

# Proposed new policies for European Protected Species licensing Public Consultation

## ALERC Response

### Proposed Licensing Policy 1: Greater flexibility when excluding and relocating EPS from development sites

Question 1: Do you think that this policy could benefit GCN?

Yes, there is the potential for this to happen. Whether or not it does will depend on local circumstances and in particular, local informed decision making. If the policy is executed without the necessary information being collected and used effectively then there is the potential for a lot of harm to be caused to GCNs.

Question 2: Do you think this policy could benefit other EPS?

Possibly, but this can only be judged on a case by case basis.

Question 3: Do you think that this policy could reduce costs, delays and uncertainty for developers?

Yes, if executed with the necessary information structure to allow secure decisions to be made with relative speed. There has been some cross sector discussion on this issue, with the main conclusion being that without access to the relevant expertise and data, expedient decisions cannot be made. This is something that has the potential to impact negatively on protected species as well developers, and creates a “lose – lose” scenario. Cuts to the capacity of local authorities to access, view and evaluate ecological evidence can therefore be viewed as a false economy. Publications from the All Party Parliamentary Group for Biodiversity, the Association of Local Government Ecologists and others provide more detailed information on this particular issue.

To help prevent this issue from hindering developers and damaging protected species, the Association of Local Environmental Records Centres (ALERC) proposes the following:

All developers proposing to operate under the policy to be required to find out what biodiversity information is available for the proposed development and mitigation sites, and to be required to use this information when it is cost effective to do so.

ALERC is basing this proposal on knowledge that biodiversity information is highly valued by those developers and local authorities conforming to best practice, and on the knowledge that its ALERC's members are able to provide the most detailed and highest resolution local biodiversity information.

In order to maintain the quality and quantity of biodiversity information available at the local level, ALERC makes this secondary proposal:

All information captured by developers working to this policy to be stored and shared.

This proposal is again based on what ALERC knows is necessary and valued by developers and others. There are many routes to data sharing with varying costs attached, so an appropriate route should be possible in all cases. It is likely that this is already yielding more shared species records, but there is a lot more useful information that could and should be shared, including

habitat data, monitoring data and information on what mitigation measures have been successful and where.

Question 4: Do you have examples of where this policy could have been helpful?

**Proposed Licensing Policy 2: Greater flexibility in the location of newly created habitats that compensate for habitats that will be lost**

Question 5: Do you think that this policy could benefit GCN?

As far as ALERC is concerned, the answer is the same as above in as much as it could do, on a case by case basis, where decisions were made with the best available evidence. Where habitat creation is concerned, there can be specific issues relating to the suitability of receptor sites. Local information should be sought in these cases.

Question 6: Do you think that this policy could benefit other EPS?

Possibly, again to be judged on a case by case basis.

Question 7: Do you think that this policy could reduce costs, delays and uncertainty for developers?

See answer to question three as the same issues surrounding the storage and sharing of information apply. To answer questions of this sort the use of habitat maps, such as ecological network maps, should be considered. ALERC and other organisations can point to examples of where this type of mapping has been useful in making decisions on subjects such as biodiversity opportunity areas, which would be important considerations for people looking to relocate habitats.

Question 8: Do you have examples of where this policy could have been helpful?

**Proposed Licensing Policy 3: allowing EPS to have access to temporary habitats that will be developed at a later date**

Question 9: Do you think that this policy could benefit GCN?

Possibly on a case by case basis.

Question 10: Do you think that this policy could benefit other EPS?

Again, possibly on a case by case basis.

Question 11: Do you think that this policy could reduce costs, delays and uncertainty for developers?

Please see answers to 3 and 7. Where information is available on possible sites for temporary habitats, it is critical that it is used.

Question 12: Do you have examples of where this policy could have been helpful?

**Proposed licensing policy 4: appropriate and relevant surveys where the impacts of development can be confidently predicted**

Question 13: Do you think that this policy could benefit GCN and bats?

Question 14: Do you think that this policy could benefit other EPS?

Question 15: Do you think that this policy could reduce costs, delays and uncertainty for developers?

Without doubt it could, but in order to at least attempt to reduce the impact on wildlife and plan appropriate mitigation, existing information still needs to be consulted. The proposals outlined in the answer to question 3 would enable this to happen effectively. In addition to this, it should be noted that ALERC members have strategies for generating more information in poorly recorded areas. In a world where survey effort is reduced, then this work takes on added importance, not only because there is likely to be a heavier reliance on secondary information on which to base decisions, but also because reducing survey effort reduces the quantify of reliable biodiversity information as a whole. Therefore, the efforts of ALERC members to target areas for biodiversity recording, and to release new sources of information, becomes critical and ought to be supported.

Question 16: Do you have examples of where this policy could have been helpful?