

Title	Biomass Boiler House/ Kilns/ Dry Pallet Store and Associated Infrastructure, at Jones & Sons Ltd, Off Oak Road, Wrexham Industrial Estate, Wrexham – Great Crested Newt Development Licence Application Method Statement Section M, Ecological Compliance Audit Form
Client	James Jones & Sons (Pallets and Packaging) Ltd
Date of Method Statement	30th June 2022
Author	Max Ellison

1 Introduction

1.1 Preamble

1.1.1 Marches Ecology was commissioned by James Jones & Sons (Pallets and Packaging) Ltd to prepare an Ecological Compliance Audit (ECA) form in connection with the development of a Biomass Boiler House/ Kilns/ Dry Pallet Store and associated infrastructure, at Jones & Sons Ltd, Off Oak Road, Wrexham Industrial Estate, Wrexham (NGR: 339373 349327).

1.1.2 Planning permission has been provided by Wrexham County Borough Council (WCBC) on 10th June 2022 (ref: ISY P/2021/0217). The decision included 2 no. ecology related conditions, Condition 4 of which is as follows:

'No development shall commence until a GCN Post Construction Monitoring Plan has been submitted to and approved in writing by the Local Planning Authority. The GCN Post Construction Monitoring Plan should build upon principles outlined in the Ecological Mitigation Method Statement¹ and include, but not necessarily be limited to the following:

- *Long-term management plan (minimum duration 15 years) for the dedicated amphibian conservation area. Details to include:*
 - o *defined aims and objectives;*
 - o *management and maintenance prescriptions;*
 - o *monitoring methodology, defined targets and reporting requirements;*
 - o *licensing requirements for management and maintenance works;*
 - o *current and any proposed changes to tenure include any associated restrictive covenants; and*
 - o *proposals to update the plan.*
- *Ecological Compliance Audit to evidence compliance of all ecological avoidance, mitigation and compensation works, either proposed or subject to the provisions or reserved matters conditions. The Audit shall identify Key Performance Indicators (KPIs) that are to be used for the purposes of assessing and evidencing compliant implementation of proposals.*

¹ Marches Ecology (2022). *Proposed Development at James Jones & Sons Ltd, Off Oak Road, Wrexham Industrial Estate, Wrexham – Ecological Mitigation Method Statement*. Prepared on behalf of James Jones & Sons (Pallets and Packaging) Ltd.

The Post Construction Monitoring Plan shall be carried out in accordance with the approved details.'

- 1.1.3 A Natural Resources Wales (NRW) Great Crested Newt licence (to include an amphibian translocation scheme) is required to lawfully undertake the development; as such this ECA will be included within the license application submission pack (as *Section M* of the Method Statement), as well as being submitted to WCBC to partly discharge Condition 4. The remainder of Condition 4 ('GCN Post Construction Monitoring Plan') is addressed in a separate Ecological Management Plan document (this document will also be submitted to WCBC to facilitate full discharge of Condition 4).
- 1.1.4 Maintaining adequate records via a compliance audit will form an important part of ensuring that all of the requirements of the licenced mitigation scheme are achieved. As per Condition 4 it will also allow '*evidence compliance of all ecological avoidance, mitigation and compensation works*' as detailed in the Ecological Mitigation Method Statement (EMMS) (Marches Ecology 2022, *op. cit.*).
- 1.1.5 The ECA is based upon the 'Compliance Audit Guidance Note for EPS development licences'² and will utilise the associated template³⁴. This is based on a Natural Resources Wales/ Snowdonia National Park Authority 'Draft Provisional Ecological Compliance Audit Guidance Note' (Waring & Ellis 2012⁵). The Compliance Audit Guidance Note has been referred to when developing the ECA; it identifies that audit requires an assessment of compliance with specified or required parameters, which may be referred to as Key Performance Indicators (KPIs). Once established each of these parameters have been used to assess component and overall performance of all ecological avoidance, mitigation and compensation works, including the licenced mitigation scheme, and therefore assess compliance. It includes for remedial or contingency actions to be undertaken should such a requirement(s) be identified.'
- 1.1.6 Due to the small scale of this scheme it has been agreed with NRW that this can be an internal audit: this is as per 'Tier 2' of the Compliance Audit Guidance Note which requires the following: '*Internal compliance audit(s) completed on behalf of a developer throughout construction. NRW licence report also submitted*⁶.'
- 1.1.7 The form provided in this document comprises a blank version that will be used/ completed as required after each audit visit that is undertaken. Not all KPIs will be completed on each audit visit; those to be assessed will be determined by the auditor. A completed form and associated information (such as photos, other evidence) will be prepared after each audit visit and subsequently issued to NRW *etc.* as required. Should it be deemed necessary/

² Webpage appears to have been archived.

³ Available at: <https://naturalresources.wales/permits-and-permissions/species-licensing/protected-species-licensing/great-crested-newt-licences/?lang=en>

⁴ Reference has also been made to a document entitled 'GCN Master Ecological Compliance Audit Example (draft) July 2019' provided directly by Matt Ellis (NRW).

⁵ Waring, P. & Ellis, M. (2012). *Draft Provisional Ecological Compliance Audit Guidance Note*. Version 7, November 2012.

⁶ A Tier 2 Audit is defined by NRW (Compliance Audit Guidance Note for EPS development licences) as follows: '*The developer will be required to undertake a compliance audit using key performance indicators. The licensee is responsible for submitting the information and for its accuracy. In most cases the scheme ecological consultant will complete the species-specific sections of the report form and sign off that they have been undertaken as specified.....The developer will be responsible for appointing the ecological consultant to undertake the internal audit.*'

required, this can also be submitted to WCBC (this will be confirmed at the time with Emma Broad, WCBC Ecologist).

- 1.1.8 The audit process will run the length of the licenced works and will be concluded on completion of the development/ submission of a licence return to NRW. As such it is the intention that some long term parameters will not be subject to on-going audit.

ECOLOGICAL COMPLIANCE AUDIT FORM**Licence/ Scheme Details**

Natural Resources Wales licence reference number:	TBC	Site name:	Jones & Sons Ltd, Off Oak Road, Wrexham Industrial Estate, Wrexham
Species to which licence relates:	Great Crested Newt	Site grid reference:	SJ 3937 4933
Name of licence holder:	Michael P. Nelson (Project Engineer, James Jones & Sons Ltd) [TBC]	Date of this audit:	
Name and organisation of licence ecologist:	Max Ellson (Marches Ecology)	Number of audit:	
Name and organisation of ecological compliance auditor:	Max Ellson (Marches Ecology)	KPIs assessed during audit:	
Name of representative of developer if different from licence holder:	N/a	Number of audits scheduled:	Monthly throughout translocation and construction programme.
Type of audit:	Internal Audit (Tier 2)	Interval between audits:	1 month
Planning permission Condition?	Yes, Condition 4 (part of)		

Licensing History

Date licence issued (dd/mm/yy)	Date licence expires:	Licence implemented between (dd/mm/yy)	

Performance Indicators

KPI No.	Performance Indicator	Evidence Required	Pass (Yes/ No, comments) Photographic evidence used?	What action is required as a result of findings?
Pre-start/ General Requirements				
1	Before starting work the licensee will advise NRW Species Officer of the date the works will start.	Written or electronic documentation of notification of start of works.		
2	A suitably experienced licensed ecologist will be appointed and retained during the lifetime of this licence to provide on-site advice.	Letter, contract or other document outlining the appointment of an Ecologist for the lifetime of the project.		
3	Prior to the start of any works on site (and as required throughout the duration of any works on site), all site workers will be inducted by the Project Ecologist. This induction will cover the legal status of the species, the method of working, and action to be taken if protected species are encountered.	Copy of documents from ecological induction, showing content of induction. To include GCN and other species groups as included in EMMS. List of induction attendees will be provided.		
4	Preparation and implementation of a biosecurity risk assessment as detailed in E.5 (Annex K.6) of the method statement.	Biosecurity risk assessment is available for inspection. Log of implementation of biosecurity measures is available		

KPI No.	Performance Indicator	Evidence Required	Pass (Yes/ No, comments) Photographic evidence used?	What action is required as a result of findings?
		for inspection and shows that they have been implemented. On site observations shows that physical evidence of biosecurity measures is available e.g. foot washes.		
5	Licence available for inspection by any police constable or employee of Natural Resources Wales.	Licence is available for inspection on site.		
6	No agent of the licensee shall act under licence unless they are in possession of a letter signed by the licensee appointing them by name as the duly accredited agent of the licensee for the purposes of this licence, and shall carry with them the said letter and a copy of this licence and shall produce them to any police constable or employee of the Natural Resources Wales or other authorised person on demand.	All relevant accredited agents have copies of the licence-holder's letter of authorisation. The licence-holder's letter is available for inspection.		

KPI No.	Performance Indicator	Evidence Required	Pass (Yes/ No, comments) Photographic evidence used?	What action is required as a result of findings?
7	Pre-works requirements as detailed in EMMS.	Log of 1) completion of Badger watching brief/ pre-works sett check (development site and EMA) and 5) implementation of pre-works nesting bird check as required.		
8	General requirements as detailed in EMMS.	For example (but not limited to), log of 1) provision of temporary protective fencing (including review of installation by ecologist), 2) implementation of best practice measures with regards Badger, 3) review/ sign of external lighting by ecologist, and 4) implementation of reptile watching brief by ecologist.		
E.1 GCN capture and exclusion				
9	Different species of newt and other amphibians to be held and transported in separate containers.	Log of activities, including use of containers, is available for inspection. Log shows that amphibians have been transported within separate containers.		

KPI No.	Performance Indicator	Evidence Required	Pass (Yes/ No, comments) Photographic evidence used?	What action is required as a result of findings?
		Containers are available for inspection.		
10	Design and installation of amphibian fencing to the specifications detailed in the method statement.	Visual check by auditor. To include confirmation that exclusion/ drift fencing has been installed as detailed in the method statement, including: 1) where possible taking into account limitations of space/ existing boundary features, that fencing has been installed so there is a minimum 1 m access strip left for maintenance on all sides; 2) fencing layout does not contain gaps through which newts may pass; 3) vehicle access points have been installed using ACO stop-grids or similar; 4) fence-posts have been located on the inside of the development site; 5) fencing membrane has been installed without noticeable		

KPI No.	Performance Indicator	Evidence Required	Pass (Yes/ No, comments) Photographic evidence used?	What action is required as a result of findings?
		creases or folds; and 6) joints in the membrane have been 'curl-joined' and well secured to a post with pads and nails. Where applicable, the jointing method continues underground as well as above.		
11	Amphibian fencing has been subject to inspection and maintenance as detailed in the method statement throughout the translocation and construction periods.	Log of activities to be provided. A fence inspection log of all inspections and all repairs required has been maintained and is available to NRW at 48 hours notice to show that: 1) the fence has been inspected by a suitably qualified/ licensed ecologist every 24 hours during the translocation scheme, otherwise every 24 hours during the development by a suitably trained person and monthly by the ecologist; 2) any repairs have been completed within 24 hours throughout the duration of construction works;		

KPI No.	Performance Indicator	Evidence Required	Pass (Yes/ No, comments) Photographic evidence used?	What action is required as a result of findings?
		3) that 99% or more of the length of the exclusion fencing has been maintained in a satisfactory condition; and 4) fencing has been kept clear of vegetation or other materials that may enable newts to climb over the fence.		
12	Exclusion programme has been completed according to specifications outlined in method statement, e.g. timings, effort, method to be employed, use of on-site min/ max thermometer.	Log of activities, including clearance activities, is available for inspection recording captures, weather conditions, and other parameters as required.		
13	Works within amphibian habitats (application site) will not commence until working areas are confirmed to be clear of amphibians by the licensed ecologist.	As 12.		
14	Any works outside the amphibian fence are to be in accordance with the method statement and supervised by a licensed person.	Log of works undertaken, including evidence of licensed person on site, available for inspection.		

KPI No.	Performance Indicator	Evidence Required	Pass (Yes/ No, comments) Photographic evidence used?	What action is required as a result of findings?
		A log book will be kept available that demonstrates all works done under licence and in accordance with the agreed method statement.		
E.2/E3 GCN habitat modification and creation for mitigation and compensation				
15	All mitigation and compensation measures have been implemented as per section E.2 of the Method Statement.	Log of works demonstrates habitat creation /enhancement implementation has been implemented in accordance with the Method Statement. This is to dovetail with EMMS (for example to include new hedgerow around part of development footprint). Log and/or other recording systems that evidences procedures and other measures document compliant implementation of the Method Statement. This may include log maintained by the licensed ecologist to provide a record of all measures implemented to ensure compliance with the relevant parts of E.2. E.g. log of works demonstrates hand/ destructive		

KPI No.	Performance Indicator	Evidence Required	Pass (Yes/ No, comments) Photographic evidence used?	What action is required as a result of findings?
		searches <i>etc.</i> have been completed as per the method statement.		
16	'Amphibian friendly' drainage features have been installed as per the scheme proposals and as included in the Method Statement (Section E.3.3).	Log maintained by the licensed ecologist to provide a record of confirmation.		
17	Ensure long-term management of the EMA has been secured with an appropriate funding mechanism and that a suitable third party has been contracted as detailed in the Method Statement (Section E.3.4).	Log and/or other recording systems that evidences procedures and other measures document compliant implementation of the Method Statement.		
F and H: Long-term site proposals				
18	Implementation of habitat/ site management and maintenance and, habitat monitoring as detailed in F.1 and F.2 of the Method Statement.	Auditor to review and confirm that all habitat creation and maintenance measures are being/ have been/ will be implemented in accordance with Method Statement.		
19	Implementation of population monitoring as detailed in F.2 of the	Auditor to confirm that monitoring plan demonstrates measures are		

KPI No.	Performance Indicator	Evidence Required	Pass (Yes/ No, comments) Photographic evidence used?	What action is required as a result of findings?
	Method Statement	in place to undertake GCN population monitoring post-development and that results will be passed to local records centre.		
20	Implementation of long-term site safeguard proposals as detailed in F.4, H.1 and H.2 of the Method Statement.	Auditor to confirm implementation and/ or that appropriate measures are in place.		

Any other points to note/comments from auditor

Photographic evidence details

Auditor Name:

Date:

Auditor Signature:

Schedule of Ecological Compliance Audit Completion and Dissemination

Audit Number	Date Visit Completed	Date Report Issued to Developer/ Licence Holder	Names/ Organisations	Date Issued to NRW/ Other	Names/ Organisations
1					
2					
3					
4					
5					
6					
7					
8					
9					