

Great Crested Newts (*Triturus cristatus*)



Background information on their legal status and their ecology in relation to development sites

Great Crested Newts are legally protected under UK and EU law. These amphibians are protected under **The Wildlife and Countryside Act 1981**, where it is illegal to deliberately kill, injure, capture or disturb them or to obstruct their access to areas where they live and breed. Their habitats are also protected and all their life stages, such as eggs, tadpoles and juveniles and adults are protected. Fines up to £5,000 per egg or adult etc. may be imposed. **Planning Policy Guidance: Nature Conservation (PPS9)** provides background to the conservation of protected species, and the role of the local authorities. The Great Crested Newt is also a UK Biodiversity Action Plan species.

Under EU law the Great crested newt is protected first, under **The Convention on the Conservation of European Wildlife and Natural Habitats – the ‘Bern’ Convention**, and second, the **EU Directive on Natural Habitats and Wild Fauna and Flora – 92/43/EEC**. They are further protected under **The Conservation (Natural Habitats, &) (Amendment) Regulations 2007** as EPS animals (European Protected Species).

The Great crested newt is widely distributed in England in lowlands, around pools and ponds, in urban, suburban and country areas. It may seem odd that such an apparently common amphibian is protected at all. The reason is that Britain has the largest distribution of the amphibian in the world but, although widespread, it has been experiencing a decline in its population with the loss of ponds from drainage and development.

Developers need to know that the Great Crested newts breed in both permanent ponds, and pools and ponds which are transitory (appearing only after heavy rainfall, often during the spring or winter).

Mitigation* of the newts can only be done between January and the end of June. At the rest of the time they are in their terrestrial habitat which may be some way from their breeding site. They return to their breeding sites from January onwards, except for juveniles which disperse into the terrestrial environment for two years within about 500 m of where they were born. Development must take this into consideration.

All work involving Great crested newts requires the issuing of a Licence from the statutory authorities, Natural England and Defra. Licences are not issued retrospectively, and are not issued until full planning permission is granted.

- Mitigation means dealing with the animals in such a way that they or their habitat are not compromised. It is not desirable to remove (i.e. translocate) the newts far away to a new site since they will migrate back in the following year to breed in the pools they once bred in, thus possibly crossing roads and being killed. It is more desirable to find, or create, a pond close-by on site, so that they can be accommodated.

References

English Nature (1996) *Great Crested Newts, Guidelines for Developers*. leaflet. English Nature, Peterborough.
HMSO, 1995. *Biodiversity: The UK Steering Group report*, Vol. 2. Action Plans. HMSO, London.