

# **Intentional disturbance of water voles and damage/destruction of water vole burrows by means of 'displacement' (to facilitate development activities)**

**Natural England**

**RPC rating: validated**

## **Description of proposal**

Water voles are intentionally displaced from their burrows by Internal Drainage Boards (IDBs) when they are at risk of harm during water body maintenance or drainage activity. Natural England (NE) would like to license this activity by introducing a Class licence to allow displacement to be undertaken by suitably experienced persons at multiple locations within England. Experienced and competent ecological consultants can apply to be a registered person under the Class licence. Once registered they may authorise appropriately trained Accredited Agents to act under the licence, and use Assistants acting under their direct supervision. The Class licence is aligned to best practice guidance for mitigation for water voles in respect of drainage works and is designed to be applicable to the majority of IDB situations. Where greater flexibility is required, IDBs have the option of applying for an Individual licence.

## **Impacts of proposal**

Ecological consultancies within England will be directly affected by this change and indirectly, parties undertaking the development activity (e.g. private developers, local authorities, public bodies) could benefit from reduced delays. The number of ecological consultancies is unknown but the Chartered Institute of Ecologist & Environment Managers (CIEEM) Professional directory lists about 330 members who provide survey and management services in respect of water voles in the UK; NE uses this to estimate the number of directly affected businesses.

The licence will be issued free of charge. Application costs are estimated using a rate of £62.50 per hour charged by ecological consultants (based on a standard rate of £500 per day) to reflect the opportunity cost of regulatory compliance versus commercial activity. At an hourly rate of £62.50 the maximum estimated total costs for the first year registration for the Class licence are £562.50 (1 hour registering, 2 hours gathering and submitting references, 3 hours updating internal guidance to ensure that work is compliant with licence conditions, 3 hours to produce the annual report which is a condition of licensing). NE assumes that registrations for the Class

licence will increase by 10% each year over the next 10 years, to include half of consultants registered on the CIEEM database. This assumption is based on the growth in use of previously used Class licences and on discussions with Natural England Wildlife Licensing Advisers.

The RPC verifies the estimated equivalent annual net direct cost to business (EANDCB) of £0.1 million. This will be a qualifying regulatory provision that will score under the Business Impact Target.

### Quality of submission

Natural England does not explain why it now feels it is necessary to license disturbance of water voles, given that it has not done so in the past. The IA would be considerably improved by offering a very brief description of the rationale for licensing – including a discussion of wider benefits - and a reference to the IA for the development of the new scheme as a whole. In addition, the RPC notes that NE presents each element of the licensing scheme as a separate QRP. It might have been more straightforward both for NE and for the reader if the overall impacts of licensing for disturbance of water voles – including mitigation schemes – had been assessed in a single IA.

However, the submission is clear and proportionate, and provides enough information to support its estimate of the cost to business of the measure.

### Departmental assessment

Classification	Qualifying regulatory provision
Equivalent annual net cost to business (EANDCB)	£0.1 million
Business net present value	-£0.46 million

### RPC assessment

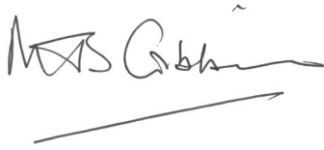
Classification	Qualifying regulatory provision
EANDCB – RPC validated <sup>1</sup>	£0.1 million
Business Impact Target (BIT) Score <sup>1</sup>	£0.5 million

<sup>1</sup> For reporting purposes, the RPC validates EANDCB and BIT score figures to the nearest £100,000.

Opinion: EANDCB validation  
Origin: domestic  
RPC reference number: RPC17-DEFRA-NE-4029  
Date of implementation: 1 January 2016

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Small and micro business assessment	Not required
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**Michael Gibbons CBE, Chairman**