Johnstown Infants School, Johnstown

Wrexham County Council

Great Crested Newt
Reasonable Avoidance Measures - Method Statement

July 2024

Produced by Wildbanks Conservation

www.wildbanksconservation.co

Report Version	Date	Completed by:	Checked by:	Approved by:
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Accepted				
Amended				

The information we have prepared is true to the best of our knowledge and we confirm that the opinions expressed are our true and professional bona fide opinions.

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1.0 INTRODUCTION

1.1 Wildbanks Conservation were commissioned to prepare a Reasonable Avoidance Method Statement (RAMS) for Great Crested Newts (*Triturus cristatus*) in regard to works planned to be carried out at the empty Johnstown Infants School. The Ecological Assessment, undertaken by Wildbanks Conservation in May 2024, recommended that the proposed works could be undertaken under Reasonable Avoidance Measures to minimise potential disturbance, injury or death to GCN.

1.2 Johnstown Primary School has been empty and unused for 18months, it is to undergo a series of improvements and alterations so that it can be once again used as a school.

1.3 The formulation of a RAMS has been conducted and prepared by a qualified Natural Resources Wales (NRW) licensed ecologist, Mick Smith (NRW EPS licence: S091662/1). This report gives details of the reasonable avoidance measures considered necessary in order to comply with relevant legislation and conservation objectives and the status of the Site in terms of GCN populations..

1.4 Great Crested Newts are protected under Schedule 5 of the Wildlife and Countryside Act (1981) as amended and the Conservation of Habitats and Species Regulations 2010 (as amended). Because of their rarity they are also protected under Annexes IIa and IVa of the Habitats and Species Directive and under the Berne Convention.

Langton *et alia* (2001) make the point that:
"The wording in the 1981 Act and 1994 Regulations is slightly different." "Taken together, the Act and the Regulations (following the CROW Act 2000) make it illegal to:

- *Intentionally or deliberately capture or kill, or intentionally injure great crested newts.*
- *Deliberately disturb great crested newts or intentionally or recklessly* disturb them in a place used for shelter or protection.*
- *Damage or destroy a breeding site or resting place.*
- *Intentionally or recklessly damage, destroy or obstruct access to a place used for shelter or protection.*
- *Possess a great crested newt, or any part of it, unless acquired lawfully.*
- *Sell, barter, exchange or transport or offer for sale great crested newts or parts of them.*

*Reckless offences were added by the Countryside and Rights of Way Act 2000, which applies only to England and Wales".

2.0 RATIONALE

2.1 This section provides a brief overview of the current status of GCN in and around the proposed application site and provides reasoning for the recommendations within it. A Site walkover was undertaken on the 14/05/24.



Figure 1: Site location in red, location of Stryt Las a'r Hafod/Johnstown Newt Sites (SSSI/SAC) shown in green. Taken from (c) Crown Copyright and database rights 2024. Ordnance Survey AC0000851168. | © Bluesky International Ltd/Getmapping PLC. test Key 12/06

2.2 Terrestrial Habitat

2.2.1 Johnstown Infants School is a detached brick building located within school grounds, consisting of school playing field, green spaces, playgrounds and tarmac. The school is situated within the residential area of Johnstown, Wrexham with wider habitat primarily

of residential housing estate and then agricultural land. Terrestrial habitats within the Site were considered largely sub-optimal for amphibians given they consist primarily of buildings and hardstanding (play ground and carp parks) providing insufficient cover to be utilised by GCN. Favourable terrestrial habitat does exist but is restricted to the hedgerow margins and areas of new long grass to the west, northwest and south of the building that before the school was empty would have been amenity grassland.

2.2.2 Proposed works entail internal refurbish including removing and replacing existing roof coverings and roof insulation and replacing flooring, windows and doors. The footprint of the building will not change.

2.3 Aquatic Habitat

2.3.1 One pond is present within the Site, 30m to the south of the school building, separated by a portion of tarmac, and long grass (formerly playing field). The pond is enclosed by a mature hedge on three sides: south, east and north, and house and garden fence to the west. The pond is small (approximately $20m^2$) in size and completely vegetated over with Flag Iris (*Iris pseudacorus*); no standing water was present. (Figure 2 and plates 1-3

2.3.2 A HSI was performed on this pond during Wildbanks Conservation's 2024 Ecological Assessment. The resulting HSI score was 0.62, providing a Habitat Suitability Rating of 'average'. No presence or absence surveys of this pond have been conducted.

2.3.3 The statutory designated site Stryt Las a'r Hafod/Johnstown Newt Sites (SSSI/SAC), from this point on referred to as Stryt Las SSSI, designated for significant Great Crested Newt populations, consist of four separate areas around the village of Johnstown (Figure 1). It is known that these areas support populations of GCN. The closest point to one of these areas is 200m to the East of the Site. Other areas are some 470m, 650m and 680m distant. A railway line and a street of housing separates the Site to the closest area of Stryt Las SSSI. Although within the acknowledged range of GCN (IE less than 500m from breeding ponds) this railway line is considered a boundary to GCN commuting from Stryt Las SSSI. Furthermore it is considered as to why would GCN leave Stryt Las SSSI which is designated for GCN, managed for them and comprises of excellent terrestrial habitat for GCN.

2.4 Habitat usage and dispersal on land

2.4.1 GCN disperse over land to forage for food and move between ponds; distances covered during dispersal will depend on habitat quality and availability. It is acknowledged that most adult newts likely stay within around 250m of breeding ponds (English Nature,

2001; Langton et al., 2001). Newts are more likely to travel greater distances from their breeding ponds if there is higher quality foraging and refuge habitat extending beyond their breeding pond. In the context of the Site (and from review of aerial images); the newt breeding stronghold of Stryt Las Park is 200m from the Site, however, no high-quality terrestrial habitat (woodland, rough / marshy or tussocky grassland) exists between Stryt Las SSSI and the Site, that would encourage or require newts to disperse across it. Newts are more likely to stay within the immediate vicinity of Stryt Las Park and are unlikely to be inhabiting or breeding in the school pond.

2.4.2 Despite the unlikely presence of GCN in the school pond, this cannot be ruled out, and therefore, may be present within the school green spaces and hedgerow margins. At the time the 2024 Ecological Assessment was published, the extent of works (if any) to the 'green spaces' surrounding the school was unknown. As such, it was not possible to carry out an impact assessment on the works in this area to GCN. There would be no boundaries to GCN to move from the pond to the construction zone (which is restricted to the hardstanding areas). The work take place on the hard standing surrounding the school is minimal, consisting of mainly vehicle/pedestrian access to and around the building, and storage of materials.

2.4.3 No works (prior to or proposed) will impact on any ponds or marginal habitats. All works are predominantly within unfavourable habitat i.e. buildings and hardstanding.

2.4.4 Upon review of Natural England's scale of impacts table (English Nature, 2001), it is identified that there is no more than a 'low' scale of impact on GCN at the site level, if GCN are present. It is considered that the refurbishment works to the school building will also have a negligible impact on the overall local GCN metapopulation which is likely to be focused within Stryt Las SSSI. However, a precautionary approach should be adopted throughout the build. To prevent any unlawful activity and to ensure compliance with local and national statutory planning policies, species protection and best practice, all works must adhere to a set of Reasonable Avoidance Measures.

2.4.5 The Method Statement below provides a number of measures that will have to be followed in order to minimise the impact on Great Crested Newts, if they are present.

2.4.6 Provided that works within the development area adheres to the RAMS, it is considered an EPS Development Licence from Natural England (NE) will not be required.

3.0 PRECAUTIONARY METHOD STATEMENT

3.1 The objectives of this method statement are to:

- Avoid committing an offence under the above-mentioned legislation; and,
- To ensure that favourable conservation status of GCN is maintained.

3.2 Any development related activities on the site, such as vegetation clearance or excavations in areas of suitable newt habitat may potentially affect this species. As a result, safeguards must be implemented to protect this species and the Method Statement below details measures to be implemented to ensure an offence is not committed.

3.3 In cases where an EPS development licence is considered to be not required, Natural England urges that '...reasonable precautions be taken to avoid affecting European Protected Species during works' (Natural England, undated). The following activities should therefore be undertaken, and the contents of this document made available to contractors carrying out the works.

Toolbox talk

3.4 All site operatives will receive a briefing by a NRW licensed ecologist. The briefing would include details of the legal protection of Great Crested Newts, the precautionary methods of working (outlined in this document), tips on identification of Great Crested Newts and procedures to follow should the species be discovered during works. The briefing will form part of the site induction process for each site operative. A GCN factsheet will also be pinned to the site information board in the site office.

Timing of works

3.5 No works to features that provide hibernation potential will take place between December and March (inclusive), or when temperatures are forecast to drop to below 5°C overnight for 3 consecutive nights.

Hand searching and supervision of vegetation clearance

3.6.1 If works are to take place within the grass or hedges of the Site, then the areas will be hand searched by licensed ecologist or accredited agent following standard two stage cutting protocols. Immediately prior (within 24hrs) to the works taking place.

3.6.2 Areas of long grass can be cut to below 70mm (ie cut to lawn height) following an inspection by an ecologist and then remain cut to this length and then used during the development without further input required by an ecologist.

Working methods

3.7 Only light machinery or hand tools to be used for the vegetation clearance.

Storage of materials and vehicle movements

3.8 All material storage and vehicle access should not extend past the building and hardstanding within the Site, therefore, not encroaching the grass grounds providing a disturbance buffer to the pond. If this is not possible, works will proceed with utmost caution with a licensed ecologist or Accredited Agent on Site. All material storage will be raised off the ground by 100mm so as not to create resting places for newts (e.g. on pallets).

Procedure if Great Crested Newts are found

3.9 If a Great Crested Newt is found at any time during construction, **all works would cease immediately**. Wildbanks Conservation will be contacted, and a suitable strategy will be proposed that may include the application for a European Protected Species License.

4.0 REFERENCES

- Department for Communities and Local Government (2012). The National Planning Policy Framework (NPPF). Department for Communities and Local Government: London. [Online]. Available at: www.communities.qov;uk/documents/planninqandbuilding/pdf/2116950.pdf

- English Nature (2001) Great Crested Newt Mitigation Guidelines. English Nature.

- Franklin, P.S. (1993). The migratory ecology and terrestrial habitat preferences of the great crested newt (Triturus cristatus) at Little Wittenham Nature Reserve. De Montford University unpublished thesis.

- Jehle, R. (2000). The terrestrial summer habitat of radio-tracked great crested newts (Triturus cristatus) and marbled newts (T. marmoratus). Herpetological Journal 10 pp. 137-142.

- Langton, T.E.S., Beckett, C.L., and Foster, J.P. (2001), Great Crested Newt Conservation Handbook. Froglife, Halesworth.

- Natural England (undated). WML-A14-2 method statement. Online licence application form.

- Oldham, R. S., Keeble, J., Swan, M. J. S. & Jeffcote, M. (2000). Evaluating the suitability of habitat for the Great Crested Newt (Triturus cristatus). Herpetological Journal, 10, p143-155.

- Oldham, R.S. & Nicholson, M. (1986). Status and ecology of the warty newt Triturus cristatus.

A1 APPENDIX - SITE PHOTOGRAPHS



Plate 1: The eastern aspect of the building showing area of hardstanding.



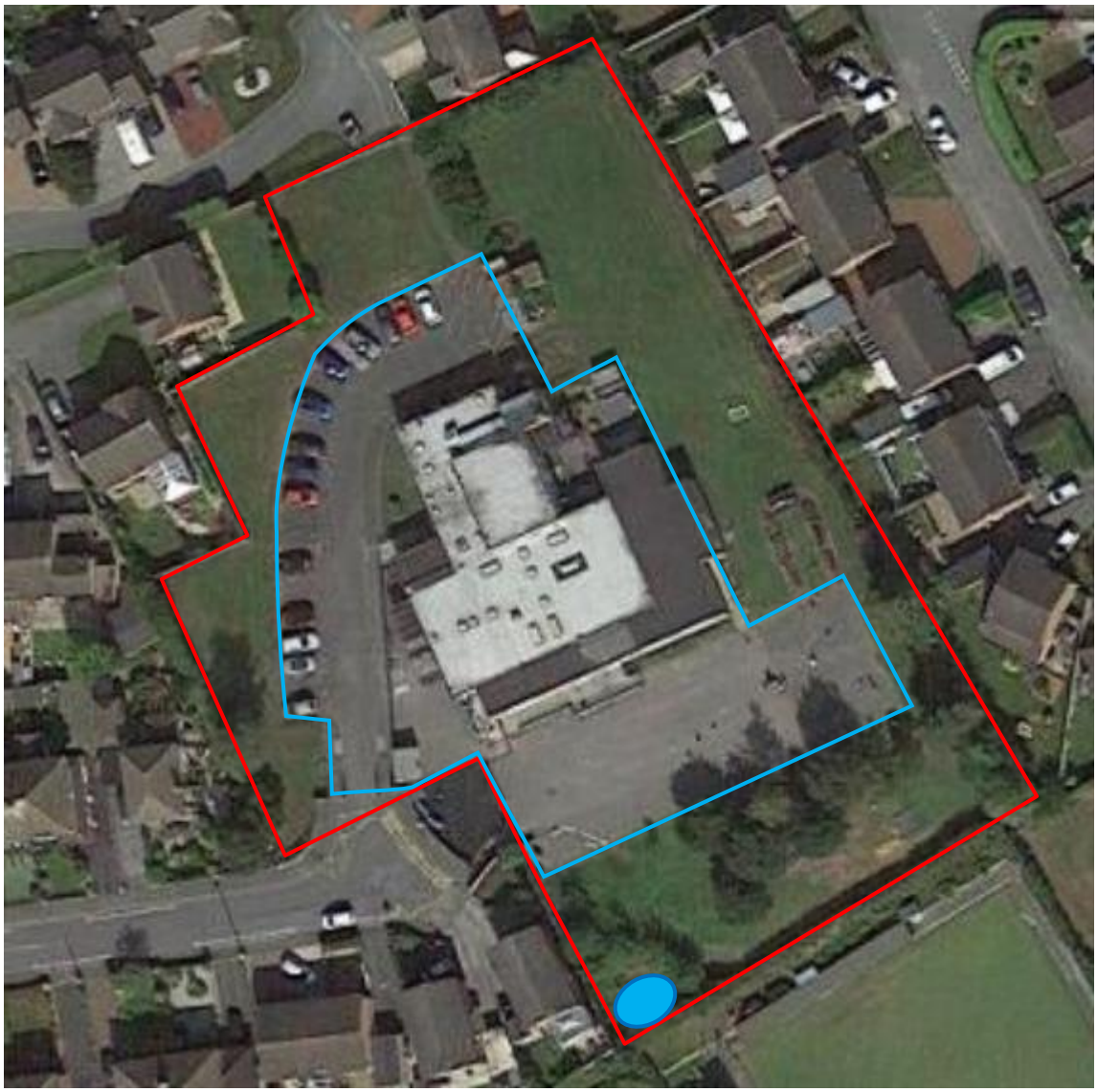
Plate 2: Area of long grass to the West of the site



Plate 3: Pond with pond dipping platform.

FIGURES

Figure 2. Aerial view of the Site.



	Red line boundary of Site.
	Footprint of the building, hardstanding and tarmac areas that works, access and storage of materials will be restricted to.
	Location of pond.