



## WEST VIEW, MARCHWIEL;

# REASONABLE AVOIDANCE METHOD STATEMENT FOR GREAT CRESTED NEWTS

| DATE       | ECOLOGIST     | APPROVED    | VERSION | COMMENTS |
|------------|---------------|-------------|---------|----------|
| 25/01/2022 | Jane Kingsley | Keymar Wake | V1      |          |

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### 1.0 Introduction

- 1.1 Enfys Ecology Limited were commissioned by homeowners Mr. and Mrs. Woodcock, to produce an Ecological Assessment and Method Statement with regards to Great Crested Newts (GCN) (*Triturus cristatus*) along with a Preliminary Roost Assessment (PRA) (separate report) in regards to proposed works at West View, Marchwiel, LL13 OTE; Grid reference; SJ 35809 46831.
- 1.2 This document includes an ecological risk assessment to assess the potential for disturbance or harming GCN during the works, and a suitable Method Statement (MS) to be implemented during the works to mitigate for any potential harm identified.
- 1.3 The proposed works comprise the extension of the current bungalow and the construction of a new workshop on an area of grassland and hardstanding within the site. The works will require the removal of vegetation and the remodelling and extension of the current hardstanding to accommodate the extension and the new building. Machinery and construction workers will need to access the site via an area of gravel hardstanding and materials will be stored within the site.
- 1.4 A site visit was carried out by Enfys Ecology in January 2022, as well a desk study examining local ecological records held for the area by Cofnod. The habitats within the proposed works area were considered to have some limited suitability for GCN; due to the superior habitat closer to the pond and the relative lack of suitable habitat at the site of the works, there is a lower risk of GCN populations being impacted by the works. There is a risk of individuals and other amphibian species being present however, therefore works will be carried out under a Reasonable Avoidance Method Statement (RAMS) for amphibians, including GCN; this document sets out suitable procedures to be followed during the works.

### 2.0 Legislation

- 2.1 GCNs and their habitat are fully protected under both United Kingdom and European Union legislation, including the Wildlife and Countryside Act (WCA) 1981 (as amended), the Countryside and Rights of Way Act (CRoW) 2000 and The Conservation of Habitats and Species Regulations 2018 (as amended).
- 2.2 It is an offence to kill, injure or disturb GCNs, or to destroy any place used for rest or shelter by a newt. The GCN is listed on Appendix II of the Bern Convention on the Conservation of European Wildlife and Natural Habitats, and is also listed on Annexe II and Annexe IV of the EC Habitats Directive.
- 2.3 Common amphibian species (including common frog, common toad, and smooth and palmate newts) have lesser legal protection, under Schedule 5, Section 9 (5) of the WCA 1981 (as amended) and the CRoW Act 2000, these animals are protected from sale, or transportation for sale.

### 3.0 Ecological Risk Assessment

- 3.1. A site visit was carried out by Enfys Ecology on 21<sup>st</sup> January 2022, by Keymar Wake (accredited agent on licence S087736/1) and Jane Kingsley to assess the habitats and suitability of the site for amphibians, including GCN. A Habitat Suitability Index (HSI) assessment was carried out on the pond within the site. A HSI assessment is a measure of suitability of the pond for GCN; generally, ponds with a high HSI score are more likely to support higher numbers of GCN than those with low scores but this is not a determining factor and even ponds with low scores can often be found containing GCN (Table 3.1). The HSI is based on ten factors and how suitable each one is for GCN. A HSI assessment would ideally be carried out during Spring/ Summer; this assessment was carried out in January 2022 which is a sub-optimal time of year. However, it is considered that sufficient assessment of the pond could be made and the time of year will not impact the conclusions and recommendations within this document.

**TABLE 3.1: THE SUITABILITY FOR GCN AT EACH HSI SCORE**

| HSI Score  | Pond Suitability |
|------------|------------------|
| <0.5       | Poor             |
| 0.5 – 0.59 | Below Average    |
| 0.6 – 0.69 | Average          |
| 0.7 – 0.79 | Good             |
| >0.8       | Excellent        |

#### 3.2 *Site Description*

The area proposed for works comprised the bungalow in the centre of the plot and an area located to the far east of the garden towards the rear; the site was surrounded by pastoral and arable farm fields (Figure 3.1). There was a hedge of primarily hawthorn and bramble running the length of the site to the south elevation and a number of broadleaf trees to the east elevation (Figure 3.2a and b). The works area for both the proposed house extension and the new workshop were accessed over gravel hardstanding currently used as a driveway.

- 3.2.1 The area of the proposed house extension was a short sward amenity grassland with a section of flagstones against the wing of the house and gravel hardstanding, used as a footpath, on the other.
- 3.2.2 The area for the proposed new workshop comprised a raised concrete base with the amenity grassland of the garden bordering it. (Figure 3.3). The grassland was again, of a short sward. There was a quantity of stored building materials alongside the concrete base at the foot of the hedge (Figure 3.4). In addition, there was a pile of rubble and some other building materials on the concrete base. Beyond the garden was a wooden gate leading onto a further, managed grassland and a pond. Bordering this grassland was a shed and a number of piles of stored timber.



**FIGURE 3.1: LOCATION OF WORKS AREA (RED). BASE IMAGE ©GOOGLE EARTH 2022**



**PHOTOS 3.2: A) HEDGE AND TREES LOOKING EAST TOWARDS POND; B) LOOKING WEST TOWARDS HOUSE**



**PHOTO 3.3: APPROACH TOWARDS PROPOSED STORAGE SHED**



**PHOTO 3.4: STORED BUILDING MATERIALS**

3.2.3 There were more than ten ponds within 500m of the works area; the nearest being approximately 38m south east at the rear of the garden (Photos 3.5 a+b+c) and the next approx. 85m north east. There was some connectivity to the works area from the nearest pond along the hedge but connectivity to further ponds was limited due to the surrounding exposed pastural and arable fields. The pond in the garden had an area of approx. 100m<sup>2</sup> and was estimated to be approx. 0.5m deep. The water was turbid so the bottom of the pond was not visible; A large portion of the pond was covered in duckweed shaded by over-hanging oak trees. Within 5m of the pond was a shed, stored timber and a drainage ditch. The HSI assessment score of the pond was calculated to be 0.61; which considered as average suitability for GCN.



**PHOTO 3.5: A) LOOKING EAST TOWARDS THE POND**



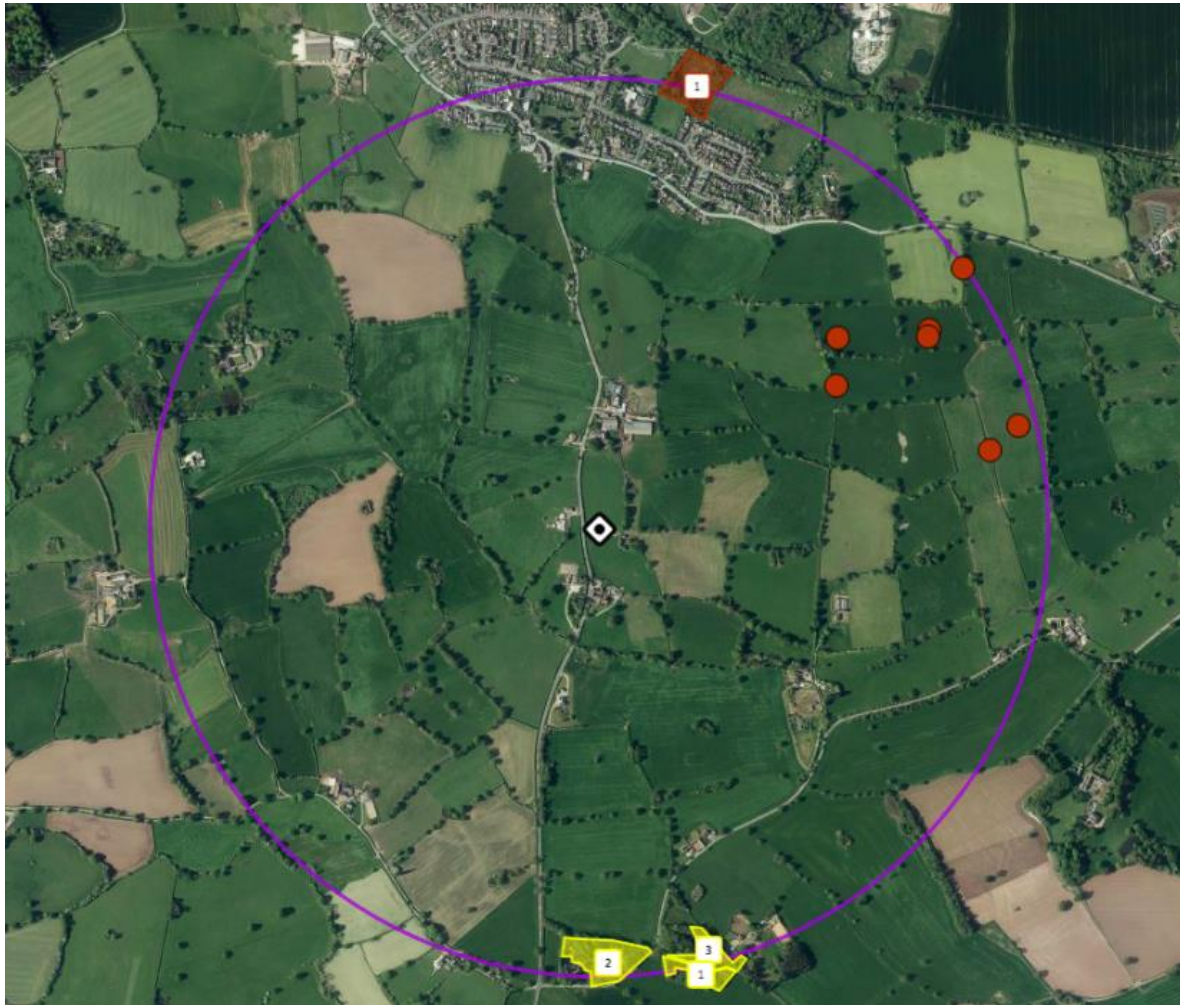
**B) TIMBER STORAGE AROUND THE POND**



### **C) CLOSEUP OF POND**

#### **3.3 *Designated sites, data search and previous surveys***

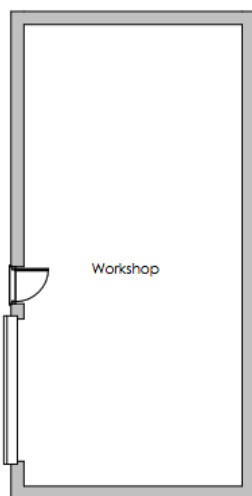
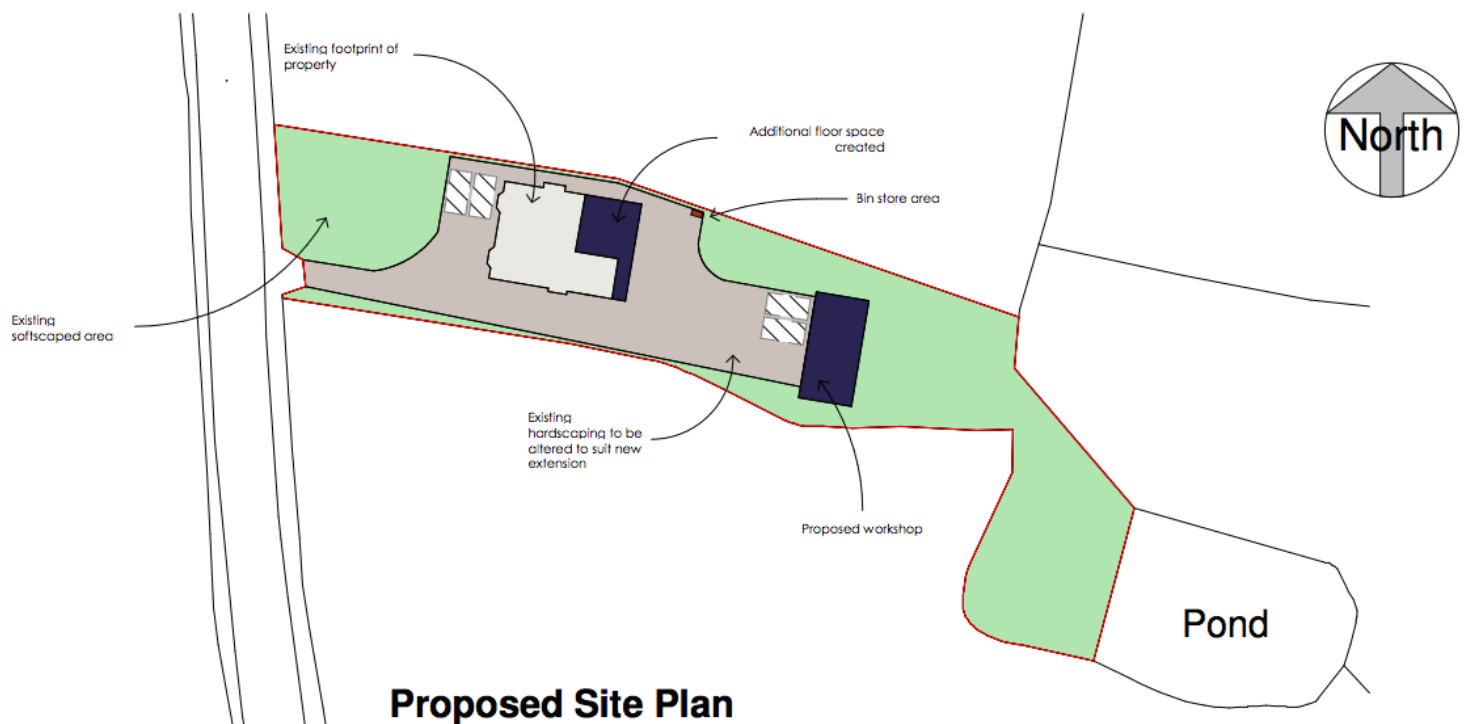
- 3.3.1 There was no statutory or non-statutory designated sites for GCN within 1km of the proposed works area. There were two non-statutory wildlife sites; Marchwiell Moss is located 932m north of the site and 896m south of the site are three small areas of semi-ancient woodland.
- 3.3.2 The Cofnod Data Search showed no records of GCN (or any other amphibians) within the site itself, but there were a number of GCN records within 1km of the site (Figure 3.2). The closest records were from ponds on the Wrexham Industrial Estate approx. 650m north east of the site recorded during surveys carried out in 2000. The numbers of GCN recorded (between 6 and 60 individuals) suggested a medium sized population of GCN using these ponds.



**FIGURE 3.2: WORKS AREA (BLACK AND WHITE SQUARE) IN RELATION TO THE WILDLIFE SITES (BROWN AND YELLOW OVERLAYS) AND DISTRIBUTION OF GCN RECORDS (RED CIRCLES)**  
**IMAGE ©COFNOD**

### 3.4 Proposed Works

- 3.4.1 The proposed works involve clearing an area of amenity grassland and hardstanding to allow construction of an extension to the main bungalow and a new workshop to the east of the bungalow. A portion of the area is already hardstanding, which will be extended over part of the adjacent grassland. The access route to the works area will enter from the driveway to the east of the bungalow, over the gravel hardstanding; no vegetation will be impacted or removed for the access route. The existing hedgerow boundaries are not proposed to be removed as part of the works but the plans show them to be in very close proximity to the works area, so they may be impacted. The pond within the site will not be directly affected by the works. There is no current start date for the works and it will be dependent on the granting of planning permission. The proposed plan of the site is shown in Figure 3.4.



**Proposed Workshop**

**FIGURE 3.4: – SITE PLAN SHOWING PROPOSED ADDITIONAL FOOTPRINT IN BLACK OF BUNGALOW EXTENSION AND NEW WORKSHOP (NOT TO SCALE) BASE IMAGE © OFF THE WALL – ARCHITECTURAL SERVICES**

### 3.5 Risk Assessment

- 3.5.1 The area of the works is predominately hardstanding in the form of a raised concrete base flagstones and gravel. The only other habitat to be removed is amenity grassland. There are some piles of rubble and building materials that will also be cleared. Due to the small size of the works area in relation to the area of surrounding habitat, the removal of a small area of amenity grassland mean the works are not likely to negatively impact GCN and common amphibian populations within the area or affect the favourable conservation status of these species.

- 3.5.2 Most of the habitats within the works area are generally unsuitable for amphibians, including GCN, to shelter and forage within as amenity grassland provides little cover and hard-standing is unsuitable; however, the areas around the adjacent hedgerows, and the piles of building materials present could provide suitable areas for sheltering/ hibernating amphibians. The proximity of ponds, particularly the one on the site, coupled with known GCN record locations suggest it is likely that GCN and common amphibians will visit and be present in and around the proposed working area. Adjacent to the pond were a number of piles of stored timber, which would provide more suitable habitat for GCN rather than that available within the proposed works area. There were also the remains of a bonfire close to the pond; brash piles are often used by GCN and therefore, bonfires should not be built on the ground near the pond (recommendations for bonfires are provided in Section 4).
- 3.5.3 Due to the above, the risk to individual GCN and common amphibians from the intended vegetation clearance and excavation works is considered **high without mitigation**. It is concluded that to minimise risk to GCN and common amphibian species, a Reasonable Avoidance Method Statement (RAMS) must be followed at all times by all staff and contractors on site for the duration of the works period. By following these procedures, the risk of harming GCN and common amphibians during the works will be minimised. **If, at any point, GCN are discovered during the works, all works must stop** and may only resume under EPS derogation license issued by NRW under Regulation 55 of the Conservation of Habitats and Species Regulations 2017 (as amended).
- 3.6 As GCN and common amphibians are potentially present on the site, works should be restricted to the time of year which is least likely to have an impact on the species: All amphibians hibernate over winter, and so no vegetation or building material piles removal, ground breaking or destructive works can be carried out during this time period as any amphibians present will be in a state of torpor and are unlikely to survive disturbance, or move away from danger by themselves. Overnight temperatures must be above 5°C for 5 nights prior to the work and forecast to remain so for 5 nights after (Froglife, 2001). If any newts are found at a time when overnight temperatures being above 5°C, they are likely to be active. In order to avoid hibernating amphibians, any of the works listed above would ideally be carried out between the end of February and October, as the temperatures should be agreeable during this period (though some monitoring of temperatures may need to be carried out between February and March). As the proposed plans do not currently include the removal of any vegetation suitable for nesting birds (such as the hedgerows), there are no timing constraints with regards to the nesting bird season and works can be carried out during the summer months. If it is necessary to remove any taller vegetation as part of the works then RAMs for nesting birds should be followed and are detailed below.

### 4.0 Reasonable Avoidance Method Statement

#### 4.1 *Prior to works*

- 4.1.1 Before works commence a tool box talk (TBT) will be given to all contractors involved in the works; this will outline the species of concern, how to identify them and how to proceed if they are found. It will also outline the working method that is detailed in this document. A log will be signed by all contractors who attend the TBT.
- 4.1.2 The proposed access route follows the driveway and over an area of hard standing and gravel within the garden, which is considered unsuitable for GCN and common amphibians, so no specific working method is required for this area. General Reasonable Avoidance Measures (Section 5) should be followed at all times however.

#### 4.2 *Vegetation Clearance*

- 4.2.1 If any removal of the hedges is required, it will be carried out either towards the end of February/ beginning of March, or October, in order to avoid the nesting bird season and any hibernating amphibians. If it is necessary to clear any trees or hedges between March – October, a nesting bird check will be required by a qualified ecologist no more than 48 hours before works commence. If birds are found nesting within the vegetation to be cleared then all works must be postponed until the chicks have fledged.
- 4.2.2 To prevent risk to active amphibians on site the grassland will be walked over and searched immediately prior to works by a licenced ecologist. If common amphibians are present and active they will be moved to safety, away from the works area, before strimming commences. If GCN are found the works will be postponed until a licence has been obtained from NRW.
- 4.2.3 The amenity grassland within the works area will be retained at its short sward so as not to encourage any GCN or common amphibians into that part of the site. If the grassland is left to grow before works can commence it will need to be strimmed down to ground level prior to the works.
- 4.2.4 To prevent risk to any hibernating or active amphibians the vegetation will be strimmed with hand held tools and initially only down to a minimum length of 15cm. No ground will be broken and no root systems will be removed at this stage. All vegetation strimming will be carried out under the supervision of a licenced ecologist, and arisings will be removed from the works zone immediately after strimming; these will be raked and collected up by hand. The ecologist on site will determine if the arisings need to be searched before raking, dependant on how thoroughly the search prior to strimming could be carried out.
- 4.2.5 The strimmed vegetation within the works area and access route will be left for a minimum of 24 hours if between April – October; or five days, where overnight temperatures are above 5°C – if work is carried out Feb/ March; any amphibians, including GCN, that may have

been present or hibernating within this area would then be active and encouraged to leave of their own accord.

- 4.2.6 After the appropriate period of agreeable temperatures, the vegetation should then be strimmed to ground level to discourage any amphibians from returning to the works area. This should be carried out following a visual and fingertip search, and under supervision of the ecologist.
- 4.2.7 The rubble and building materials within the works area will be removed by hand within the same time period as the vegetation strimming (i.e. not during the winter months), and under the supervision of the ecologist.
- 4.2.8 Any vegetation to be uprooted will be done so once the vegetation has been strimmed to ground level and under the supervision of the ecologist. All arisings will be removed from site immediately.

### 4.3 *Excavation*

- 4.3.1 Any excavation or breaking of ground required for the extension or the new workshop will be carried out only after the vegetation has been strimmed to ground level, left for a minimum of 48 hours, and following a walkover check of the area by an ecologist, as a precaution due to the proximity of the pond and previous GCN records. If any common amphibians are found then works will cease until the animal has been moved to safety. If GCN are found then works will stop until a licence from NRW has been obtained. The excavation can then be carried out without supervision once the walkover confirms no GCN or amphibians are within the works area.
- 4.3.2 Only the proposed access route over the garden will be used by any machinery; machinery will not be driven over any other areas or habitats within the site.
- 4.3.3 All grass, turf and spoil that is excavated will be removed from site immediately or stored in skips to prevent any amphibians taking refuge within the spoil piles.
- 4.3.4 Should it be necessary to have any excavation left open, these excavations should be securely covered overnight. These excavations must be thoroughly checked prior to back filling, or if leaving them open is unavoidable, a suitable ramp (such as a plank or batter) must be provided to allow animals to escape. All excavations will be inspected by the ecologist on site, or a competent person, at the start of each day to ensure no animals are trapped with them. Common amphibians can be moved to safety with gloves; if a GCN is found all works must stop and the ecologist called.

### 4.4 *Storage of Materials*

- 4.4.1 All arising from vegetation clearance and spoil from any excavations should be removed from the works area immediately. If these materials have to be retained on site overnight they will be stored in skips to prevent amphibians using any piles for refuge.
- 4.4.2 Any materials for the construction of the new build will be stored on hard standing outside of the works area; or on raised pallets, off the ground. No materials will be stored next to the boundary hedges or the pond.
- 4.4.3 All materials, skips and pallets will be only situated on hard standing, the amenity grassland, or within the works area where the vegetation has been strimmed to ground level; no materials will be stored on the periphery of the works area if the vegetation has not been removed prior.
- 4.4.4 All brash that is to be burned will be stored away from the pond area and off the ground (e.g. on pallets). The brash will only be burned on hard standing/ gravel/ in an above-ground fire pit, and not on the grassland. This should be adhered to for the foreseeable future not just within the works period.

## 5.0 General Reasonable Avoidance Measures

- 5.1 General RAMs are to be followed at all stages of the works in addition to the site specific method statements included in this report.
  - A tool box talk will be carried out to all construction workers involved, prior to works commencing. A log of attendance will be kept.
  - Working areas should be kept to the minimum required.
  - Works should be avoided within 1 hour of dawn and dusk where possible to avoid disturbance to nocturnal animals. If works outside this time are needed, all lighting should be directional and be directed away from the woodland edge, trees and hedgerows.
  - Should it be necessary to have any excavation left open, these excavations should be securely covered overnight. These excavations must be thoroughly checked prior to back filling, or if leaving them open is unavoidable, a suitable ramp (such as a plank or batter) must be provided to allow animals to escape.
  - Trenches must be checked each morning (by site operatives) prior to works commencing to ensure that small mammals/reptiles etc. are not present.

- Storage of fuel must follow best practice. Potential pollutants should be restricted to site compounds and hardstanding areas. A waste management plan will be followed to prevent any run off of pollutants into any nearby water courses or the pond.
- All materials brought onto site are to be stored on hard standing, or the amenity grassland. Materials will be stored on raised pallets or bagged, to prevent amphibians (or other wildlife) from taking refuge beneath them.
- If at any point in the works an amphibian or reptile is found within the works area all works in the vicinity of the sighting must immediately cease. Common amphibians should be moved from the working area by site workers (wearing gloves) and placed in a nearby hedgerow. Reptiles will usually retreat to a safe area of their own accord.
- Any terrestrial mammals seen must be allowed to leave the area on their own. If this is not possible e.g. the animal is injured or trapped then an ecologist must be called.

### 5.2 *If GCN are discovered during works*

If at any point in the works GCNs are encountered on site, **all works must immediately cease**. If the ecologist is not already present they should be called immediately.

## 6.0 Biosecurity Procedures

- 6.1 The following points are a summary of the biosecurity procedures, which must be followed at all times by all workers who visit the sites.
- 6.2 Prior to accessing the site, and before leaving:
- All footwear and outerwear must be cleaned to remove any organic material, for example leaves and soil, when entering and prior to leaving the site. Clean brushes are to be carried for this purpose.
  - Following the removal of organic material all footwear must be sprayed or dipped in disinfectant (Virkon) until it runs off. See disinfection procedure, below.
  - Mud and other organic material to be cleaned from vehicle tires, tracks, wheels and wheel arches prior to entering and leaving the site. This is especially important when working near water courses or accessing wet/marshy habitats.
  - Vehicles will keep to established tracks. All vehicles not specifically required for the works – (i.e. any vehicle other than the 3-tonne machines) must be restricted to hardstanding areas of the site at all times.

- Storage of fuel must follow best working practise and machinery provided with drip trays, especially when refuelling. Refuelling and storage of potential pollutants should be restricted to the nearby roads and hardstanding areas, well away from the ditches and field drains, so that runoff can be prevented from entering the watercourse.
- Clean and disinfect tools and equipment before accessing site.

### 6.3 Disinfection Procedure:

1. Brush off all debris, plant fragments, and all organic material e.g. soil.
2. Rinse with water.
3. Disinfect by spraying with a solution of Virkon disinfectant, (10mg/ml or as printed instructions, if for example using tablets) until the spray runs off. Boots should be stood in a bucket or other container of solution, especially prior to entering and leaving the site. Wheel arches, tyres and tracks to be cleaned and sprayed. Ensure as much mud as possible is removed and good coverage obtained.
4. Spraying should take place away from vegetation.
5. Leave for at least 1 minute
6. Rinse with clean water, brought to site for this purpose.

- 6.4 Virkon solution should ideally be kept and flushed into a sink, or drain with water. If on site disposal is required the solution should be disposed of on a large hardstanding area away from vegetation.

## 7.0 References

Amphibian and Reptile conservation UK (ARG-UK) (2008). Amphibian Disease Precautions: a guide for UK fieldworkers. Version 1. February 2008. Amphibian and Reptile Conservation UK, See publications section of [www.arguk.org](http://www.arguk.org).

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