# Background

Licences issued for development under Regulation 53(2) of the Conservation of Habitats and Species Regulations 2010 (as amended) for European Protected Species (EPS) have a standard condition that the works be carried out in accordance with the method statement provided with the licence application. It is an offence to breach a licence condition under Regulation 58(1). NRW requires evidence that the licence holder has complied with the method statement submitted with their application when implementing their licence.

Where formal compliance audit is required, a series of performance indicators will need to be agreed together with the evidence required to demonstrate compliance. An example structure for a compliance audit for development works affecting great crested newts is provided below.

**This template should be adapted according to the requirements of individual schemes.**

# Example licence compliance audit report template for developments affecting great crested newts

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| **Natural Resources Wales licence reference number:** |  | Site name: |  |
| Site grid reference: |  |
| Name of licence holder: |  | Name of developer if different from licence holder: |  |
| Name of ecological consultant: |  | Date/s of audit (dd/mm/yy): |  |
| Date licence issued (dd/mm/yy): | Date licence expired: | Licence implemented between (dd/mm/yy) | |
|  |  | From: | To: |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **No** | **Performance Indicator** | **Evidence required** - this list should be adapted to reflect the agreed method statement | **Pass (Yes/No), comments** | **What action is required as a result of findings?** |
|  | Before starting work the licensee will advise NRW Species Officer of the date the works will start. | Written or electronic documentation of notification of start of works. |  |  |
|  | A suitably experienced licensed ecologist will be appointed and retained during the life time of this licence to provide on-site advice. | Letter, contract or other document outlining the appointment of an Ecologist for the lifetime of the project. |  |  |
|  | Prior to the start of any works on site, all site workers will be inducted by the Project Ecologist. This induction will cover the legal status of the species, the method of working, and action to be taken if protected species are encountered. | Copy of documents from ecological induction, showing content of induction.  List of induction attendees |  |  |
|  | Preparation and implementation of a bio-security risk assessment as detailed in E.5 of the method statement | Bio-security risk assessment is available for inspection.  Log of implementation of bio security measures is available for inspection and shows that they have been implemented.  Field observation shows that bio security measures are in place e.g. foot washes |  |  |
|  | **E.1 GCN capture and exclusion** |  |  |  |
|  | Design and installation of amphibian fencing to the specifications provided in the CCW guidance sheets/ EN (2001) and as detailed in the method statement: | Log and field observation show that exclusion/ drift fencing have been installed as detailed in the method statement, including:  - fencing has been installed on the inside of security fencing;  - fencing has been installed so there is a minimum 1 m access strip left for maintenance on all sides  - fencing layout does not contain gaps through which newts may pass.  - vehicle access points have been installed using gates of heavy plastic or ACO stop-grids;  - fence-posts have been located on the outside of the receptor area;  fencing membrane has been installed without noticeable creases or folds;  - joints in the membrane have been ‘curl-joined’ and well secured to a post with pads and nails. The jointing method continues underground as well as above |  |  |
|  | Amphibian fencing has been subject to inspection and maintenance according to CCW guidance sheets/ EN (2001) and as detailed in the method statement throughout the translocation and construction periods. | A fence inspection log of all inspections and all repairs required has been maintained and is available to NRW at 48 hours notice to show that:  - the fence has been inspected by a suitably qualified/ licensed ecologist every 24 hours  - any repairs have been completed within 12 hours throughout the duration of construction works.  - that 99% or more of the length of the exclusion fencing has been maintained in a satisfactory condition  - fencing has been kept clear of vegetation or other materials that may enable newts to climb over the fence |  |  |
|  | Works within amphibian habitats will not commence until working areas are confirmed to be clear of amphibians by the licensed ecologist. | Log of activities, including clearance activities, is available for inspection recording captures. |  |  |
|  | Any works outside the amphibian fence are to be in accordance with a methodology as approved by NRW supervised by a licensed person. | Log of works undertaken, including evidence of licensed person on site, available for inspection. |  |  |
|  | **E.2/E3 GCN habitat modification and creation for mitigation and compensation** |  |  |  |
|  | All mitigation and compensation measures have been implemented as per section E2 and E.3 of the Method Statement: | Log of works demonstrates habitat creation /enhancement implementation  Design and installation of hibernacula: log and field observation show installation was in accordance with the method statement including:  - dimensions  - construction materials  - number and locations  Design and creation of great crested newt ponds: log and field observation show installation was in accordance with the method statement including:   * location * dimensions * depth * planted or not, as appropriate * water quality and supply * provision of artificial egg laying substrate where appropriate |  |  |
|  | The compensation/receptor site has been subject to appropriate management during construction as specified in section E.2.1 of the Method Statement | Log and field observation show that appropriate management activities have been implemented eg   * grazing * cutting |  |  |
|  | The implementation of surveillance or monitoring of schemes, pre, during and post development as specified in section xx of the Method Statement. | Log shows that surveillance and monitoring have been implemented pre, during and post development and results passed to appropriate data holder |  |  |
|  | **F and H: Long Term Site proposals** |  |  |  |
|  | Implementation of habitat/site management and maintenance and, habitat monitoring as detailed in F.1 and F.2 of the method statement | If audit undertaken during development phase:   * Habitat management plan demonstrates measures are in place to ensure ongoing land management of retained, modified and newly created habitat post-development   If audit undertaken post-development:   * log or report demonstrate habitat management plan has been implemented * site management works are maintaining the ecological functionality of the mitigation/ compensation site |  |  |
|  | Implementation of population monitoring as detailed in F.2 of the method statement | If audit undertaken during development phase:   * monitoring plan demonstrates measures are in place to undertake GCN population monitoring post-development.   If audit undertaken post-development:   * log or report demonstrate monitoring plan has been implemented * log or report demonstrate results passed to local record centre |  |  |
|  | Implementation of long term site safeguard proposals as detailed in F.4, H.1 and H.2 of the method statement  *NB Not all schemes will require all of the activities* | Log of works demonstrates implementation eg:   1. land transfer or other legal interest proposal 2. mitigation/compensation site been listed as a local land charge 3. proposed legal agreements and contracts been completed 4. wardening requirements implemented to proposed timescales and in accordance with the submitted Method Statement 5. financial plan in place to resource mitigation, compensation, monitoring, site management or wardening |  |  |
|  | **Any other points to note/comments from auditor:** | | | |

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| **Auditor name and organisation** | **Signature** | **Date** |
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