

# British Aggregates Association

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Dear Helen

## **Standard Rules for the Environmental Permitting Regulations – Consultation No.7 Proposed 500m screening distance for Great Crested Newts**

Thank you for the opportunity to respond to this consultation.

The British Aggregates Association (BAA) represents the interests of some 90 members of which 60 are independent and privately-owned SME quarry companies throughout the UK with some 12% of national output and who operate out of over 180 sites. We are part of the consultation and lobbying process both in the UK and Europe – and are also represented through the CBI (Confederation of British Industry) Minerals Group and CPA (Construction Products Association). Our planning group meet on a regular basis. We have individual member representation on all the ten Regional Aggregates Working Parties (RAWPs) in England and Wales, and through the national steering groups; and work closely and constructively with other stakeholders including central and local government and the Planning Officers' Society (POS); and have been actively involved with the Environment Agency both within the inert waste group for quarry restoration, and for the EU Mining Waste Directive transposition.

We are seriously concerned at your unnecessary proposals to introduce for certain standard permits (page 6, item 2) *a screening distance for Great Crested Newts (GCN) of 500m* rather than the standard 50m used for other habitat and biodiversity designations including SSSIs which would have been more appropriate.

Your proposals would simply duplicate and replicate existing checks and measures (the requirements of the planning system and the guidelines provided by Natural England on newt mitigation); and as such would be contrary to Government's clear intentions to cut red tape and reduce the legislative burden on industry particularly for ours which is still operating at much reduced output levels. This is another clear case of gold-plating.

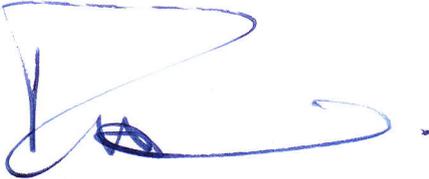
GCNs are already protected under Schedule 5 of the Wildlife and Countryside Act 1981, and as a European Protected Species have additional protection under Regulation 39 of the Conservation of Habitats and Species Regulations 2010. It is already an offence to "intentionally or recklessly damage, destroy or obstruct access to any structure or shelter or protection by a Great Crested Newt".



The consultation also fails to recognise the additional bureaucracy and ill-timed cost already imposed in the last two years by your Agency on a long-suffering industry in recession. There are the increased numbers of SPRs that are now required as a result of the way the UK government opted to transpose the Mining Waste arrangements and the manner in which the EA interprets silt; and those that will be required by operators when the current perfectly adequate permitting exemptions for inert waste are withdrawn by the Agency in April 2012.

We trust you will take our views into account before finalising any changes.

Yours Sincerely

A handwritten signature in blue ink, appearing to be 'Peter Huxtable', with a large, sweeping flourish extending to the right.

**Peter Huxtable**  
MA(Cantab), CEng, FIMMM, FIQ