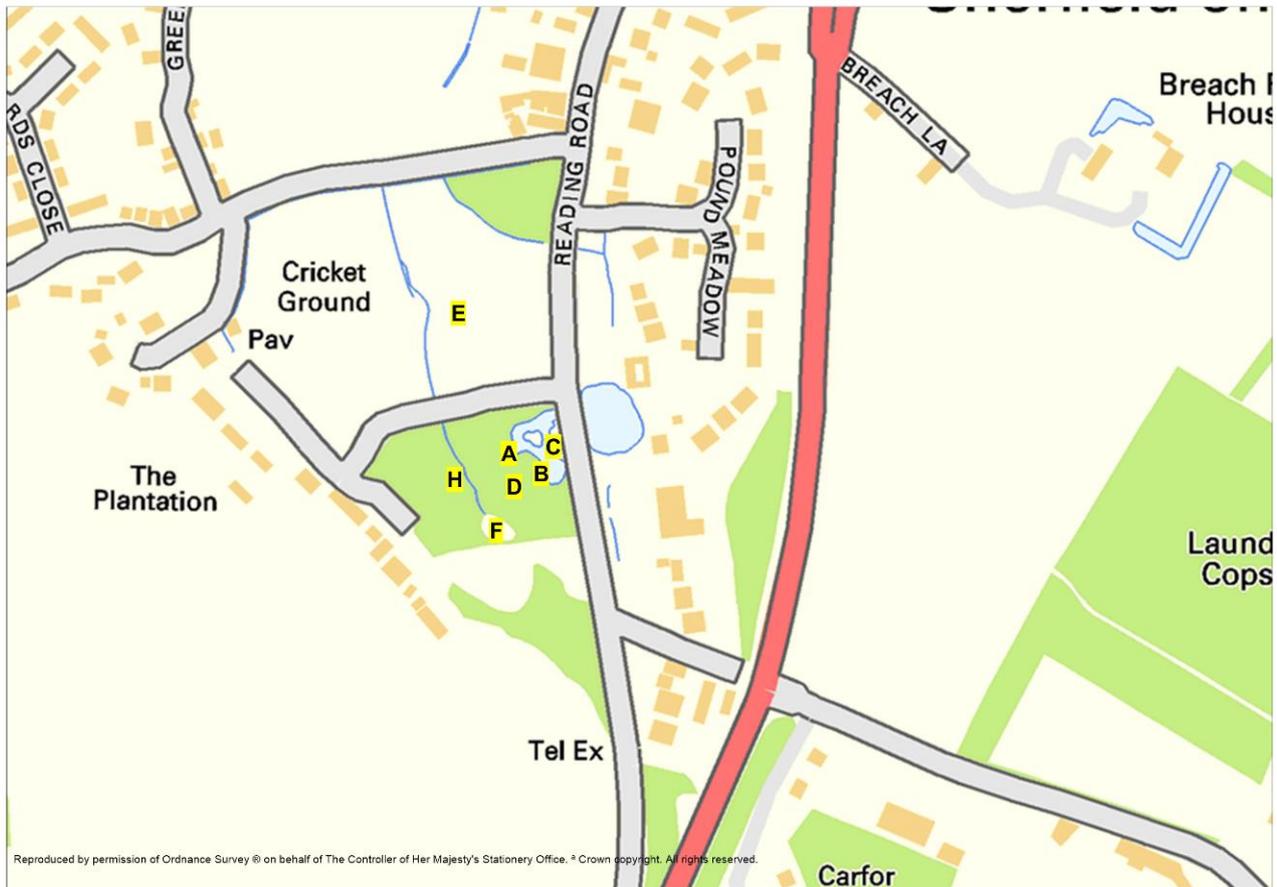
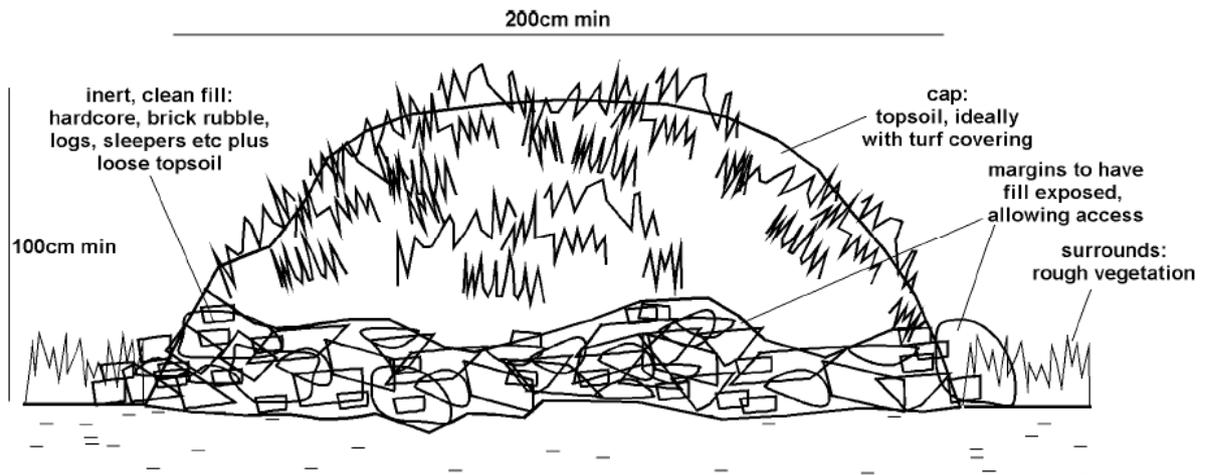


Figure 2 – Hibernacula design (source English Nature’s Great crested newt mitigation guidelines - 2001)



Appendix 2 - Photographs

Photo 1 – The Jubilee Pond



Photo 2 – Area adjacent to The Jubilee Pond a possible location for the spreading of silt (Target Note D)

