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| <b>Title</b>                    | <b>Proposed Extension at Rhones Joinery Works, Mold Road, Gwersyllt, Wrexham – Great Crested Newt Reasonable Avoidance Measures Method Statement</b> |
| <b>Client</b>                   | <b>Eden Construction NW Ltd</b>                                                                                                                      |
| <b>Date of Method Statement</b> | <b>20<sup>th</sup> February 2024</b>                                                                                                                 |
| <b>Author</b>                   | <b>Tom Knight</b>                                                                                                                                    |

## 1 Introduction

### Method Statement

- 1.1 Marches Ecology was commissioned by Alun Jones on behalf of Eden Construction NW Ltd to produce a Reasonable Avoidance Measures (RAMs) Method Statement to minimise/ avoid any impacts on Great Crested Newts (*Triturus cristatus*) due to the proposed extension of an existing building at the Rhones Joinery Works site at Mold Road, Gwersyllt, Wrexham (Approximate OS Grid Ref. SJ 3199 5309). This Method Statement is provided as supporting information to a planning application (Ref. P/2023/0779).
- 1.2 A Preliminary Ecological Appraisal (PEA)<sup>1</sup> is also to be submitted in support of the application. The PEA recommends that non-licensed RAMs should be implemented prior to and during the proposed construction works in accordance with a Method Statement. This RAMs Method Statement has been produced to guide this implementation.
- 1.3 The RAMs detailed in this Method Statement will be implemented throughout the proposed works and whenever any works that could harm individual Great Crested Newts or damage their habitat is undertaken. Such works would include the following:
  - Implementation of the RAMs prior to initial site clearance.
  - During the construction phase.
  - During clearance of materials and scrub from the grassland on the slope along the southwest site boundary.
- 1.4 This document has been produced so that it may be 'standalone' and inform each of these work items as they arise. The RAMs detailed should be considered indicative and will be adapted to suit the works as they progress. As such it should be noted that not all of the RAMs detailed may be required in each instance.
- 1.5 The habitat both within and surrounding the works site is of negligible/ low potential value for Great Crested Newts. It includes some potential refugia/ hibernacula. However, there are no known waterbodies within 250 m of the site. There are a number of waterbodies within 250-500 m of the site. The closest known waterbody that supports Great Crested Newts is approximately 362 m southeast of the site at its closest point.
- 1.6 Non-licensed RAMs are often implemented at sites where the risk to individual Great Crested Newts/ their habitat has been assessed as low or negligible. The proposed non-licensed RAMs are outlined and further to appropriate implementation will ensure as far as is reasonably possible that impacts on Great Crested Newts are minimised/ avoided.

<sup>1</sup> Marches Ecology (2024). *Proposed Extension at Rhones Joinery Works, Mold Road, Gwersyllt, Wrexham – Preliminary Ecological Appraisal*. Produced on behalf of Eden Construction NW Ltd.

- 1.7 It should be noted that following the RAMs outlined in this Method Statement does not waive or derogate any of the offences under the *Habitat Regulations* should an offence be committed. The aim of this Method Statement is to reduce the risk of an offence occurring to an 'acceptable' level by the implementation of reasonable steps.
- 1.8 The inherent risk (to the proposed works) with using such an approach would be that should a Great Crested Newt be found at any time during the works then they would need to immediately cease and are unlikely to be able to re-commence until a Natural Resources Wales (NRW) 'disturbance' licence had been obtained.
- 1.9 It is possible that Grass Snakes (*Natrix helvetica*), nesting birds and Hedgehog (*Erinaceus europaeus*) could be found on the site, and are known from the area. While the main focus of this Method Statement is the Great Crested Newt, it also details RAMs for these species/ species group.

### **Biosecurity**

- 1.10 Marches Ecology (2024) states '*Basic biosecurity measures are recommended as a precautionary approach due to the presence of Himalayan Cotoneaster and during implementation of the Great Crested Newt Reasonable Avoidance Measures (RAMs)*'. Appropriate biosecurity measures are provided in *Section 7*.

### **Project Background**

- 1.11 It is proposed to extend the existing building on the northwest elevation. The extension would measure approximately 10 m long and 16.5 m wide. It would be constructed in the same profile as the existing building and utilise similar materials/ finishes. It would necessitate the extension of the existing retaining wall on the southwest side of the building. Rainwater would drain to a soakaway unit.
- 1.12 The footprint of the proposed extension is currently characterised by hard-standing surfaced with hardcore. There are some features that provide potential refugia around the edges of the likely works site.
- 1.13 It is also proposed to reinstate an area of grassland to the west of the existing building. This would involve the removal of some soil, rubble, and other building materials that could potentially provide refugia.

## 2 Great Crested Newt Legislation

### Summary

- The Great Crested Newt is protected under the relevant law. The legislation applies to all life stages, including eggs, larvae, juveniles and adults.
- It is illegal to handle, injure/ kill and or disturb any Great Crested Newt. It is also illegal to damage or destroy Great Crested Newt habitat.
- Breaking the law can lead to fines of up to £5000 per offence and prison sentences of up to six months.

- 2.1 This sub-section provides a brief summary of key legislation relevant to Great Crested Newts and is current at 20<sup>th</sup> February 2024. It should not be considered a comprehensive review and is not meant to be so. It is provided here for information only and is not intended to replace specialised legal advice. It does not replace the text of the legislation but summarises the salient points.
- 2.2 The UK exited the EU on 31<sup>st</sup> January 2020 followed by a transition period until the end of that year during which EU legislation and policy was followed<sup>2</sup>. 'EU legislation which applied directly or indirectly to the UK before 11.00 pm on 31<sup>st</sup> December 2020 has been retained in UK law as a form of domestic legislation known as 'retained EU legislation'. This is set out in Sections 2 and 3 of the *European Union (Withdrawal) Act 2018*<sup>3</sup>.
- 2.3 Great Crested Newts are listed on *Schedule 5* of the *Wildlife and Countryside Act 1981* (as amended)<sup>4</sup>, and receive full protection under *Section 9*. The 1981 Act was amended by the *Countryside and Rights of Way Act 2000*<sup>5</sup> which further extends the protection. They are also listed as European Protected Species on *Schedule 2* of *The Conservation of Habitats and Species Regulations 2017*<sup>6</sup> which gives it full protection under *Regulation 42(1)*. The legislation applies to all life stages of the Great Crested Newt, including eggs, larvae, juveniles and adults.
- 2.4 Under the above legislation it is an offence to intentionally or recklessly:
- kill, injure or take an individual of such a species;
  - possess any part of such species either alive or dead;
  - damage, destroy or obstruct access to any place or structure used by such species for shelter, rest, protection or breeding;
  - disturb such a species whilst using any place of shelter or protection; or
  - sell or attempt to sell any such species.
- 2.5 The Great Crested Newt is included on *Section 7* of the *Environment Act 2016*<sup>7</sup>.

<sup>2</sup> <https://cieem.net/referencing-environmental-eu-legislation-post-brexit/>

<sup>3</sup> <https://www.legislation.gov.uk/eu-legislation-and-uk-law#:~:text=The%20UK%20is%20no%20longer,on%20legislation.gov.uk>

<sup>4</sup> HMSO (1981). *The Wildlife and Countryside Act 1981*. HMSO, London.

<sup>5</sup> HMSO (2000). *The Countryside and Rights of Way Act 2000*. HMSO, London.

<sup>6</sup> HMSO (2017). *The Conservation of Habitats and Species Regulations 2017*. HMSO, London.

<sup>7</sup> HMSO (2016). *The Environment Act (Wales) 2016*. HMSO, London.

### 3 Great Crested Newt Identification

#### Summary

- GCNs are the largest of the three British species of newt; adult males can reach 15 cm in length, with females slightly larger at 18 cm (the photos/ pictures below are not life-size).
- The upper surface and flanks are black and warty, with a row of silver dots present along the side of the head and body.
- The belly is dark orange or yellow with a pattern of black blotches.

3.1 This sub-section of the document is provided for reference in the event that any amphibians are found on site during the proposed works and while the ecologist is not present. It will be discussed with all site personnel prior to the start of work. Identification of any newts that may be found is likely to require the confirmation of a suitably qualified ecologist.

3.2 Great Crested Newts are the largest of the three British species of newt; adult males can reach 15 cm in length, with females slightly larger at 18 cm. The upper surface and flanks are dark brown/ black and distinctly warty, with a row of white/ silver dots present along the side of the head and body. Males develop a characteristic jagged dorsal crest (which has a marked break where the tail joins the body) during the breeding season (although this lies flat when on dry land). The belly is dark orange or yellow with a distinct pattern of black blotches. The throat is whitish and thickly spotted with brown/ black.



Male Great Crested Newt on land (above) and female (below).





**Underside of male Great Crested Newt.**

- 3.3 The Great Crested Newt may be confused with the Smooth Newt (*Lissotriton vulgaris*), although adults of this species are generally smaller (at 10-11 cm). Although the male Smooth Newt develops a dorsal crest, this is unbroken from head to tail and is also undulating, as opposed to jagged. The male has brown/ olive green or tan skin with black spots and the female a light brown colouration with darker spots or speckles. The belly of both the male and female is creamy yellow or orange, and the throat slightly lighter, both with dark spots or speckles.



**Male Smooth Newts on land.**

- 3.4 The third species of British newt is the Palmate Newt (*Lissotriton helveticus*). It is slightly smaller than the Smooth Newt at 7-11 cm in length, although it is superficially similar. The two species can be difficult to distinguish, particularly females. The male Palmate Newt has a much less developed dorsal crest (which is also straight edged as opposed to undulating) than a male Smooth Newt. The male Palmate has a 4-7 mm tail filament and black frills / well developed webbing on the hind feet. Typically, the throat of males and females is pure white/ pinkish and very rarely spotted (in contrast to Smooth Newts).

## **4 Great Crested Newt Ecology**

- 4.1 This sub-section of the document is provided as a brief introduction to the ecology of Great Crested Newts. It is not a substitute for detailed knowledge and experience of working with the species.
- 4.2 Great Crested Newts live both in water (aquatic habitat) and on land (terrestrial habitat). Aquatic habitat is required for breeding and feeding. Terrestrial habitat is required for foraging (for food) and for brumation during the winter. They can be present in their breeding waterbody between spring and autumn but individuals often spend less time than that in aquatic habitat. The remainder of the year is spent on land. Some adults will migrate back to their breeding waterbody as early as late January but most move later, in March. Adult newts generally leave the waterbody from late May onwards.
- 4.3 Adult females lay eggs individually on submerged plants and can lay 200 eggs in a season. Larvae hatch after about three weeks and take another two to three months to complete their development. While some juveniles leave the waterbody (usually from August onwards) in this first year (and spend the winter on land) some will over-winter in the waterbody.
- 4.4 Great Crested Newts overwinter often underground amongst tree roots, in mammal burrows, down the side of walls/ house foundations, in cellars, and beneath piles of stones/ logs, *etc.* Dormancy may last from October to February but they can be active during milder weather in this period. While on land and outside the winter period, Great Crested Newts require refuge from extremes of weather. During the day they will rest in dense vegetation, under refuges (logs, *etc.*), or underground. They will emerge from these refuges at night to forage and or migrate.

## 5 Method Statement – Implementation of RAMs

### Preparatory

- 5.1 This RAMs Method Statement will be discussed in detail with all personnel/ contractors involved with the proposed activity before any works are carried out. This will take the form of a toolbox talk/ site meeting to be presented by the ecologist and will incorporate advice with regard to the identification features of Great Crested Newts and the procedure that should be followed if a Great Crested Newt is discovered during any works. This information will be incorporated into all subsequent site inductions for new personnel/ contractors.
- 5.2 Before any works commence a copy of this method statement will be issued to all site personnel/ contractors and a signed copy will be retained by the ecologist. The contact details of the ecologist responsible for implementing this RAMs Method Statement will be provided to all site personnel before the start of work. This method statement must be strictly adhered to by all site personnel/ contractors involved with the proposed works.
- 5.3 Should a Great Crested Newt be located during implementation of the RAMs then it would be moved away from the immediate work area by the ecologist and relocated for welfare reasons only to a suitable receptor site. All work would then be suspended until further notice and Natural Resources Wales (NRW) consulted. It is possible that in this instance or if a Great Crested Newt is found at any other time during the work, an NRW 'development' licence may be required in order to lawfully proceed. Work should not re-commence until the ecologist has provided such confirmation. Other amphibians that may be found during the implementation of the RAMs scheme would also be moved away from the immediate work area.

### Timing/ Weather Conditions

- 5.4 Implementation of the Great Crested Newt RAMs should only be undertaken when the preceding and following night-time temperature does not fall below 5°C and the day-time temperature is warm.

### Working Protocol – Proposed Extension

#### *Visual/ Hand-search of Extension Footprint*

- 5.5 Features of potential value for amphibians have been removed from the footprint of the proposed extension. Following presentation of the toolbox talk, the ecologist will undertake a visual/ hand-search of the site as deemed necessary prior to the start of any works associated with the extension. It will focus on the footprint of the proposed works as well as any immediately adjacent areas that may be used for storage of materials, vehicles or machinery.

#### *Potential Refugia Within/ Adjacent to the Works Site*

- 5.6 Potential refuges within/ adjacent to the works site (including tree stumps, brash, rubble, bricks, etc) such as that towards the northwest corner of the site, will be subject to a hand-search by the suitably licensed ecologist. It may also be necessary to undertake destructive searches on some of these features using an excavator under the supervision of the ecologist. A mini-digger/ small excavator with a toothed digging bucket or similar should be used to carefully lift such features. The ecologist will check underneath them. All cleared materials should be immediately removed from the works site.



**Features providing potential refugia near the northwest corner of the site that will need to be hand-searched.**

*Storage/ Removal*

- 5.7 Creating and retaining piles of rubble or other similar materials on site should be avoided. Such features would provide potential refugia for Great Crested Newts. All such materials must be removed from the site on the same day or otherwise stored as detailed below.
- 5.8 If it is not possible to remove rubble/ other material within the same day it should be stored in a skip or similar until it can be removed. If such material is to be used on site, then this must be undertaken in accordance with the direction of the ecologist.
- 5.9 Building materials should either be stored in a shipping container or inside the existing building.

*General*

- 5.10 At times when there is less/ no risk to Great Crested Newts the ecologist will remain on stand-by (off-site) for the duration of the works; site contractors will be responsible for implementing a watching-brief. This will entail a brief visual search of the site each day prior to any works being initiated. When stored materials/ machinery are moved, particular attention will be paid to determine if any amphibians are located underneath.
- 5.11 Should a newt be found during the work (and the ecologist is not present at the site) on-site contractors will halt all activity immediately, contact the ecologist and wait until the ecologist arrives to remove the newt to an appropriate location. If any newt is found during the work the ecologist should be called to confirm identification before any action is taken. If other amphibians such as Common Frog or Common Toad are found during work, and confidently identified, then on-site contractors can move it to an appropriate location (firstly making sure their hands are damp or they are wearing gloves). This could be within the small bank of scrub/ trees towards the southeast corner of the site.

5.12 As mentioned above, should a Great Crested Newt be found at any time, it is likely that work would not be able to re-commence until a 'development' licence had been obtained.

5.13 In addition to that outlined above, the following measures will be undertaken:

- The contractor's compound including all machinery, materials and other associated paraphernalia will be located on areas of hard-standing at all times;
- No machinery/ vehicles will access any area outside the works site to undertake work associated with the proposed extension unless under supervision by the ecologist where necessary;
- Prior to leaving the site at the end of each day, all tools and other materials will be stored securely either off-site or located on hard-standing/ within secure facilities;
- Any spoil/ rubble or other loose material that may be stored on site overnight must be placed on plastic sheeting on top of a pallet (or similar) so that it is raised off the ground, or in a skip as detailed above. Where this is not possible it must either be removed from site or be located on hard-standing where possible and be compacted;
- Should any holes/ excavations be left on site overnight, such as for building foundations, a suitable ramp (e.g., plank of wood) will be placed, with a slope of no more than 45°, so as to provide newts with a means of escape. The hole would be subject to a visual search (for amphibians) in the morning by site personnel;
- Machinery and vehicles will be located on hard-standing overnight;
- Any servicing or repair of machinery or vehicles will be carried out on areas of hard-standing; and
- Refuelling of machinery or vehicles will also be carried out in accordance with the appropriate Environment Agency Guidance for Pollution Prevention and all other relevant pollution guidance.

#### **Working Protocol – Grassland Reinstatement on Western Slope**

##### *Potential Refugia*

5.14 Potential refuges on the area of grassland to be reinstated (including loose soil, rubble, bricks, building materials, etc) will be subject to a hand-search by the suitably licensed ecologist. Following the hand-search all cleared materials will be immediately removed from the works site. This material will be carefully removed by hand using hand-tools (e.g. spades) as necessary.



**Some of the soil, rubble and building materials to be removed from the western slope.**

*Scrub Clearance*

- 5.15 As part of reinstating the grassland on the slope by the western site boundary it is proposed to remove scrub and young trees. It is likely that this will be achieved using a chainsaw and scrub-cutter in places as necessary. This will be undertaken in a methodical manner, starting from the southern end of the bank, and proceeding north along the bank. This work will be undertaken in the autumn/ winter and outside the bird nesting season.
- 5.16 This work will be supervised by the ecologist where deemed necessary and hand-searches of particular habitat features may be undertaken. The scrub/ young trees will be cut no lower than 10-15 cm above ground level. Cut material should be gathered/ raked up and removed (by hand) from the site or placed in a brash pile towards the northern end of the slope. It will not be placed on any area of grassland. All arisings from this clearance work should be removed within the same day.
- 5.17 Cutting to ground level is not proposed. No further visual-/ hand-searches are therefore considered necessary.

**Ecologist Contact Details**

- 5.18 The ecologist overseeing this project is Tom Knight (Marches Ecology) who can be reached on 07928 212545. In the event that Tom cannot be contacted, please contact Max Ellson on 07950 220188.

## **6 Method Statement (Other Species)**

### **Grass Snake**

- 6.1 The ecologist will under-take visual/ hand/ destructive searches for reptiles at the same time as that for Great Crested Newts. Should any reptiles be found, they would be moved to the same receptor site.
- 6.2 When the ecologist is not present on site on-site contractors will maintain a watching brief (for reptiles) as detailed above.
- 6.3 Should a Grass Snake be found during the work (and the ecologist is not present at the site) on-site contractors will halt all activity immediately, contact the ecologist and wait until the ecologist arrives to remove the Grass Snake to the receptor site if this is deemed necessary. In the mean-time, an escape route should be provided to the work site boundary and the Grass Snake should be allowed to find its own way out.
- 6.4 Grass Snakes should not be picked up or handled if it can be avoided. It is acceptable to pick up a Grass Snake to move it out of a working area if no other options are practical. Care should be taken when handling reptiles. Please note that Grass Snakes can bite although this is harmless.
- 6.5 Do not re-start work in this area until the ecologist has confirmed that it is ok to do so.

### **Nesting Birds**

- 6.6 Construction of the extension may be undertaken during the bird nesting season (March to August inclusive). It is possible that some nesting birds may be present though this is considered to be a low risk. The destruction of any bird nests that are in use is illegal.
- 6.7 If construction is undertaken during the bird nesting season it will be necessary for a suitably qualified ecologist to check the building and works site for nesting birds prior to the commencement of works. If any active nests are found at this time a buffer zone as detailed below would be provided.
- 6.8 Should any occupied nests be found during the construction phase when the ecologist is not present on the site, a buffer zone (determined on the basis of the species concerned and the location of the nest in the context of the surrounding vegetation, but no less than 5 m) would be retained until it can be ascertained that the chicks have left the nest. The buffer zone will be appropriately fenced and signed. It is likely that this would mean that the construction works would need to be delayed until the birds have fledged and moved away from the nest.
- 6.9 Do not re-start work in this area until the ecologist has confirmed that it is ok to do so.

### **Hedgehog**

- 6.10 At the same time as the (construction works and scrub clearance) Great Crested Newt RAMs the ecologist would undertake a search for Hedgehogs. Any Hedgehog that may be found (when not hibernating) would be moved to a similar, safe location nearby. Ideally, this work should not be undertaken within the hibernation period (October/ November to March/ April). However, if it is necessary to undertake the work at this time periods of cold weather should be avoided. Should a hibernating Hedgehog be found, it should be covered back up and left where it is until the end of the hibernation period.

## 7 Biosecurity Measures

### Introduction

- 7.1 Biosecurity risks at the site include the potential for invasive non-native species (INNS)/ diseases to be transferred on/ off and within site. As Great Crested Newts and other amphibians may be present on the site it will be important not to transfer amphibian diseases on/ off-site. Further to the appropriate implementation of the control measures this risk is likely to be deemed 'acceptable'.
- 7.2 The publication: Scottish Government (2010). *Biosecurity guidance for SEARS staff*. Revised October 2010; describes four levels of biosecurity control dependent on the perceived risk of the activity. The proposed works require Level 1 (Low Risk) biosecurity control as described in this guidance document and the general control measures detailed below are provided on this basis. The SEARS guidance is a useful source of general information on biosecurity.
- 7.3 This Method Statement will be issued to the Site Manager (or equivalent) and it will be discussed with all contractors/ sub-contractors as part of a tool-box talk/ site induction. It will also be made available on site at all times.

### General Control Measures

- 7.4 To minimise the risk of spreading INNS/ diseases to/ from the site the Check-Clean-Dry mantra advised as part of the Stop the Spread campaign by the Non-Native Species Secretariat (NNS) should be adopted at all times:
- 1) **Check** your equipment including vehicles, clothing and boots and remove any plant or animal 'hitchhikers'.
  - 2) **Clean** equipment including vehicles, clothing and boots thoroughly, remove all mud, leaves and plant debris. If it is not possible to clean on site, securely bag items and clean at a suitable location where risk of transfer of diseases is minimised. Wash vehicle tyres and wheel arches if muddy and park on hard-standing if possible.
  - 3) **Dry** thoroughly any equipment or PPE that has been in freshwater or the marine environment; some INNS can live on damp items for weeks.

### Control Measures for Himalayan Cotoneaster

- 7.5 Prior to the start of any works at the site all plants of Himalayan Cotoneaster should be identified as far as is possible. These plants should be carefully pulled or dug up so that all parts of the plants are removed. The plants should be temporarily placed in a suitable container/ bag. This material should be deposited on site in a location that will not be subsequently disturbed, and left to rot down. Alternatively, this material could be chipped. All equipment, clothing and footwear used in this operation will be cleaned as detailed above.

### Control Measures for Amphibian Diseases

- 7.6 The ARG UK Advice Note 4<sup>8</sup> provides further information on precautions to be taken to minimise the risk of spreading amphibian diseases. This Advice Note should be followed when undertaking any work at the site, or where amphibians may be handled.
- 7.7 It is not currently anticipated that disinfection will be necessary. Should disinfection become necessary then the procedure provided in ARG-UK Advice Note 4 should be followed: Use a brush to scrub off any debris, plant fragments, mud etc. and rinse with water. Then disinfect using one of the following methods: 1) Soak/ wash in a bleach solution (diluted with water to produce a 4% solution) for 15 minutes; OR 2) Virkon (10 mg/ml, as per supplier's instructions) for 1 minute. Rinse with clean water and if possible, allow to dry.
- 7.8 Should any diseased amphibians be located or suspected, the RAMs scheme will be halted and Amphibian and Reptile Conservation (ARC) (<https://www.arc-trust.org/>) NRW contacted for further advice. Works will only re-commence when it is confirmed that it is safe/ acceptable to do so.

### Handling Amphibians

- 7.9 The following is a brief summary of biosecurity measures to be implemented when handling any amphibians. Further details are provided in the ARG UK Advice Note 4 which should be referred to for further information.
- Handle amphibians only when necessary.
  - If handling amphibians, or if contact with pond water is necessary, wear powder-free disposable vinyl gloves which you rinse before contact with the amphibians. Use vinyl rather than latex or nitrile because the latter two may be harmful to amphibians.
  - Use a fresh pair of gloves for each site (pond/ waterbody) visited.
  - Ensure that all workers wash their hands thoroughly with soap or hand sanitising gel and water after each day/ before moving to another site.
  - Wash all clothing on a 40°C cycle with biological detergent, after exposure to amphibians or pond/ ditch water.
  - Do not release amphibians anywhere except at the place of capture.

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<sup>8</sup> ARG UK (2017). *Amphibian and Reptile Groups of the UK – Advice Note 4: Amphibian Disease Precautions: A Guide for UK Fieldworkers*. Version 2, revised March 2017. Available at: <https://www.arguk.org/info-advice/advice-notes/324-advice-note-4-amphibian-disease-precautions-a-guide-for-uk-fieldworkers-pdf-2>

**I have read and understand the requirements of this method statement.**

[illegible]