

## **8<sup>th</sup> Meeting Expert Group – Conservation Amphibians & Reptiles.**

### **Agenda Item 11. C. Northern Great Crested Newt Triturus cristatus. (GCN).**

Please refer to paper T-PVS/Files (2012) 41 which outlined the situation in 2012.

which does not appear to have improved to any extent since in the UK.

Unfortunately even at this late time of updating (17/6/2015) minimal Member State responses had been received to the Secretariat's request for information on progress with this species Action Plan. To this end it is not possible to

comment on previous concerns involving the Urgent Priority Actions (UPAs)

4.2.2, 4.2.3, 4.2.4, 4.3.1, 4.3.2, 4.6.2, 4.8.1, 4.8.2, although it is concluded

that Germany's devolution of its national responsibility for the Convention

down to Lande, often without funding, must at the very least hamper 4.8.1.

It may be assumed that the positive practical measures adopted in Norway and Sweden continue to the benefit of their populations

Another positive worthy of note was the declaration of over 700 Natura 2000/ SACs for this species so far in Germany, and over 300 in France. However clarification is needed to assess how many of these sites were declared especially for them, as compared to such sites protected and managed for other reasons but where there were secondary GCN records.

The UK., in striking contrast as an MS thought to support one of the largest GCN populations, chose to designate but 22 SACs. It has not implemented UPAs

4.1.1, 4.2.2\*, 4.2.3, 4.2.4, 4.3.1, 4.3.2\*, 4.6.2, or participated in 4.8.2.

The asterisks \* indicate that for 4.2.2 while there were environmental guidelines for matters as such Annexe II listed species, the government ordered their removal from Natural England's web sites "in the interest of lessening constraints on economic development".

While for 4.3.2 the ease of DEFRA's licensing to readily mitigate via moving GCNs out of the way to new receptor habitats is little short of scandalous as few such

GCN transfers are monitored as statutorily required, and requisite licence returns are not chased up when missing. Mounting concerns (by NGOs) led to a DEFRA admission that the bulk of licensing files were not available, had either gone missing, or been destroyed. When research was finally sanctioned into the success or not of such “mitigation”, the Durrell Institute of Conservation, Ecology at Kent University had difficulty in finding enough files to study from the myriads originally issued. Eventually, of 11 investigated, 10 had failed ! (publ. 2013)

UPA 4.6.1 has been progressed although the results are questionable at the moment. Whether DoE, DEFRA, JNCC., NC., NCC., or NE, the UK’s conservation watchdogs had steadfastly rejected GCN pond survey and its funding. However faced with an ongoing GCN Complaints Procedure in Brussels the UK chose to trial environmental DNA as a quick fix for their lack of survey and therefore status data. It worked accurately and reliably, but only to confirm or not GCN **presence** but **not status**. It also costs c.60 euro for each water sample test. More practical M.S.s such as Sweden, Czech Republic, Switzerland, France and Germany depend more on field survey. How much more could be achieved in the UK by modest grant aid to NGOs towards mileage costs for ground truthing ?

With most management grant aid directed via agro-environmental schemes DEFRA have included a pond related option for farms, but as this requires farmers’ Opt in and is not currently accompanied by persuasive literature or any mention of the GCN Action Plan, the take up is predictably very low indeed.

Some UK NGO. work has also been done to provide “predictive maps” to indicate which regions GCNs are likely to support GCNs, but lacking ground truthing, its only value is to point out where Consultants should survey in case of for “mitigation”

needs, or to target NGO survey input if or when grant aid is made available.

This leads me to the results of my self-funded GCN field research since spring 2013 in the key area of Sussex. The findings will be published but have first to await next spring's "torching" survey of a few target ponds which were restricted by the cold nights of "spring " 2015. Nevertheless, my results confirm habitat vulnerability and an overall and worrying decline over the past 40 years. The same causes of habitat loss persist and appear to be increasing in accord with mounting population pressures in lowland England, paralleled by decreased legal conservation effort.

In total I have surveyed 520 Kms sq. and assessed over 1700 ponds as shown on the last two revisions of the Ordnance Survey 1:25,000 maps. While my final percentage figures may vary slightly, in summary :-

> 35% of potential breeding ponds have been lost.

> 30% " " " " are in advanced stages of neglect and thus unsuitable for GCNs.

> 20% " " " " are unsuitable by virtue of Introduced fish or ducks.

Of the remaining 15%, less than half support GCNs. !

The main reasons for such losses include the basic facts that lowland ponds are now obsolete in farming terms, and as such rarely command the past management input to de-silt and remove leaf litter, and to de-shade from peripheral scrub and tree growth.

Land drainage "improvements" to convert pasture to more lucrative and mostly EU aided arable use are now witnessing surrounding field drains and ditching being deepened even to below the levels of adjacent ponds.

Can matters improve ? Well of course they can, but not without signs of a

Government willingness towards pond protection and particularly towards GCN metapopulations. At present, this seems unlikely.

The Environment Agency no longer addresses related problems including Pond wildlife, as “budgetary cuts have pushed wildlife responsibilities off their list of priorities”, They failed to take any measures to control or monitor the rampant spread of the alien invasive Blue Clawed Crayfish. Its adverse effect on GCNs can only be suspected but its presence has now virtually extincted the native White Clawed Crayfish from southern England, while its fecundity and aggression is exploiting varied aquatic food sources in both still and running water.

With an ever decreasing and impotent Natural England, and a current government Embargo against SSSI notifications, I was not encouraged to pursue protection of GCN populations, not until I found the highest quality pond that I have ever seen, not just in Sussex, but from any of the other UK GCN areas with which I am familiar. However, it soon transpired that its immediate adjacent terrestrial habitats of abandoned pasture were imminently threatened by new housing whose planning cannot be influenced by environmental considerations “at this stage”. Unfortunately, new rules are now in place to preclude any practical or legal intervention at a later date. Because of the would be developer’s haste to test dig and clear vegetation, ie. GCN terrestrial habitat, I called in the Police Wildlife officer for this Ringmer site. While he prevented any further damage, he too will be unable to influence the inevitable planning progress :-

The UK now has government imposed housing targets which cannot be challenged quantitatively. Their exact locations and designs remain as a matter for local democracy via the statutory ‘Neighbourhood Plan’ (with which I am administratively involved elsewhere). Its draft is then overseen by a higher District Council but

who will not, or cannot ? consider environmental constraints until the later planning application stage – by when of course it will be virtually and legally impossible to affect matters. Doubly frustrating since there is clearly identical pasture within the same land holding but at a safer distance 200m further from the pond. That apparently would upset present plans for public use, tree planting, etc ., as associated with their preferred Neighbourhood Plan.

I apologise for this lengthy section and for the associated politicking but this is unavoidable in any attempt to illustrate the relevant failures of our Wildlife & Countryside Act, and thus intended means of complying with the Berne Convention and more latterly with the EU's Habitat Directive.

The adopted Crested Newt Action Plan ?

Presently sunk out of site.

Can matters worsen ? Well of course they will while government is seeking “modifications to the stranglehold of EU regulations” as a bargaining tool to a referendum backed UK withdrawal. Publicly stated targets include the Habitat Directive with media prominence already blaming protected Bats and GCNs. Another serious environmental threat is that of their proposed policy of *Off setting*, widely opposed and condemned by NGOs, which would of course support the failed “mitigation” translocations applied to those GCN populations in the way of economic progress.

**If ever Berne Convention help was needed, that time is now !.**

Agenda item **11c. Sand Lizard Lacerta agilis (SL).**

I would again respectfully advise that T-PVS/Files (2012) **41** be consulted  
Since most critical observations sadly remain valid for the UK., NL., and DE.,  
while other MS have not responded to the Secretariat's request for information  
and presumably therefore the reported failings in Belgium (Wallonia), NE.France,  
and Denmark (Jutland) continue. In the case of Wallonia the situation is  
particularly disappointing since our SEH delegation to the 2012 Standing  
Committee had cited their draft SL Action Plan as an excellent national model  
to follow but our displayed copy was then confiscated and we were requested not  
to mention this as yet unadopted Plan. No amount of requesting information  
since has produced a single reply so we must fear the worst.

The German devolution policy continues to prevent consideration of the Berne  
Action Plan as it is for example either promoted or even disseminated in the Lande,  
where in the case of Lower Saxony and its large and famous Luneberge Heide  
the SLs dry heath habitats are inappropriately managed. SL localities "Foci" have  
been surveyed and documented but to no avail towards needed actions proposed in  
this unrecognised Berne Plan.

Having several times assessed the Netherlands dry heath and SL situation in the  
expert company of Dr.Anton Stumpel, I can only confirm even more inappropriate  
management and a lack of knowledge or acceptance of its Bern Action Plan  
Unfortunately there no longer appears to be a Dutch government conservation  
Department or agency with relevant experts with whom to liaise. Equally  
disappointing is the failure of years of lobbying within and without their largest  
reserve managing NGO. 'Nature Monuments'

The simple problem in NE France is the longstanding lack of survey information, but which may now be being rectified around their main area of Lorraine ?

The potential problem in Denmark involves their remaining dry heaths in east Jutland (and from where the habitat related Smooth Snake had previously become extinct . The SL problem is as usual, inappropriate heather management and an apparent lack of knowledge on the Bern Plan. I failed to ever get a dialogue or answers from the relevant area managers or sadly from the Danish government.

Now to the UK. If it wasn't for the NGO, first HCT., now ARCT., there would be rather little SL addressed heathland management., they have a large suite of dry heathland reserves in Dorset and less but geographically significant heath sites in the Wealden and SW.Surrey areas. Other land managers are not always so sympathetic to SL needs and as usual have rarely heard of let alone adopted the Berne Plan. The last fault is really down to Natural England failings, but to be fair the same severe restrictions on their function apply and as described in the above Crested Newt account.

The Berne Conventions very active intervention in the Dorset Heath situation during the 1990s, via Recommendations, Case Files, and notably the On-the-Spot Appraisal. We, SEH.CC could hardly believe the consequent progress : Our national laws were changed to include heathland fires within Arson; Heathland Teams were set up and financed including a staffed Urban Heathland included seasonal wardening with rotas for high fire risk times, eg school holidays; Police motor cyclists patrolled heaths to catch and prosecute the illegal and damaging off road use by scramble, quad, and other motor bikes. Regular liaison meetings were held with local councils, and especially between

NGOs. Police and Fire Brigades., Nature Conservancy Council, and Forestry Commission. All reigned well in the land of the Sand Lizard – but not any more !

Most initiatives have now been abandoned as their funding closed down.

Serious deliberate Dorset fires in spring 2015 (also in Surrey), and including ARCT's largest reserve of Town Common but while police investigations there identified and arrested some of the 6 culprits, our Home Office Ministry's Crown Prosecution Service forbade any further police action with the reactionary view that "it would not be in the public interest" – pity they never asked the SLs ?

Extensive and damaging mineral excavation works have been restarted on sensitive sites and without necessary compromise or mitigation.

Agriculturally linked funding for heathland management of SSSIs and SACs Alike is controlled by a group of ecologically illiterate RPA (Rural Payment Agency) Inspectors - who act like Dinosaurs who won't go extinct. Budgets are ever cut to NGO conservation groups with heavy fines and demands for back payments where farming breaches are claimed Essential bare sand fire breaks and their maintenance costs cannot be claimed unless a crop is grown ! Not enough grazing stock can apply the same constraint.

Despite the wildlife significance of such SSSIs and SACs, no such requirements pass their tick boxes and clip boards. Relevant NGOs are increasingly struggling and unsympathetic Dorset Natural England staff compound rather than help to alleviate these problems.

Three other national problems deserve mention :

The extensive but inappropriate heather management over the large area



of the New Forest, pleasing to their graziers but an anathema to its reptile interest and continuing with little sign of compromise from its Commoners, Verderers, or Forestry Enterprise managers.

The genetically different and long isolated SL's along Merseyside's coastal dunes in NW England require regular management especially by controlling introduced Sea Buckthorn and Pine, and to provide exposed sand strips to allow SL breeding. on the more fixed inland dunes. There was a shared management partnership between the large Sefton Council and HCT/ARCT but the funding has now ceased and the southern based NGO cannot continue on its own.

(where is the SL Action Plan or NE's role ? – don't ask !)

One successful UK input to SL conservation and re-establishment had been the HCT/ARCT's successful programme of re-introductions, most recently to the Welsh coastal dunes. Here recent SL sightings on the Newborough Warren NNR were reported to the Countryside Commission for Wales but were bulldozed soon afterwards. part it seems as a national project to de-stabilise/rejuvenate **all** coastal dunes. Tangled Marram Grass vegetation is a natural feature strongly favoured by our SLs yet this a chosen target of a 368 page report that pays no heed to such threatened species or their Action Plan. It includes a target of 100 hectares of bared sand on the relevant inland ridges of the most successful re-introduction at Harlech.

Ending with an analysis of progress with the Action Plan UPAs, for those MSs where their situation is at least partly known :-

4.1.1., Mostly unknown. 4.2.1, unknown and unlikely apart from in Sweden and perhaps Wallonia ? 4.2.2. largely OK in the UK., but not now including the serious spread of Gorse (*Ulex Europaeus* ) apparently due to recent aerial eutrophication, and presenting further fire risks wherever public access is high. 4.2.3., outside of Dorset in UK this still appears to be ignored.

4.2.5., Rarely recognised as a problem to be addressed.

4.2.7., Too rarely addressed.

4.2.8., Applies mostly to UK, but there mostly on HCT/ARCT. Reserves.

4.2.9., UK., Important but rarely addressed other than decreasingly by HCT/ARCT. on own reserves.

4.5.1., Achieved UK., Sweden & Wallonia, partly NL & Germany, not DK(J).

4.6.1., Achieved in UK & Sweden, but probably nowhere else ?

4.8.1., **None** as far as can be determined.