

THE PLANNING SYSTEM AND SITE DEFENCE

How to protect reptile and amphibian habitats

SUMMARY

Reptiles and amphibians are declining in many areas, partly due to the loss of their habitats through development and changes in land use. Opportunities to counteract this process rely on:

- influencing the development planning process so that policies and plans protect specific areas that are important for herpetofauna.
- ensuring that Local Plans protect in appropriate ways important landscape features such as ponds and railway embankments.
- reacting swiftly to threats arising from proposed development, by informing landowners and planning authorities.
- establishing effective working relations with planners and environment staff in local authorities.
- liaising with landowners, managers and leaseholders in charge of land supporting herpetofauna, and assisting them to achieve sympathetic habitat management.

INTRODUCTION

The destruction, fragmentation and modification of habitats are primary causes of the declines in reptiles and amphibians across Britain. This leaflet outlines the basic principles of the planning process in England, Scotland and Wales, and explains how those interested in herpetofauna conservation can use planning procedures to protect reptile and amphibian sites. It also explains what to do when a site is threatened by a change in land use, and the legislation (and associated policy guidance) which relates to the protection of reptiles and amphibians and their habitats.

Some sites are destroyed partially or entirely, for example by new residential, industrial or retail development. Barriers to dispersion such as buildings and roads mean that animals will have to cross inhospitable habitat in order to disperse. If the change in land use is so adverse as to prevent migration entirely, it may have the effect of splitting a single site

into smaller sites (and hence dividing a population). Smaller, more isolated populations are much more vulnerable to extinction (through natural or artificial changes) than are large, interconnected colonies. Development on sites adjacent to reptile or amphibian colonies can have an impact, by for example leading to increased public access and hence disturbance. Populations can also suffer when their habitats are altered by an operation not subject to planning regulations - for example by changes in the habitat management of an area. Other less obvious changes include contamination with pollutants, water-table alteration, or neglect. Although not as visually dramatic or immediate as site damage or loss through development, these kinds of deterioration may be just as damaging in the long term.

Many of these damaging incidents can be avoided, minimised or mitigated for, if appropriate action is taken. The first rule for undertaking site defence is to be strategic and proactive. Although reacting to site threats on a case by case basis can work, in terms of resources it is clearly desirable to reduce the potential for site threats from arising in the first place. In practice, this means registering sites in the planning system. Site lists are the fundamental starting point for strategic conservation, and need to be comprehensive and accessible to those involved in the planning process (such as planning officers and conservation groups who assess applications). Many conservation organisations such as local amphibian and reptile groups already use site registers in order to review priorities for future action (e.g. habitat management tasks, surveys, monitoring of population status, etc).

CONSERVATION LEGISLATION

The two main categories of legislation to be aware of are (1) species protection and (2) habitat protection (summarised in table below). The Wildlife and Countryside Act 1981 and the Conservation (Natural Habitats &c.) Regulations 1994 are the major laws providing these measures. These laws implement European legislation (the Bern Convention and the Habitats Directive, respectively). Only a few reptile and amphibian species are afforded habitat protection

Species	Species protection				Habitat protection
	Killing	Injury	Disturbance	Handling	Damage, obstruct or disturb habitat
Frog, toad, smooth newt, palmate newt					
Adder, grass snake, common lizard, slow-worm	✓	✓			
Great crested newt, natterjack toad, smooth snake, sand lizard	✓	✓	✓	✓	✓

Table 1. Summary of the Wildlife and Countryside Act 1981 and the Conservation (Natural Habitats &c.) Regulations 1994 as they relate to levels of protection for herpetofauna

A tick indicates that the activity listed is prohibited (but note that some actions may be permitted with an appropriate licence). This is only a very brief summary of the major provisions of Part 1; further advice is recommended when pursuing a case in detail (Froglife or the statutory conservation agencies can help; see also *Further reading* section). There are other articles of legislation which might apply on certain sites - e.g. bye-laws on public areas or nature reserves. Other legislation, sometimes referred to as “welfare” legislation, such as the Protection of Animals Act 1911, prohibits cruelty and killing under certain circumstances.

wherever they occur, but species protection can sometimes be used to help safeguard a site (or at least part of it). In addition, some sites will receive a degree of safeguard because of a designation (e.g. as a Site of Special Scientific Interest [SSSI], Local Nature Reserve [LNR], County Wildlife Sites [CWS, SINC, SNCI, SBI], etc). The protection afforded to these sites, however, is not absolute. In practice it simply means the nature conservation interest receives greater consideration in planning issues; usually this will signify that there is a general presumption against a change in land use. It is worth noting that although this recognition may prevent important sites from being built over, it may do little to inhibit unsympathetic habitat management regimes.

Although wildlife legislation can be used to evaluate what may constitute an offence "on the ground" and is of some assistance in protecting sites, it is important to understand the interpretation of this legislation by planning authorities, statutory nature conservation agencies and others. A working understanding of planning policy as well as planning guidance given by central government to local authorities is helpful. Furthermore, knowledge of the procedural steps involved in making planning decisions is valuable. This wider understanding of planning issues will be important in terms of helping to safeguard reptile and amphibian habitats, so that a realistic expectation of influencing the outcome of a planning application is available at an early stage in your involvement.

THE PLANNING SYSTEM

Development plans, policy and guidance on planning

Development plans are the background against which planning decisions are made. The planning authority in each administrative area produces plans which anticipate and prepare for future land use. The two main types of plans are Structure Plans and Local Plans. Structure plans cover the whole county (or equivalent) area, and outline the Council's general policies regarding matters such as future needs for housing, traffic management and agricultural areas. Local Plans operate at the district or borough level and provide more detailed guidance on planning policy relating to particular geographical areas and issues, including nature conservation (the equivalent of Local Plans in the new Unitary Authorities are called Unitary Development Plans). These in turn need to incorporate regional and national guidance provided by Government on, for example, major roads and housing allocations.

Local planning authorities are given direction on nature conservation from central Government via several types of document, and the planning systems differ in each of the British countries, as outlined here.

England

Most notable amongst the guidance handed down from Government are the Planning Policy Guidance

notes. A significant step forward for the integration of English wildlife conservation issues in planning has been the publication of Planning Policy Guidance note 9: Nature Conservation (October 1994) (often referred to as "PPG 9"). This document sets out the government's objectives for nature conservation and gives planning authorities positive guidance about the treatment of wildlife protection both within development plans and within development control. PPG 9 states that the presence of protected species (such as reptiles) is a material consideration in the planning process, and that planning authorities should consider using conditions in planning permissions to safeguard this interest (see *Responding to site threats through the planning process*, below). In addition, it sets out useful advice regarding the safeguard of areas which are identified in the planning system as being of significance for nature (SSSIs etc), and also - importantly - wildlife areas falling outside such designations.

Scotland

At the time of publication (spring 1998), the equivalent document to PPG 9 in Scotland is Scottish Office Circular 6 (1995). This contains similar advice to PPG 9 but is not as comprehensive. It largely relates to informing local planning authorities of appropriate parts of the Habitats and Birds Directives. A new Nature Planning Policy Guideline (NPPG) is proposed.

Wales

Technical Advice Note 5: Nature Conservation and Planning applies in Wales. Again, this document comprises similar advice to PPG 9, but contains some omissions, such as that relating to consultation over applications likely to affect SSSIs. Importantly, it contains similar sections to PPG 9 regarding consideration of protected species

Development control

The process by which applications for permission for development or a change in land use are made, assessed and decided upon is called development control. Individuals, companies, or (as is often the case with larger schemes) their agents submit an application to the local authority planning department (or to the County/equivalent authority for mineral

extraction applications). Each application is considered on its own merit, with regard to the views of local (and sometimes national) representations, and in the light of development plans (see above) and policy guidance. A decision on the application is reached either by a planning committee comprising local councillors, or, for routine proposals, may be delegated to a senior planning officer.

Generally, the decision can be to grant or refuse planning permission, but the matter is not always this simple. Two main categories of permission can be sought: outline permission, which establishes that development is acceptable in principle but does not give the right to commence until details are agreed by a further application (although some operations, such as clearance of ground vegetation, are allowed); and detailed permission, which contains all details and - subject to local regulations - allows development to proceed. The planning authority also has the power to attach conditions (which are legally binding, and must be for stated reasons) to planning permissions, so that the applicant (developer) is obliged to confirm to certain guidelines or carry out certain activities. These conditions may, for example, involve measures to safeguard reptiles. The decision can be deferred in controversial cases. If permission is refused, the applicant may appeal to the Secretary of State, which can lead to a reconsideration of the decision. This may result in a public inquiry, at which an inspector will examine representations from the applicant, the local authority and interested parties. Public inquiries are commonly held to review proposals for major schemes, especially those with a considerable public interest, such as new power stations. The inspector's report will include recommendations and a fresh decision on the application. Note that it is not possible to appeal against planning permission which has already been granted (although in some very exceptional cases, permission may be revoked for over-riding interests).

Though "development" is a term which covers all building, engineering etc, there are some cases where "deemed planning permission" exists, or other reasons why a scheme is not covered by the normal development control process. Examples include some agricultural activities, road works, and sheds and ponds in gardens. Advice on whether a particular activity falls outside normal development control can be obtained from your local planning department.

WORKING WITH THE PLANNING SYSTEM TO PROTECT SITES: PROACTIVE CONSERVATION

The best way to reduce damage to or loss of herpetofauna sites caused by development pressure is to ensure that they are recognised in local authority plans. Of special relevance to reptile and amphibian conservation are the environmental policies often contained within Local (or Structure) Plans. These involve allocating certain areas as suitable for development. Conversely, some areas can be zoned as wildlife reserves, protected greenspace, or greenbelt land and hence would then be less liable to be affected by changes in land use. In many cases, the appropriate herpetofauna distribution information will be unavailable to the Council officers drawing up these development plans, who will rely on consultation with the public and wildlife groups to comment on their proposals when they are reviewed periodically.

Some herpetofauna species are listed in the UK Biodiversity Action Plan, and actions contained in the Species Action Plans include some for planning authorities (e.g. for the great crested newt, all known breeding ponds should be identified in Local Plans and Unitary Development Plans; see *Further reading* for more information on this). Local authorities may also participate in the Local Agenda 21 initiative, which can include community projects to promote the conservation of herpetofauna sites (including, for instance, surveys to determine local distribution).

The designation of important sites for reptiles and amphibians is still at an embryonic stage in most regions. Most such sites either receive no designation (often because they are not known to the planners) or are only protected "incidentally" as a result of a designation on the basis of some other species group.

In order to protect reptiles and amphibians through the planning process, the following approaches can be adopted:

- establish a good working relationship with planners and your county (or equivalent) ecologist.
- get involved with the consultation process for the creation and updating of Local Plans (and other types of development plan as necessary). Ensure that reptile and amphibian areas you know of are known to the planners and are adequately addressed. This process is most easily performed by working in conjunction with the local amphibian and reptile group or Wildlife Trust (who will normally be consulted in these situations as a matter of course).
- read the Council's policies relating to the protection and enhancement of wildlife, and assess how effective they may be in relation to reptiles and amphibians; suggest amendments if necessary.
- make sure that reptile and amphibian distributions, in particular the key sites for the region, are incorporated into development plans in the appropriate manner. This may involve liaison between the local Amphibian and Reptile Group, Wildlife Trust and planning department. Particular attention should be paid to "brownfield" (derelict urban) areas and "greenbelt" land. Brownfield land is often of high value for reptiles and amphibians yet it is under increasing development pressure.

- the designation of "wildlife corridors" is increasingly seen as important in development plans and is mentioned in PPG9 (applies to England only); in addition, Article 10 of the EC Habitats Directive requires Government to develop features such as "stepping stones" in the landscape. For reptiles and amphibians, it may be pertinent to try to include such features as railway lines, pond clusters, tracts of rough grassland and scrub and other links between sites. Find out what steps the local authority is taking in this regard and help to ensure that reptiles and amphibians are taken into account.
- find out what proposals the planning authority has to implement Species Action Plans and Local Agenda 21. Ensure that reptiles and amphibians are well covered (for example by having their interests represented in appropriate steering groups).
- determine the route taken by planners to ascertain whether proposals will affect protected species or important sites. Find out whether this process adequately covers reptiles and amphibians and their habitats.
- discover which areas of the region are poorly known in terms of reptile and amphibian distributions, and formulate proposals for further surveys through the local Amphibian and Reptile Group or Wildlife Trust. For protected species in particular, local authorities may be interested in helping with (or even part-funding) this type of work. Make sure you have thought about how such records should best be used before you plan any survey work.

The reason for this situation is partly that reptile and amphibian distributions are poorly known in general, and partly that the systems for designating sites on the grounds of herpetofauna interest are not well established in most areas. The SSSI criteria (NCC, 1990 - see *Further reading*) for designating sites are occasionally used, but it is an involved process and may take a considerable time.

Locally important sites can be designated by Local Authorities, often in conjunction with the Wildlife Trusts, as (County) Wildlife Sites (sometimes called SINC - Sites of Importance for Nature Conservation; a range of other similar local designations exist - ask planners for details in your area). To designate important sites for amphibians and reptiles, the SSSI guidelines can be used but sites falling just below the threshold for SSSI quality may qualify. For reptiles, Froglife has produced directions for selecting important sites (Key Reptile Sites). The process of designating sites on a local basis is beyond the scope of this advice note but is covered elsewhere (see *Further reading*), and Froglife can be contacted for advice on this matter.

RESPONDING TO SITE THREATS THROUGH THE PLANNING PROCESS

The most common threats come from the construction of housing estates, new roads and road improvements, mineral extraction, waste processing, and light industrial and retail development. Proposals for all of these alterations to the landscape must first pass through the planning process, and there is a need to react to these threats, particularly when herpetofauna sites are not safeguarded by some kind of designation. Reactive work of this kind can be time-consuming but with commitment it can result in important sites being reprieved, suitable mitigation being agreed, or with managed reserve areas established on developed sites.

Some general points to bear in mind are:

- always respond to site threats *as soon as possible*. Sites and species are most easily safeguarded at the earlier stages of the planning process. Once an application is submitted, there is a period of several weeks for comment.
- advise the applicant that a *survey for herpetofauna* is carried out before detailed permission is considered.
- the action may not be covered by the development control process (see *Protecting sites from threats*

not subject to planning permission, below).

- ensure that the key facts (e.g. the presence of species on a proposed development site) are communicated *in writing* to the appropriate council officials, and keep notes of any telephone conversations you have with planning officers, developers, etc. Copy your letters widely to relevant organisations asking for support.
- develop a good relationship with the local planning authority. It may be useful to arrange a meeting with development control officers before any problems arise, to discuss how you can best react to site threats in general, and to help them do their job most effectively (remember that nature conservation is only one of many considerations they need to address).

How to find out about site threats

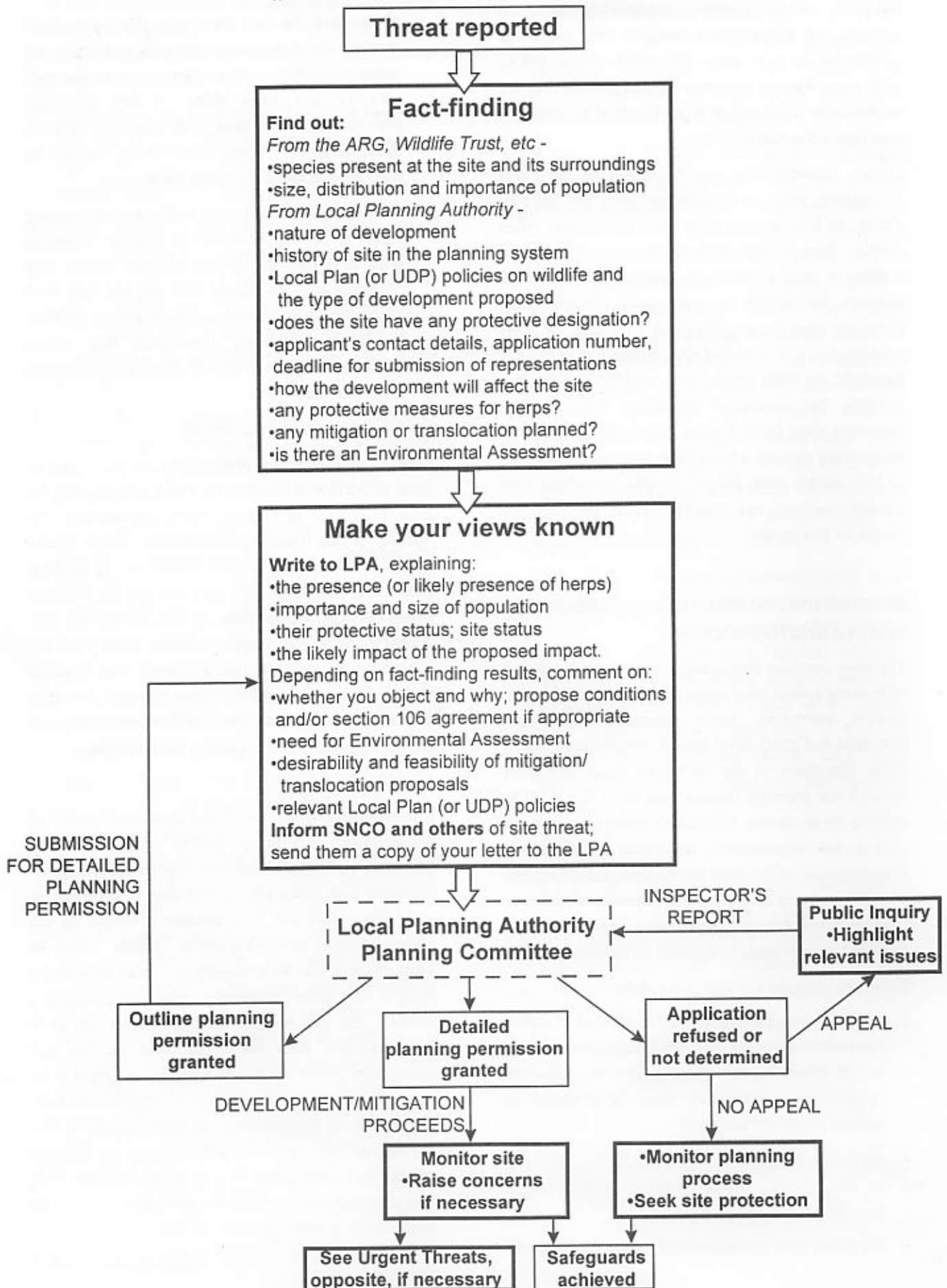
Lists of new planning applications are produced by local authorities at frequent intervals, and you may be able to arrange to receive copies automatically by writing to the planning department. Local ARGs which are linked to Wildlife Trusts should be in a position to view these lists and comment the potential impact of new applications. Notices sometimes also appear in local newspapers and are posted on the boundary of the application site itself with a stated deadline for representations. Note however that it is important to liaise with other wildlife groups to avoid duplicating effort when assessing applications.

Checking for threats

The maintenance of accurate and up to date records of herpetofauna records is central to reactive and proactive work. Most local ARGs have a recording co-ordinator who looks after and updates a database; in some areas there will be a database managed by the county museum or environmental records centre. In some cases it may be necessary to search around for records from other groups or people, such as rangers, wardens, etc. Just because there are no records for a particular site does not mean that reptiles and amphibians do not use it, and a survey will have to be recommended. Remember that it is important to check for records of herpetofauna on land adjacent to the application site - not only will this indicate whether reptiles and amphibians may be using the area, it is also important that any impacts of the development do not affect neighbouring sites.

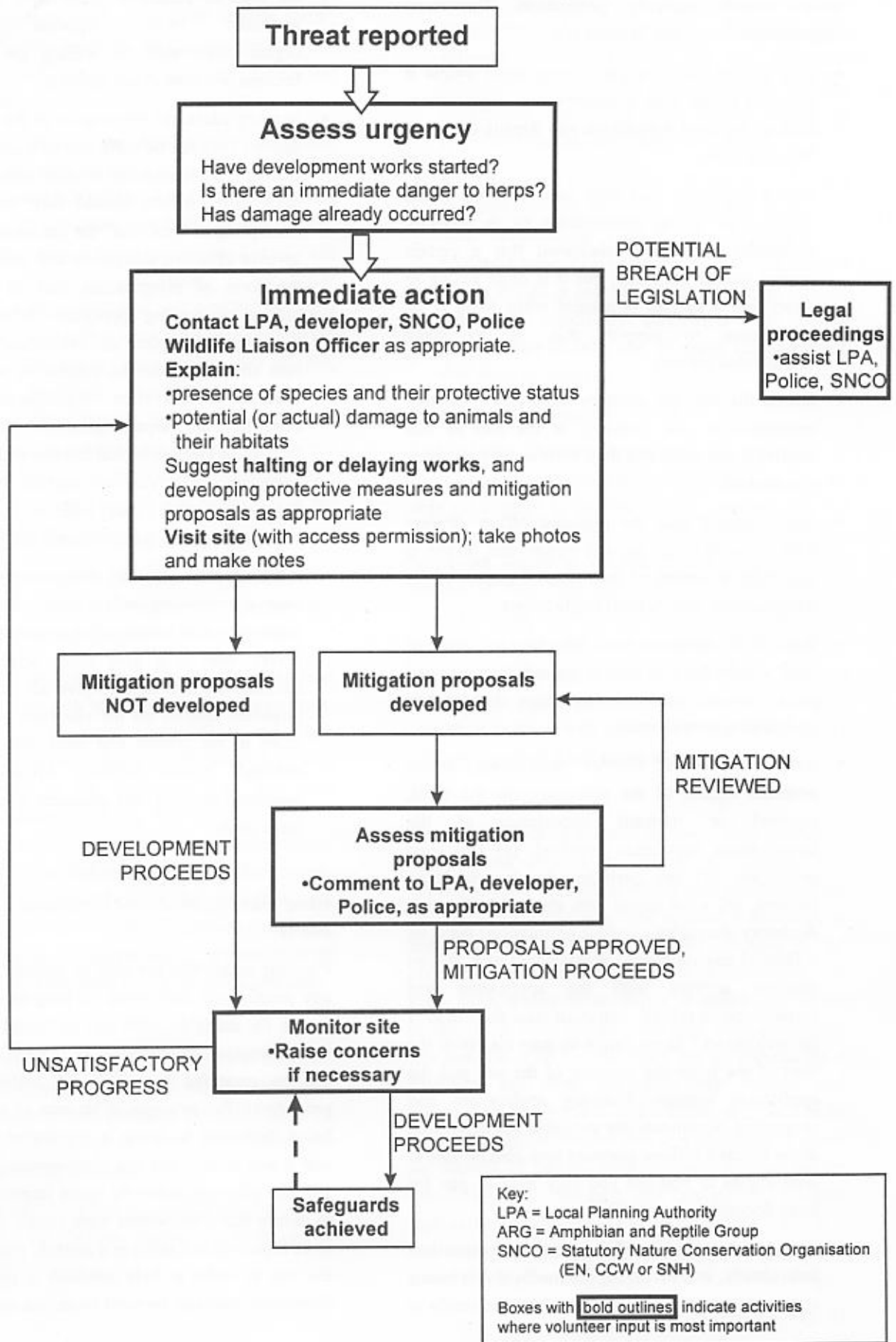
(continued on page 8)

A. Medium-term threats (planning application imminent)



s due to development

B. Urgent threats (planning permission granted, damage occurring or imminent)



How to respond to site threats

The flow diagrams in this leaflet show the main steps involved in reacting to sites threatened by actions which require planning permission. The most important points to bear in mind are:

- your actions may sometimes carry more weight if you join forces with a conservation organisation, such as the local Amphibian and Reptile Group or Wildlife Trust.
- remain objective, and base your case on sound evidence or strong probabilities (it is perfectly acceptable to state a likelihood that a certain species occurs on a site, but it is quite wrong to assert that a species is present when there is no information to support this, or to make exaggerated claims).
- inform the relevant statutory body (see *Important organisations and contacts*, at the end of this leaflet) if you think that their involvement has been overlooked.
- make contact with the planning officer dealing with the case early on, and ensure that he/she is kept fully informed of the potential impact of the development, and its legal implications.
- think of the situation from the planners' point of view - they have to weigh up many issues, and need concise, useable information rather than generalities or criticism.
- write to the Chief Planner, mentioning (a) the potential impact of the proposals, (b) the local, regional or national importance of the herpetofauna population involved, (c) any legal protection, (d) any pertinent development plan policies, (e) what action you think the Planning Authority should take (refuse permission? insist on a [better] environmental assessment? etc). If you disagree entirely with the application and recommend its refusal, you must state the words "I (or we) object." Don't forget to state clearly at the start of the letter the location of the site and the application number. Planning applications and supporting documents are available for inspection at the Council offices; planners may also be able to send copies to you but you may have to pay for large documents.
- it may also be worth contacting councillors individually, and involving the media if this seems appropriate (note however that asking the media to

comment on such issues requires sensitive handling, and the developer's views are also likely to be aired in any coverage).

- for sites of particular importance or species of particular rarity, national conservation organisations may be willing (or obliged) to become involved in site defence.
- in many cases, the importance of the herpetofauna interest may not be sufficient to warrant refusal of planning permission on wildlife grounds alone; in such cases, efforts should then concentrate on attempting to "best deal" for the animals. This will involve effective mitigation and compensation in the form of safeguarding part of the existing habitat, or securing appropriate habitat elsewhere. Any plans for capture and relocation of animals to new sites must also be subject to strict scrutiny. National conservation organisations such as Froglife, The Herpetological Conservation Trust, the British Herpetological Society and the statutory agencies can advise on current best practice. Remember what your role is and what the responsibilities of the developers are.
- if the site has a statutory designation such as SSSI, then the planners will contact the appropriate statutory nature conservation agency (EN, CCW or SNH), who will give them advice. Statutory agencies are also able to give advice if there is a protected species on the site (one of the species listed in the second and third rows of table 1), although liaison between ARGs (and other interested groups) and planners is still useful in these cases.

Using planning conditions to safeguard herpetofauna interest

Planning authorities are able to include conditions in any permissions they grant, so long as there is good reason for doing so. This can be useful if it appears that permission is inevitable, or if wildlife legislation can be complied with only by following certain procedures. For example, if an area of grassland was being destroyed to house a residential development and it was established that slow-worms inhabited the site, the planning authority could impose a condition to ensure that slow-worms were caught from the area to be disturbed and taken to a suitably managed part of the site in order to help establish a nature reserve. Conditions can also be used to ensure comprehensive

survey of a site prior to development, or the long-term sympathetic habitat management of a safeguarded area within a development site. It is the responsibility of the applicant to develop such mitigation proposals, but the acceptability of these proposals can be subject to agreement with the planning officer via a condition in any permission granted.

It is worthwhile speaking to the planning officer concerned to discover whether the inclusion of conditions is appropriate in the case under discussion. Again, uniting with the local Amphibian and Reptile Group or Wildlife Trust will lend weight to this sort of action. Other options are available through the planning process, such as Section 106 agreements (referring to Section 106 of the Town and Country Planning Act 1990), to ensure that developers comply with certain activities. Like planning conditions, these can require developers to carry out operations and may be legally binding. As well as the nominated planning officer, it is often valuable to discuss these matters with the county (or equivalent) ecologist.

Safeguarding sites supporting “non protected” species

The commoner amphibians carry little legislative weight. For instance, it would - unfortunately - be lawful under most circumstances for a developer to drain and infill a common toad breeding pond, even in the middle of the breeding season. Although it is often very difficult to prevent the loss of breeding ponds for these species, there are measures which can be proposed to ameliorate the situation. For example, if the presence of the amphibians is detected at an early enough stage, plans for development can be amended to accommodate their needs (such as retaining ponds). This may involve appealing sympathetically to the developer (who might appreciate favourable media coverage of such actions, and would certainly wish to avoid any negative press arising from deliberate, avoidable damage such as the example given above).

If the loss of habitat really is unavoidable, then suggestions should be made for the developer to undertake compensatory measures, such as the construction of replacement ponds or sympathetic management of terrestrial habitat. In addition, the timing of operations is important - ponds are best destroyed in autumn and winter when amphibians (and other species) are likely to be absent or only present in low numbers. You may find that planning policies help here. For example, trees, hedges and

ponds may be "protected" via policies in the Local Plan, even if the species itself is not. Likewise, some planning guidance such as PPG 9 states that certain features which function as stepping stones or linear landscape characters should be given special attention in planning issues.

Whilst not receiving “automatic” protection, exceptionally large populations of the commoner species (or good assemblages of several species) may qualify for designation as SSSI or County Wildlife Site status (further details are available in the *Herpetofauna Worker’s Guide*. If a site has already been so designated, the planning authority should attribute more importance to the wildlife issue; likewise, even if the site has not been designated (which is a much more likely situation), the significance of the herpetofauna should be highlighted for planners to address in their deliberations. This underlines the importance of designating locally significant populations (see *Working with the planning system to protect sites: proactive conservation*, above).

Public Inquiry

If an application proceeds to the Public Inquiry stage, it is worthwhile preparing a proof of evidence outlining the case for the herpetofauna interest. These views will benefit if presented along with other ecological evidence (if there is any), and it is worth discussing the matter with the local authority as well as other objectors. At a Public Inquiry, the applicant and the local authority have a chance to present their cases and cross-examine each other. Proofs of evidence should be concise and present the case for safeguarding herpetofauna clearly, along with the legislative background for doing so. Proofs which are long-winded or lacking in factual content are unlikely to help the case. Well-researched documents likely to advance site safeguard would include sections on:

- records and sightings of herpetofauna on the site and its surroundings, with dates.
- an assessment of the application site’s local/ regional/ national importance.
- the way in which this interest links in with Local and Structure Plan policy on nature conservation.
- a realistic assessment of the impact of proposed development.
- if they exist, an assessment of whether the

applicant's proposals to mitigate for any impact are likely to succeed.

- to what extent you disagree with the development proposals (should there be no development at all? Could plans be altered to accommodate the herpetofauna? How would this be achieved?).
- conditions the Inspector might include, should the development proposals be allowed.

Bear in mind that if you give evidence at the Public Inquiry you may be cross-examined by a lawyer and you will have to be absolutely sure of your facts; you will also need to be confident under stressful conditions. It is worth seeking advice from others who have been through the process, and it may even be sensible, for large schemes, to consider asking or employing an expert to draft the proof and present it for your group.

PROTECTING SITES FROM THREATS NOT SUBJECT TO PLANNING PERMISSION

Herpetofauna populations are often at risk from activities which do not require planning permission. Pollution incidents, for instance, are generally unpredictable and require urgent action (see *Important organisations and contacts*, below). Unsympathetic habitat management (for example, over-grazing) is perhaps the most widespread and serious instance of this type of threat. Preventing sites from being damaged by unsuitable management regimes can be difficult since there is no obvious recourse to legislative support. However, in many cases, deterioration of sites through this type of activity is more due to ignorance (not knowing the reptile/amphibian species was present, or not knowing about the appropriate management) and can be remedied by educational means. A degree of diplomacy may be required when dealing with some landowner groups.

For **local authority owned/ leased** land, find out through the Environment department (possibly in conjunction with the Properties or Estates department) of the Council which nature reserves and greenspace/amenity areas are known to support reptiles and amphibians. If there are management plans for these areas, determine whether they will benefit herpetofauna populations. Where there is a lack of up to date information, efforts should be made to survey these areas. Common management activities

which may need to be advised on include the timing and extent of road verge cutting and planting.

Farmers are some of the most important landowners in most rural areas of Britain in terms of area, and, for some species, in terms of significant populations. Liaison with farmers on a wide scale sometimes can be most effective if done in co-operation with other wildlife organisations such the local Wildlife Trust and Farming and Wildlife Advisory Group. Smaller scale projects, such as mapping and helping to ensure appropriate management of a system of crested newt ponds, may be done by approaching farmers directly or through bodies such the National Farmers Union or the Country Landowners Association.

Other large scale **landowners, land managers** and leaseholders include private estate owners, the Water Companies, Environment Agency, British Waterways, National Trust, Forest Enterprise, and conservation organisations such as Wildlife Trusts and RSPB. The basic approach for all of these organisations is the same:

- find out what is known about herpetofauna distributions on the land.
- if this is lacking, suggest that further surveys are undertaken (see *Further reading* for advice on surveys).
- ensure that landowners are informed of the presence of herpetofauna, particularly protected species.
- ensure that landowners are given clear advice on management of areas supporting herpetofauna, and if appropriate advice on obtaining grants to help with management activities.
- ensure that records are sent to the local recorder (see the *Herpetofauna Worker's Guide* for details).
- arrange for monitoring of these sites.

FURTHER READING

Legislation and policy documents:

Nature conservation: Implementation in Scotland of EC Directives on the conservation of natural habitats and of wild flora and fauna, and the conservation of wild birds: The Conservation (Natural Habitats & c.) Regulations 1994. Scottish Office Circular 6. The Scottish Office, 1995.

Planning (Wales) Technical Advice Note 5 [Nature Conservation and Planning]. The Welsh Office, 1996.

Planning Policy Guidance 9: Nature Conservation (October 1994). The Stationery Office, 1994.

The Conservation (Natural Habitats & c.) Regulations 1994. The Stationery Office, 1994.

Town and Country Planning Act. The Stationery Office, 1990.

Wildlife and Countryside Act 1981. The Stationery Office, 1991.

Guidance and general reference:

Commercial consultancy work: HGBI guidelines on Amphibian and Reptile Group (ARG) involvement. Herpetofauna Groups of Britain and Ireland, c/o Froglife, Halesworth, 1998.

Countryside Law, by JF Garner and BL Jones, Shaw and Sons, London, 1997.

Evaluating local mitigation/translocation programmes: Maintaining best practice and lawful standards. HGBI advisory notes for Amphibian and Reptile Groups (ARGs). Herpetofauna Groups of Britain and Ireland, c/o Froglife, Halesworth, 1998.

Great crested newts: Guidelines for developers. English Nature, Peterborough, 1996.

Guidelines for the selection of biological SSSIs. Nature Conservancy Council, Peterborough, 1990.

Natural Assets: Non-statutory sites of importance for nature conservation, by I Collis and D Tyldesley, The Local Government Nature Conservation Initiative, 1993.

Responding to Planning Applications. Council for the Protection of Rural England, London, 1996.

Species Protected by Law. Derbyshire County

Council, 1996.

The Herpetofauna Worker's Guide 2000. Jim Foster. Froglife, Halesworth, 1999. [contains references on survey techniques, legislation, Species Action Plans etc]

IMPORTANT ORGANISATIONS AND CONTACTS

Statutory nature conservation agencies

English Nature, Countryside Council for Wales, Scottish Natural Heritage. These organisations advise planning authorities on applications when protected species are present (or likely to be present). They can advise on legislation and licensing. Head office contact details:

English Nature
Northminster House
Peterborough PE1 1UA
Tel. 01733 455000

Countryside Council for Wales
Plas Penrhos
Ffordd Penrhos

Bangor
Gwynedd LL57 2LQ
Tel. 01248 385500

Scottish Natural Heritage
2 Anderson Place
Edinburgh EH6 5NP
Tel. 0131 554 9797.

Local authorities

Local authorities have planning departments which co-ordinate the development control process and the production of development plans. In many authorities, there are ecologists within the planning department or countryside section who will advise on wildlife conservation issues in planning.

The Environment Agency/Scottish Environment Protection Agency

EA is the statutory body responsible for controlling land, air and water pollution in England and Wales, while SEPA is the equivalent body in Scotland. Both organisations also have a statutory duty to promote the conservation of wildlife dependent on wetlands. The emergency numbers to report pollution incidents to

are: EA - 0800 807060; SEPA - 0345 737271.

Voluntary groups

Froglife, The Herpetological Conservation Trust, British Herpetological Society. These organisations are the main three non-governmental (voluntary) bodies working on reptile and amphibian conservation. They may be able to help advise on site safeguard and, for sites of particular importance, may become actively involved. Contact details:

Froglife
White Lodge
London Road
Peterborough
PE7 0LG
Tel. 01733 558844

The Herpetological Conservation Trust
655a Christchurch Rd
Boscombe
Bournemouth
Dorset BH1 4AP
Tel. 01202 391319

British Herpetological Society
c/o The Zoological Society of London
Regent's Park
London NW1 4RY
Tel. 0181 452 9578.

Local Amphibian and Reptile Groups. These voluntary groups are actively involved in recording species distribution and protecting sites. They may be able to take up site safeguard issues with Local Planning Authority staff. Local amphibian and reptile groups are often the best sources of advice for determining the importance of the population under threat. Local groups affiliated to the Herpetofauna Groups of Britain and Ireland (HGBI) network have best practice guidelines to help avoid conflicts of interest when asked to be involved in projects which risk the loss of sites and species. To find out which is your nearest group, contact the Secretariat to HGBI, c/o Froglife (details above).

The Wildlife Trusts. There is a Wildlife Trust to cover every part of the UK, and their conservation staff may be able to help with site safeguard. To find out your nearest Trust, call the head office on: 01522 544400.

A range of *other voluntary groups*, such as the Council for the Protection of Rural England, may be able to help.

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