

Ecology Method Statement for contractors

**Trevor Basin
Off Station Road, Trevor
Nr Llangollen, Wrexham LL20 7TY**

All persons working on the re-development of Trevor Basin should be made aware of the information in this method statement.

If you are involved in work associated at the Trevor Basin site, you must follow the directions of the Project Ecologist and the information in this method statement.

Adopting the working methods outlined in this method statement will help you to avoid committing offences in relation to bats, otters, nesting birds and invasive non-native plant species.

If you are in any doubt about whether your work is likely to affect bats nesting birds and/or non-native plant species, and create an offence, please ask your site foreman or the Project Ecologists for guidance.

The Project Ecologists for this site are:

Canal & Rivers Trust (CRT) Ecologist (contact details to be provided)

Ecology Services UK Ltd (Tel. 07752 397 624)



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1 Introduction

The Trevor Basin site comprises a number of habitats including open water (the canal), woodland, scattered trees, tall herb and grassland. All of these habitats have potential to support protected species; bats, otters and nesting birds.

In addition, a range of undesirable plant species are present throughout the Trevor Basin site, including invasive non-native species, wall cotoneaster *Cotoneaster horizontalis*.

The re-development of Trevor Basin will involve an amount of loss and/or disturbance to existing habitats and could, therefore, create offences under UK and European Wildlife Legislation.

In order to avoid any unlawful activities, reasonable avoidance measures in relation to bats, otters, nesting birds and invasive non-native plant species must be adopted.

The Local Planning Authority have therefore requested the following planning condition:

'No part of the development shall commence until a long-term Ecological Management Plan and Ecological Method Statement have been submitted to, and approved in writing by, the Local Planning Authority. This information shall demonstrate how existing features of ecological / wildlife interest will be protected, identify any areas of compensation and demonstrate management in the long-term. The recommendations as approved shall be fully implemented in accordance with timescales to be agreed in writing before any part of the development commences on site.'

An Ecology Management Plan has been produced as separate document and should be used in conjunction with this method statement.

The precautionary methods outlined in this method statement comply with British Standard; BS42020: 2013 Biodiversity: Code of Practice for Planning and Development.

2 Bats

Trees with potential roost features for bats are present throughout the Trevor Basin site. Some of the trees are proposed for removal.

Bats are listed on Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). The act makes it an offence to:

- **Intentionally or recklessly obstruct access** to any structure or place used for shelter or protection by a bat
- **Intentionally or recklessly disturb a bat** while it is occupying a structure or place used as shelter or protection (protects the animal itself)

All bats are also listed in Conservation of Habitats and Species Regulations (Amendment) (EU Exit) Regulations 2019. The regulations make it an offence to:

- **Deliberately capture, injure or kill a bat**
- **Deliberately disturb a bat** in such a way as to be likely significantly to affect:
 - The ability of any significant group of bats to survive, breed or rear their young
 - The local distribution of that species
- **Damage or destroy the breeding site or resting place of bats**

The maximum fine on conviction of offences is currently unlimited. The CROW Act 2000 amendment also allows for a custodial sentence of up to six months instead of, or in addition to, a fine. In addition, items, which may constitute evidence of the commission of an offence, may be seized and detained.

The legislation applies to bats and bat roosts. Even if bats are not present at the time of the damaging activities, if roosts are affected, this may create offences under the legislation.



Lifted bark on willow tree at Trevor Basin, example of potential bat roost feature

3 Otters

The canal and the adjacent vegetation provide potential sheltering and feeding resources for otters.

Otters are listed on Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). The act makes it an offence to:

Intentionally or recklessly disturb an otter while they occupy a structure or place used for shelter or protection.

Otters are also listed in Conservation of Habitats and Species Regulations (Amendment) (EU Exit) Regulations 2019. The regulations make it an offence to:

- **Deliberately capture, injure or kill an otter**
- **Deliberately disturb an otter** in such a way as to be likely significantly to affect:
 - The ability of any significant group of bats to survive, breed or rear their young
 - The local distribution of that species

Damage or destroy the breeding site or resting place of otters - even if otters are not present

The maximum fine on conviction of offences is currently unlimited. The CRoW Act 2000 amendment also allows for a custodial sentence of up to six months instead of, or in addition to, a fine. In addition, items, which may constitute evidence of the commission of an offence, may be seized and detained.



Canal at Trevor Basin with adjacent trees and woodland habitat suitable for use by otters

4 Birds

A range of bird species were recorded during an ecology survey in March 2022. These species include mandarin duck, blue tit, greenfinch, great tit, robin and blackbird.

There is high potential for bird species to be nesting during the nesting season (February to September). Nesting birds could be found at height e.g. in trees and dense vegetation or at ground level e.g. in wall cavities associated within the canal, amongst bramble and dense aquatic vegetation.

All wild birds, their nests and their eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended), it is an offence to:

- intentionally kill, injure or take any wild bird
- intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built
- intentionally take or destroy the egg of any wild bird
- intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.

Fines

The maximum penalty that can be imposed for an offence under the Wildlife and Countryside Act - in respect of a single bird, nest or egg - is a fine of up to £5,000, and/or six months' imprisonment.



Female mandarin duck observed March 2022, canal side at Trevor basin

5 Invasive Non-Native Species (INNS) and other undesirable plant species

Cotoneaster horizontalis is classified as an invasive non-native species under Schedule 9 of Wildlife and Countryside Act 1981 (as amended). It is an offence to plant or cause this plant species to grow or spread in the wild.

Other undesirable plant species found within the Trevor Basin site include garden daffodil, Spanish bluebell, spirea, pampas grass and Stag's horn sumac.

As the development will result in an amount of ground disturbance, working methods must be adopted in order to prevent cotoneaster from establishing within the vicinity or causing it to spread and grow in the wild.

It is also important that other undesirable plant species (listed above) are not caused to spread. Where possible these should be removed from the Trevor Basin site prior to any works.



Cotoneaster horizontalis found at Trevor Basin



Garden daffodil, example of undesirable plant species in grassland and woodland habitat

5 Agreed working approach

There is potential for:

- Bats to be present within trees
- Otters to shelter and forage
- Nesting birds to be present within vegetation (at height and ground level) and within wall cavities.
- INNS to be disturbed.

It is necessary to adopt a number of precautionary measures to help avoid offences being committed. The precautionary measures are as follows:

Precautionary Measures	Responsibility
Prior to any work a toolbox talk will be delivered for all Contractors	Project Ecologists to deliver Contractors to attend
Prior to any work a Method Statement will be prepared	Project Ecologists to prepare method Statement (this document) Contractors to sign Method Statement and display on site at all times
Prior to any work a pre-commencement check for bats, otters and nesting birds will be carried out	Project Ecologists to carry out survey, report findings and advise CRT and Contractors as required.
Prior to any work a pre-commencement check for INNS and undesirable plant species will be carried out	Project Ecologists to carry out survey, CRT and/or Contractors to carry out control methods (Refer to Section 7).
During works - any activities likely to cause disturbance to nesting birds will be supervised and monitored.	Project Ecologists to supervise, monitor, report findings and advise CRT and Contractors as required.
During works –if nesting birds are found during works, all work will stop immediately and will not recommence until the Project Ecologists have given advice.	Contractors to stop works and report findings to site supervisor and Project Ecologists Project Ecologists to advise appropriately
During works - if <i>Cotoneaster horizontalis</i> is present within any areas to be disturbed, follow control methods in Section 7 and seek further advice from the Project Ecologists.	Contractors to report findings to site supervisor and Project Ecologists Project Ecologists to advise appropriately

6 Precautions to be adopted

Check that you have been given the go-ahead to work in each section of the site e.g. canal, trees and shrubs.

Check the work area carefully, prior to starting any operations.

Be aware that bats, otters and nesting birds may enter a work site after work has started (e.g. due to disturbance or as a result of new sheltering/nesting/roosting opportunities being created). Be alert to the possible presence of bats, otters and birds at all times.

If a bat, otter or nesting bird is found within or close to the worksite, it should be left alone and a note made of the location. **Work must stop immediately and the Project Ecologists must be contacted straight away. A minimum of 5 metres is to be left clear of disturbance all around any bat, otter or bird found during works.**

If you are in any doubt about whether your work is likely to affect bats, otters and/or birds and create an offence, please ask your site foreman or the Project Ecologist for guidance.

7 Control methods for *Cotoneaster horizontalis*

Mechanical Control

Young wall cotoneaster seedlings can be pulled by hand, however larger plants will develop multiple stems making it difficult to remove the whole plant.

If there is a large root mass this should be excavated to remove the entire plant in order to prevent any regrowth.

All plant material should be chipped or burnt on site or removed to licensed landfill as controlled waste

Chemical Control

If wall cotoneaster is present within an area that is not to be disturbed, it is possible to spray smaller plants with herbicide. Chemical uptake in larger plants is less effective and so any larger plants left in situ should be stump treated after cutting to prevent regrowth.

Removal, Aftercare, Monitoring and On-going Management

Soil must not be exported off site or moved within the site to prevent the spread of *Cotoneaster horizontalis* into unaffected areas.

If infected soil has to be taken off site, this must be treated as controlled waste and can only be disposed of in a registered landfill site.

Following development, monitor re-growth. Any re-growth should be controlled and managed.

Treatment with herbicide or hand pulling should continue over at least 2 years until the plant is eradicated from the development area.

Attendee Signature	Print Name	Company Name	Date